

Napa County

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



Agenda - Final

Tuesday, February 6, 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.

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 CONSENT ITEMS can be discussed separately at the request of any person. CONSENT ITEMS are usually approved with a single motion.

PUBLIC HEARINGS - These items are noticed public hearings pursuant to government code.

ADMINISTRATIVE ITEMS - These items include significant policy and administrative actions and are classified by program areas.

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 after the meeting. Availability of materials related to agenda items for inspection does not include materials which are exempt from disclosure under the California Government Code.

ANY MEMBER OF THE AUDIENCE DESIRING TO ADDRESS THE BOARD:

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).

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.

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**

- A. Present a proclamation designating February 2024 as Black History Month in Napa County. (No Fiscal Impact, Discretionary) [24-196](#)

Attachments: [Proclamation \(added after meeting\)](#)

5. CONSENT CALENDAR - SPECIAL DISTRICTS**Napa County Groundwater Sustainability Agency**

- A. Approve a Budget Amendment increasing both revenue and appropriations by \$1,500,000 in the Groundwater Sustainability Agency Fund to cover unanticipated and increased expenditures associated with implementation of the Groundwater Sustainability Plan. (Fiscal Impact: \$1,500,000 expense, Groundwater Sustainability Agency Fund, Not Budgeted, Discretionary) [24-32](#)
[4/5 vote required].

In-Home Supportive Services Public Authority of Napa County

- B. Adopt a Resolution approving the successor Memorandum of Understanding with SEIU Local 2015, regarding compensation and benefits for In-Home Supportive Services providers effective February 6, 2024 through June 30, 2027. (Fiscal Impact: \$5,366,000 expense; HHSA Fund and IHSS-Public Authority Fund; Budgeted; Mandatory) [24-123](#)

Attachments: [Resolution](#)
[Redine MOU](#)

- C. Adopt a Resolution approving the submission of an In-Home Supportive Services (IHSS) wage rate package requesting an increase in IHSS provider hourly wages effective May 1, 2024. (Fiscal Impact, \$5,366,000 expense; HHSA Fund; Budgeted; Mandatory) [24-125](#)

Attachments: [Resolution](#)
[Cover Letter](#)
[Exhibit A: Rate Request](#)

6. CONSENT CALENDAR**Clerk of the Board**

- A. Approval of minutes from the January 23, 2024 regular meeting. [24-197](#)
Attachments: [January 23, 2024](#)
- B. Appointment of Austin L. Simpson to represent Alternate Napa County Volunteer Firefighter to the Napa County Fire Services Advisory Committee with term of office to commence immediately and expire September 30, 2025. (No Fiscal Impact) [24-158](#)
Attachments: [Simpson Application](#)
- C. Appointment of Alejandra Mendieta-Bedolla to represent Interested Citizen Representing Victims on the Napa County Community Corrections Partnership (CCP) with the term to commence immediately and expire on June 30, 2027. (No Fiscal Impact) [24-199](#)
Attachments: [Mendieta-Bedolla Application](#)
[Letter of Recommendation](#)
- D. Appointment of Arnulfo A. Solorio representing Napa Valley Farmworker Foundation on the Napa County Housing Commission with a term of office to commence immediately and expire on October 1, 2028. (No Fiscal Impact) [24-207](#)
Attachments: [Solorio Application](#)

County Counsel

- E. Approve and authorize Amendment No. 5 to Agreement No. 210364B with Renne Public Law Group (RPLG) to increase maximum compensation for fiscal year 2023-2024 only, after which the maximum compensation will revert to \$800,000 per fiscal year, for the provision of legal services related to wage and hour requirements, code enforcement, juvenile dependency appeals, and other matters as agreed; and approve a Budget Amendment, increasing County Counsel-Legal Services appropriations by \$1,155,000 offset by use of Appropriation for Contingency. (Fiscal impact: \$1,155,000 expense; General Fund; Not Budgeted; Discretionary.) [24-141](#)
[4/5 vote required]
Attachments: [Agreement](#)

County Executive Office

- F.** Approve a Budget Amendment to increase appropriations and assignments detailed below with use of available fund balance; decrease assignment of fund balance for Tobacco Settlement; and increase assignment of fund balance in Library Fund. (Fiscal Impact: General Fund \$14,129,500 expense; \$615,000 expense HHS Fund; \$400,000 expense Roads Fund; \$45,000 expense Fire Fund; and \$9,400,000 Library Fund; Discretionary). [4/5 vote required] [24-89](#)
- G.** Approve and authorize out of state travel for Supervisors Ryan Gregory and Anne Cottrell to attend the National Association of Counties (NACo) Annual Legislative Conference in Washington, D.C. from February 8-14, 2024. (Fiscal Impact: \$7,000; General Fund; Budgeted; Discretionary) [24-143](#)
Attachments: [Conference Agenda](#)
- H.** Receive and file the Section 115 Trust Annual Report regarding funding of Other Post-Employment Benefits. (No Fiscal Impact, Discretionary) [24-198](#)
- I.** Adopt a Resolution continuing the State of Local Emergency due to pervasive tree mortality in Napa County. (No Fiscal Impact) [24-202](#)
Attachments: [Resolution](#)

County Fire Department

- J.** Approve and authorize Site Use Agreements for: Angwin Volunteer Fire Department (Agreement No. 240237B), Deer Park Volunteer Fire Department (Agreement No. 240239B), Dry Creek-Lokoya Volunteer Fire Department (Agreement No. 240236B), Gordon Valley Volunteer Fire Department (Agreement No. 240240B), Pope Valley Volunteer Fire Department (Agreement No. 240238B), Rutherford Volunteer Fire Department (Agreement No. 240235B), Soda Canyon Volunteer Fire Department (Agreement No. 240234B) and Carneros Volunteer Fire Department (No. 240276B); not-for-profit organizations for use of fire station facilities by the Napa County Fire Department through site use agreements. [23-1897](#)
- (Fiscal Impact: \$800,000 expense annually; Fire Fund; Budgeted; Discretionary)
- Attachments:** [Agreement - Angwin](#)
[Agreement - Deer Park](#)
[Agreement - Dry Creek/Lokoya](#)
[Agreement - Gordon Valley](#)
[Agreement - Pope Valley](#)
[Agreement - Rutherford](#)
[Agreement - Soda Canyon](#)
[Agreement - Carneros](#)
- K.** Approve and authorize to declare Asset No. 26901, 27019, 28018, and 28019 Holmatro Rescue Equipment, which are capital assets, as surplus and no longer required for public use, remove from inventory, and dispose of at public auction. (Fiscal Impact: estimated \$2,000 revenue; Fire Fund; Budgeted; Discretionary) [24-30](#)
[4/5 vote required]
- L.** Approve a Budget Amendment to increase the Greenwood Station Construction Services appropriation to replace the current flooring. [24-168](#)
(Fiscal Impact: \$1,000 expense; Fire Fund; Budgeted; Discretionary)
[4/5 vote required]

District Attorney

- M.** Approve and authorize a Certificate of Assurance for Compliance that authorizes the District Attorney to apply for and sign grant Subaward documents with the California Office of Emergency Services in the anticipated amount of \$200,000 revenue for the period of June 1, 2024 to May 31, 2025 for the Electronic Suspected Child Abuse Report system program. (Fiscal impact: \$200,000 revenue; General Fund; Not Budgeted; Discretionary). [24-144](#)

Attachments: [Certificate of Assurance](#)
[Certificate of Assurance signed](#)

- N.** Approve and authorize a Certificate of Assurance for Compliance that authorizes the District Attorney to apply for and sign grant Subaward documents with the California Office of Emergency Services in the anticipated amount of \$300,000 revenue for the period of April 1, 2024 to March 31, 2026 for the Family Justice Center Program to serve victims of crime. (Fiscal impact: \$300,000 revenue; General Fund; Not Budgeted; Discretionary). [24-145](#)

Attachments: [Certificate of Assurance](#)

Human Resources – Division of CEO’s Office

- O.** Adopt a Resolution to amend the Departmental Allocation List for the Public Works Department. (Fiscal Impact: \$9,616 annual expense; General Fund; Budgeted; Discretionary) [24-136](#)

Attachments: [Resolution](#)

- P.** Adopt a Resolution to amend Napa County Policy Manual Part I: Section 37C-2, Management Compensation Plan - Management Non-Classified, effective October 28, 2023, to include the Fire Administrator and County Executive Officer in Attachment 1, Part B. (Fiscal Impact: \$7,200 annual expense; General Fund; Budgeted; Discretionary) [24-160](#)

Attachments: [Resolution](#)
[Correction Memorandum \(attached after meeting\)](#)

Planning, Building and Environmental Services (PBES)

- Q.** Approve a Budget Amendment increasing General Fund transfers out appropriations in the amount of \$1,500,000 from contingency funds for additional Groundwater Sustainability Agency consulting services. (Fiscal Impact: \$1,500,000 expense; General Fund; Not Budgeted; Discretionary) [24-200](#)
[4/5 vote required]

Public Works

- R.** Adopt a Resolution reducing the speed limits on Buhman Avenue from Congress Valley Road to Napa City Limit and Cold Springs Road from Las Posadas Road to End. (Fiscal impact: Yes (de minimus), Roads Division, Budgeted; Discretionary). [24-140](#)
- Attachments:** [Resolution](#)
[Engineering and Traffic Survey Report](#)
- S.** Approve a Budget Amendment to appropriate funding from Accumulated Capital Outlay (ACO), plans and specifications for “Oakville Grade Road MPM 1.35 Storm Repair Project,” RDS 19-65 and authorization to advertise for sealed bids, and opening of the bids at a time, date, and location to be published by the Director of Public Works pursuant to Section 20150.8 of the Public Contract Code and approval of Amendment No. 1 to Agreement No. 210080B with MGE Engineering, Inc., for additional engineering services (Fiscal Impact: \$50,805; Roads Fund; Not Budgeted; Discretionary) [4/5 votes required] [24-161](#)
- Attachments:** [Agreement](#)
[Budget Summary](#)
- T.** Approve and authorize creation of Project 24021 for the "North County Crossroads Paving Project," RDS 24-08, and appropriation for expenditures from the Measure T Special Revenue Fund. (Fiscal impact: \$600,000; Roads Fund; Not budgeted; Discretionary) [4/5 vote required] [24-163](#)
- U.** Approve and authorize creation of Project 24025 for the "South County Paving Project," RDS 24-03, and appropriation for expenditures from the Measure T Special Revenue Fund. (Fiscal impact: \$200,000; Roads Fund; Not budgeted; Discretionary) [4/5 vote required] [24-165](#)
- V.** Approve and authorize a Certificate of Acceptance for additional right-of-way for Big Ranch Road to accommodate a recently constructed left turn lane for the Materra Winery project. (No Fiscal Impact; Discretionary) [24-190](#)
- Attachments:** [Certificate of Acceptance](#)
[Irrevocable Offer of Dedication](#)

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. Receive presentation from MCE Clean Energy staff on program updates and future projects affecting Napa County. (No Fiscal Impact, Discretionary)

[24-171](#)

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

12. PUBLIC HEARING - SPECIAL DISTRICTS

13. PUBLIC HEARINGS

Planning, Building and Environmental Services (PBES)

- A. PUBLIC HEARING 2:00 P.M. - RUTHERFORD RANCH WINERY APPEAL (USE PERMIT MAJOR MODIFICATION NO. P19-00126-MOD AND USE PERMIT EXCEPTION TO THE CONSERVATION REGULATIONS P23-00145) [24-107](#)
- Conduct a public hearing to consider an appeal filed by Appellant Water Audit California (WAC or Appellant) concerning the Napa County Planning Commission's decision on June 21, 2023, to approve the Rutherford Ranch Winery Use Permit Major Modification No. P19-00126-MOD and Use Permit Exception to the Conservation Regulations P23-00145 submitted by Marko B. and Theo Zaninovich, Round Hill Cellars (Applicant or Rutherford Ranch). (No fiscal impact.)
- (CONTINUED FROM OCTOBER 10, 2023 AND NOVEMBER 7, 2023)

Attachments: [Attachment A - Appeal Packet](#)
[Attachment B - Staff Responses to the Appeal](#)
[Attachment C - Appellant WAC Witness List](#)
[Attachment D - Applicant Witness List](#)
[Attachment E - Conservation Regulations Table and Graphic Planning Commission Approval](#)
[Attachment F - Planning Commission Conditions of Approval and Approval Letter](#)
[Attachment G - Appellant Good Cause Request](#)
[Attachment H - Chair Good Cause Determination](#)
[Attachment I - Appellant Supplemental Information](#)
[Attachment J - Applicant Supplemental Information](#)
[Attachment K - Project Parking Graphic](#)
[PowerPoint Presentation \(Staff\) \(added after meeting\)](#)
[PowerPoint Presentation \(Applicant\) \(added after meeting\)](#)
[PowerPoint Presentation \(Appellant\) \(added after meeting\)](#)
[Correction Memorandum \(added after meeting\)](#)

14. CLOSED SESSION

- A. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE [24-194](#)
(Government Code Section 54957)

15. ADJOURNMENT

**ADJOURN TO THE BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY,
FEBRUARY 27, 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, FEBRUARY 2, 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