

Napa County

1195 THIRD STREET
THIRD FLOOR
NAPA, CA 94559



Agenda

Special Meeting (Closed Session) - 8:00 AM

Tuesday, August 24, 2021

9:00 AM

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

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

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 item on the **CONSENT CALENDAR** will be discussed separately at the request of any person. **CONSENT CALENDAR** items are usually approved with a single motion.

SET MATTERS - PUBLIC HEARINGS - These items are noticed hearings, work sessions, and items with a previously set time.

ADMINISTRATIVE ITEMS - These items include significant policy and administrative actions and are classified by program areas. Immediately after approval of the **CONSENT CALENDAR**, if the time for hearing **SET MATTERS** has not arrived, **ADMINISTRATIVE ITEMS** will be considered.

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 at the public meeting if prepared by the members of the Board or County staff and after the public meeting if prepared by some other person. Availability of materials related to agenda items for public inspection does not include materials which are exempt from public disclosure under the California Government Code.

This is a simultaneous meeting of the Board of Supervisors of Napa County, the Napa County Public Improvement Corporation, the Silverado Community Services District, the Monticello Public Cemetery District, the In-Home Support Services Public Authority of Napa County, the Lake Berryessa Resort Improvement District, the Napa Berryessa Resort Improvement District, the Napa County Housing Authority and the Napa County Groundwater Sustainability Agency. The five District Supervisors also serve as the Board of Directors for each of the aforementioned entities.

ANY MEMBER OF THE AUDIENCE DESIRING TO ADDRESS THE BOARD ON A MATTER ON THE AGENDA please proceed to the rostrum 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.

AGENDA AVAILABLE ONLINE AT www.countyofnapa.org

How to Watch or Listen to the Napa County Board of Supervisors Meetings****FACE MASKS MUST BE WORN AT ALL TIMES WHILE IN THE BOARD CHAMBERS.****

The Napa County Board of Supervisors will continue to meet pursuant to the adopted 2021 calendar available at the following link:

www.napa.legistar.com

The Board realizes that not all County residents have the same ways to stay engaged, so several alternatives are offered. Please watch or listen to the Board of Supervisors meeting in one of the following ways:

1. Watch on your TV - Napa Valley TV Channel 28 (programming subject to local pre-emption rules and schedules).
2. Listen on your cell phone via Zoom at 1-669-900-6833 then enter Meeting ID 842-343-169 once you have joined the meeting.
3. Watch via the Internet – view the Live Stream
 - a. via Zoom at the following link: <https://www.zoom.us/join> then enter Meeting ID 842-343-169.
 - b. via Granicus by clicking on the following link: http://napa.granicus.com/ViewPublisher.php?view_id=2
4. You may submit public comment for any item that appears on the agenda, or general public comment for any item or issue that does not appear on the agenda, as follows:
Via email: send your comment to the following email address:
Via the eComments link on the Napa County website: <https://napa.legistar.com/Calendar.aspx>
publiccomment@countyofnapa.org. EMAILS WILL NOT BE READ ALOUD.

Emails received by 8:00 AM on Tuesdays will be posted online. Emails received during board meetings will be posted after the meeting. All emails become part of the permanent record.

Via telephone: please call the Board of Supervisors Public Comment Line at (707)-299-1776.

Please mute all audio devices and do not use the speakerphone to prevent echoing.

Please provide your name and the agenda item on which you are commenting. Calls will be placed on hold and heard in the order received. The above-identified measures exceed all legal requirements for participation and public comment, including those imposed by the Ralph M. Brown Act and Executive Order N-08-21. For more information, please call at (707)-253-4421 or email publiccomment@countyofnapa.org.

1. CALL TO ORDER; ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. APPROVAL OF MINUTES
4. PRESENTATIONS AND COMMENDATIONS
5. DEPARTMENT HEAD REPORTS AND ANNOUNCEMENTS
6. CONSENT ITEMS - SPECIAL DISTRICTS

Lake Berryessa Resort Improvement District

A.

[21-780](#)

District Engineer requests approval of a Budget Transfer for the following (4/5 vote required):

1. Increase intrafund transfers-out appropriations by \$60,000 in the LBRID Administration budget (Fund 5220, Organization 5220000) with offsetting use of its available fund balance; and
2. Increase construction services appropriations by \$60,000 in the Alternative Intake Project (Fund 5220, Organization 5220500, Program 21021) with offsetting intrafund transfers-in from the LBRID Administration budget.

7. CONSENT ITEMS

County Departments

Agricultural Commissioner

A.

[21-772](#)

Agricultural Commissioner/Sealer of Weights and Measures requests approval of and authorization for the Chair to sign the renewal of Revenue Agreement No. 170909B with the Department of Food & Agriculture (CDFA) for a maximum of \$500 for the term July 1, 2021 through June 30, 2022 for activities related to the performance of nursery inspections and enforcement work.

Auditor-Controller

- B.** Auditor-Controller requests adoption of a resolution authorizing the implementation of the Teeter Plan as follows: [21-773](#)
1. Authorize the issuance of a promissory note, in the amount of \$5,268,793, to fund payment of the Fiscal Year 2020-21 delinquent secured taxes;
 2. Authorize the Chair and Clerk of the Board to sign the note; and
 3. Authorize the continuance of the Teeter Plan, as governed by Revenue and Taxation Code, for Fiscal Year 2021-22.
- Attachments:** [Auditor's Memo.pdf](#)
[Resolution](#)

County Counsel

- C.** County Counsel requests approval and ratification of a conflict waiver with Best Best & Krieger LLP in connection with Sun Communities' proposed development of recreational facilities and concessions at Lake Berryessa. [21-755](#)

County Fire Department

- D.** County Executive Officer/Purchasing Agent and County Fire Chief requests a waiver of competitive bidding requirements and sole source award for the purchase of one Type 5 (an initial attack engine on a medium duty chassis where the gross vehicle weight rating of chassis the is in the 16,000 to 26,000 pound range) Patrol Vehicle from Golden State Fire Apparatus/Pierce Manufacturing in Sacramento, California, for an approximate total of \$315,000 pursuant to County Ordinance Code 2.36.090. [21-812](#)

Housing and Homeless Services – Division of CEO's Office

- E.** County Executive Officer requests adoption of a resolution approving the re-direction of Community Development Block Grant-Disaster Recovery funds in the amount of \$420,094 to the City of Napa for the purpose of replacing affordable housing lost as a result of the 2017 wildfires for a project located within the jurisdiction of the City of Napa. [21-816](#)
- Attachments:** [Resolution Relinquish CDBG-DR funds to City of Napa.docx](#)

- F. County Executive Officer requests the adoption of a resolution authorizing a joint grant application with Burbank Housing Development Corporation in the amount not to exceed \$700,000 for a second round of Project Homekey funds to complete renovation on an apartment complex to create 16 permanent supportive housing units. [21-817](#)
- Attachments:** [Homekey Round 2 in re Adrian Ct project](#)
[7F & 7G Correction Memorandum \(added after meeting\)](#)
- G. County Executive Officer requests adoption of a resolution rescinding and replacing Resolution No. 2020-146 authorizing the final grant application with Burbank Housing Development Corporation in the amount not to exceed \$3,000,000 for Project Homekey Round 1 to update authorized signatories for grant-related documents. [21-818](#)
- Attachments:** [Resolution](#)
[7F & 7G Correction Memorandum \(added after meeting\)](#)

Human Resources – Division of CEO’s Office

- H. Director of Human Resources requests approval of and authorization for the Chair to sign Agreement No. 220061B with Cooperative Personnel Services, doing business as CPS HR Consulting for a maximum of \$200,000 for the term of July 1, 2021 through June 30, 2022, with an option to extend for two additional years, to provide executive search services, organizational development, and training services for Napa County. [21-608](#)
- Attachments:** [Agreement](#)
- I. Director of Human Resources and Assessor-Recorder-County Clerk request adoption of a Resolution amending the Departmental Allocation List for Assessor’s Division of the Assessor-Recorder-County Clerk’s Office, by adding one 1.0 FTE Appraiser I - Limited Term, effective August 24, 2021, through June 30, 2023, with a temporary net increase of one full-time equivalent. [21-803](#)
- Attachments:** [Resolution](#)

Library

- J.** Director of Library Services and Community Outreach requests the following: [21-801](#)
1. Acceptance of a \$20,000 donation from Friends of the Napa Library to support guest speakers, projects and programs; and
 2. Authorization for the Chair to sign a letter of appreciation in acceptance of this donation.

Attachments: [Letter of Appreciation](#)

Public Works

- K.** Director of Public Works requests the following regarding the 2020 LNU Fire Guardrail Replacement Project, RDS 20-40: [21-717](#)
1. Award of the contract to Midstate Barrier, Inc., of Stockton, California for their low base bid of \$1,198,062 and for the Chair to sign the construction contract; and,
 2. Approval of a Budget Transfer for the following (4/5 vote required):
 - a. Increase appropriations by \$1,500,000 in the Accumulated Capital Outlay Fund (ACO) (Fund 3000, Org 3000000) with the use of its available fund balance to be transferred to 2020 LNU-FHWA Guardrail Project (Fund 2040, Org 2040500, Project 21028); and
 - b. Increase appropriations by \$1,500,000 in Project 21028, RDS 20-40 offset by transfer from the ACO budget.

Attachments: [Bid Summary Sheet](#)
[Project Budget Summary.pdf](#)
[Project Construction Contract.pdf](#)

- L.** Director of Public Works requests approval of 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 for the LNU Fire Complex Guardrail Repair Project, RDS 20-39. [21-722](#)

Attachments: [Project Budget](#)

- M.** Director of Public Works request the following actions regarding the Silverado Trail Bridge Over Bell Canyon Creek Project: [21-766](#)
1. Approval of Budget Transfer for the following (4/5 vote required):
 - a. Increase appropriations by \$88,000 in the SB-1 Non-Operating Special Revenue Fund (SRF) budget (Fund 2440, Org 1220052) to transfer to the Project (Fund 2040, Org 2040500, Project 21031) offset by use of its available fund balance; and
 - b. Increase appropriations by \$88,000 in Project 21031 budget offset by an increase in revenue from the transfer from the SB1 SRF budget.
- Attachments:** [ST bridge over Bell Canyon Creek-Budget](#)
- N.** Director of Public Works requests approval of the following actions regarding the 2020 Glass Fire Guardrail Repair Project, RDS 20-48: [21-792](#)
1. Approval of plans and specification 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;
 2. Approval of Budget Transfer for the following (4/5 vote required):
 - a. Increase appropriations by \$75,000 in the Accumulated Capital Outlay Fund (Fund 3000, Org 300000) offset by use its available fund balance; and
 - b. Creation of a new project Fund 2040, Org 2040500, Project 21055, and provide appropriations of \$75,000 in Project 21055 budget with offsetting revenue from the transfer from the Accumulated Capital Outlay Fund to fund project through bidding.
- Attachments:** [Project Budget](#)
- O.** Director of Public Works requests approval adding additional streets to a previously approved paving project and changing the name of Roads Capital Improvement Project (CIP) Project 21066 to Olive Hill/Mt. George/ W Zinfandel and Finnell. [21-802](#)

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

- P. County Executive Officer/Director of Emergency Services requests approval of a Budget Transfer increasing appropriations in the Emergency Services subdivision budget by \$328,379 with offsetting revenue from FY2019 Public Safety Power Shutoffs (PSPS) Resiliency Allocation Agreement and FY2020 Community Power Resiliency Allocation Agreement for the purchase of four mobile generators. (4/5 Vote Required) [21-815](#)

Sheriff

- Q. Sheriff requests approval of and authorization for the Chair to sign the renewal of Revenue Agreement No. 170821B with the Napa County Office of Education for a maximum of \$124,444 for the school year term August 18, 2021 through June 15, 2022 to fund a School Resource Officer assigned to provide campus safety at Juvenile Court and Camille Creek Community School. [21-753](#)

Attachments: [NCOE SRO Agreement FY 21-22](#)

8. DISCUSSION OF ITEMS PULLED FROM CONSENT CALENDARS**9. PUBLIC COMMENT****10. ADMINISTRATIVE ITEMS - SPECIAL DISTRICTS****11. ADMINISTRATIVE ITEMS****County Departments****12. SET TIME MATTERS OR PUBLIC HEARING - SPECIAL DISTRICTS****13. SET MATTERS OR PUBLIC HEARINGS****County Departments****County Executive Office**

- A. PUBLIC HEARING 2:00 PM - 2 Hours - SCARLETT WINERY [21-038](#)
Consideration and possible direction regarding an appeal filed by George and Nancy Montgomery (Appellant) a decision by the Planning Commission on January 15, 2020, to approve an application submitted by Sherrett Reicher, Alsace Company, LTD (Applicant) for a use permit (P16-00428-UP) to construct and operate a new 30,000 gallon per year winery known as the Scarlett Winery as further described in the Staff Report prepared for this matter. The project is located on an approximately 47.88 acre site at 1052 Ponti Road, which intersects with Skellenger Lane just west of Silverado Trail, St. Helena, CA; APN: 030-280-010 (the Property).
ENVIRONMENTAL DETERMINATION: Consideration and possible adoption of a Revised Mitigated Negative Declaration (Revised MND). According to the proposed Revised MND, the proposed project would not have any potentially significant environmental impacts after implementation of mitigation measures proposed for the following area: Transportation. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Attachments: [A - Appeal Packet](#)
[B - Diagram of Surrounding Residences](#)
[C - Planning Commission Adopted Conditions of Approval](#)
[D - Chair Good Cause Determination](#)
[E - I&R Noise Assessment \(3-18-21\)](#)
[F - Revised MND](#)
[G - Appellant's Supplemental Packet \(long version\)](#)
[H - Appellant's Supplemental Packet \(short version\)](#)
[I - Applicant's Supplemental Information](#)
[J - Chair Supplemental Good Cause](#)
[K - Witness Lists](#)
[L - Public Comment as of 8-9-21](#)
[M - Papadimos Peer Review \(6-8-21\)](#)
[N - I&R Response \(7-1-21\).pdf](#)
[O - Bartelt Infeasibility Letter.pdf](#)
[P - Public Comments \(as of 08-20-2021\)](#)
[Q - Board Chair Memorandum](#)
[R. Additional Public Comments \(08-24-21\).pdf](#)
[S. PowerPoint Presentation - Staff.pdf](#)
[T. PowerPoint Presentation.pdf](#)

Public Works

- B.** SET MATTER 9:00 A.M. - 45 Minutes [21-793](#)
Director of Public Works requests the Board receive an update on the status of negotiations with Illumination Technologies California (ITC), confirm or modify the Ad Hoc Committee's recommendations to reject the original Monopole proposal and to work towards a fire sensing system agreement only, and potentially provide direction to staff to issue a Request for Proposal for a fire sensing technology system.

Attachments: [Fire IQ coverage maps](#)
[Public Comments](#)

- C.** PUBLIC HEARING 9:30 AM - 10 Minutes [21-609](#)

Director of Public Works requests adoption of a resolution increasing rates as shown in the resolution, effective October 1, 2021, 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.

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

14. LEGISLATIVE ITEMS**15. BOARD OF SUPERVISORS COMMITTEE REPORTS AND ANNOUNCEMENTS****16. BOARD OF SUPERVISORS FUTURE AGENDA ITEMS****17. COUNTY EXECUTIVE OFFICER REPORTS AND ANNOUNCEMENTS****18. CLOSED SESSION**

- A.** 8:00 AM Special Meeting - Closed Session [21-705](#)
PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code Section 54957)
Title: Chief Probation Officer
- B.** CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED [21-797](#)
LITIGATION
Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2). (1 Case)

- C.** CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED [21-821](#)
LITIGATION
Initiation of litigation pursuant to Government Code Section 54956.9(d)
(4): (1 Case)
- D.** CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government [21-820](#)
Code Section 54956.8)
Property: 2344 Old Sonoma Road, Napa, California
Agency Negotiator: Steve Lederer, Director of Public Works
Negotiating Parties: Napa County and Napa Community Real Estate Fund,
LP
Under Negotiation: [X] Price [X] Terms of Payment
- E.** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION [21-823](#)
(Government Code Section 54956.9(d)(1))
Name of Case: 3030 Airport Road, LLC vs. County of Napa et. al., Napa
County Superior Court #19CV000257
Name of Case: County of Napa v. 3030 Airport Road, LLC et. al., Napa
County Superior Court #19CV000305

19. ADJOURNMENT**ADJOURN TO THE BOARD OF SUPERVISORS SPECIAL MEETING, TUESDAY,
SEPTEMBER 14, 2021 AT 8:00 AM.**

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 20, 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