

Napa County

1195 THIRD STREET
THIRD FLOOR
NAPA, CA 94559



Agenda

8:00 AM SPECIAL MEETING

***Consolidated**

Tuesday, January 25, 2022

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
Thomas C. Zeleny, Interim County Counsel
Neha Hoskins, Clerk of the Board*

GENERAL INFORMATION

*** 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.**

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.

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 by emailing your comment to the following email address: publiccomment@countyofnapa.org. EMAILS WILL NOT BE READ ALOUD.

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 comply with all legal requirements for participation and public comment, including those imposed by the Ralph M. Brown Act and Executive Order, as amended by AB 361.

For more information, please call (707) 253-4421 or email publiccomment@countyofnapa.org.

1. CALL TO ORDER; ROLL CALL**2. PLEDGE OF ALLEGIANCE****3. APPROVAL OF MINUTES**

- A. Clerk of the Board requests approval of minutes from the following regular and special meetings:
September 28, 2021, October 19, 2021, January 4, 2022 and January 11, 2022.

[22-01](#)

Attachments: [September 28, 2021](#)
[October 19, 2021](#)
[January 4, 2022](#)
[January 11, 2022](#)

4. PRESENTATIONS AND COMMENDATIONS**5. DEPARTMENT HEAD REPORTS AND ANNOUNCEMENTS****6. CONSENT ITEMS - SPECIAL DISTRICTS****Napa County Housing Authority**

- A. Director of Housing and Homeless Services requests the following:

[22-151](#)

1. Approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 220014B with Kristin Lowell, Inc. to (1) assist with evaluation of existing acreage within County Service Area No. 4 (CSA No. 4); (2) prepare Engineer's Report; and (3) provide related services supporting the County's actions to conduct balloting and other required procedures for the reauthorization of CSA No. 4. under Proposition 218; and

2. Approval of a Budget Transfer No. 22-151 to increase appropriations by \$7,200 in Fund 2810 (Subdivision 2810000, Account 52145 Engineering Services) offset by use of available fund balance. (4/5 vote required)

Attachments: [Agreement](#)

In-Home Support Services Public Authority of Napa County

- B. Auditor-Controller requests acceptance of a Financial Audit Report for the Fiscal Year Ended June 30, 2021 performed by Brown Armstrong, Certified Public Accountants.

[22-93](#)

Attachments: [Financial Statements](#)
[Communications Letter](#)

Lake Berryessa Resort Improvement District

- C. District Engineer requests approval and authorization for the Chair to sign an agreement with GHD, Inc. for a maximum of \$183,051 for the period January 25, 2022 to one year after the completion of Scope of Services which includes the investigation of potential secondary locations within the Putah Creek channel to extract water that are more drought resistant. [21-1384](#)

Attachments: [Agreement](#)

7. CONSENT ITEMS**Auditor-Controller**

- A. Auditor-Controller requests acceptance of the Audit Report for the Napa County Local Transportation Fund for the fiscal year ended June 30, 2021 issued by Brown Armstrong, LLP. [22-94](#)

Attachments: [Financial Statements](#)
[Communication to the Board](#)

County Counsel

- B. County Counsel requests approval of and delegation of authorization to sign a conflict waiver with Goldfarb & Lipman LLP in connection with the County's Regional Housing Needs Allocation Transfer Proposal to the Association of Bay Area Governments. [22-10](#)

Attachments: [Conflict Waiver](#)

- C. County Counsel requests approval of and authorization for the Chair to sign Amendment No. 4 to Agreement No. 200210B with Renne Public Law Group LLP for specialized legal services to represent the County in litigation and related work in connection with leases at the Napa County Airport, increasing the maximum compensation from \$825,000 to \$890,000. [22-35](#)

Attachments: [Agreement](#)

County Executive Office

- D. County Executive Officer requests reappointment of David Graves to serve as the Public Member representing Napa County on the Napa Sanitation District Board of Directors with the term to commence immediately and expire December 31, 2023. [21-1455](#)

Attachments: [Graves Application](#)

- E.** County Executive Officer requests the following actions regarding applicants for the Napa County Mental Health Board: [22-23](#)

1. Approval of waiver pursuant to Article IV, section 3, of the bylaws and reappointment of Kristine M. Haataja representing Consumer to serve a third consecutive term; and

2. Reappointments of Neil J. D'Silva representing Interested and Concerned Citizen, Robert Palmer representing Interested and Concerned Citizen new three-year terms.

Attachments: [D'Silva Application](#)
[Haataja Application](#)
[Palmer Application](#)
[Mental Health Board Bylaws](#)

- F.** County Executive Officer requests the reappointments of the following applicants to the Napa County Juvenile Justice Coordinating Council with the term of office to commence immediately and expire December 31, 2025: [22-25](#)

Gladys Lopez representing Community-at-Large,
Dr. Barbara Nemko representing County Office of Education or School District, and
Dr. Harold Pierre representing Parent of At-Risk Youth from the Community at Large.

Attachments: [Lopez Application](#)
[Nemko Application](#)
[Pierre Application](#)

County Fire Department

- G.** County Fire Chief requests the approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 200348B with American Medical Response extending the term through January 21, 2025, for no compensation, to provide safety-net and back-up emergency medical services for patients in Angwin, California. [21-1204](#)

Attachments: [Agreement](#)

- H.** County Fire Chief/Purchasing Agent requests the following (4/5 vote required): [21-1451](#)
1. Declare Asset No. 26904, a 2000 Saber Fire Engine and Asset No. 27217, a digital tire balancer as surplus and no longer required for use;
 2. Authorize County Fire to dispose of the engine by selling it to Hopland Fire District for fair market value;
 3. Authorize the Purchasing Agent to dispose of Asset No. 27217 at public auction; and
 4. Authorize the Auditor-Controller to remove these capital assets from the capital asset list.

Housing and Homeless Services – Division of CEO’s Office

- I.** Director of Housing and Homeless Services requests adoption of a Resolution rescinding and replacing Resolution No. 2021-121, consenting to, adopting and ratifying the terms and conditions relating to the 2020 Emergency Solutions Grant-COVID 19 allocation in an amount not to exceed \$1,800,000 which provides funding for housing and homeless services programs. [22-162](#)

Attachments: [Resolution](#)

Human Resources – Division of CEO’s Office

- J.** Director of Human Resources and Director of Planning, Building, and Environmental Services request adoption of a Resolution amending the Table and Index of Classes, Departmental Allocation List for multiple divisions of the Planning, Building and Environmental Services Department, and appropriate personnel policies, as outlined in Exhibit “A,” effective January 25, 2022, with a net increase of three and one-quarter (3.25) full-time equivalents, and a slight impact to the General Fund. [22-165](#)

Attachments: [Resolution](#)

- K.** Director of Human Resources requests adoption of a Resolution approving equity adjustments for certain classifications in the SEIU Napa Association of Public Employees Public Service Employee and Public Service Supervisory units effective February 5, 2022. [22-241](#)

Attachments: [Resolution](#)

Public Works

- L. Director of Public Works requests the Board accept a report on Space License Agreements and Lease Agreements executed by the County Executive Officer during the period July 1, 2021 through December 31, 2021 pursuant to Resolution No. 2018-36. [21-1392](#)

Attachments: [Report](#)

- M. Director of Public Works requests the following actions related to the Napa Pipe Development Project: [21-1393](#)
1. Find and determine that the conveyance of a public road easement to the City of Napa is in the public interest because it improves the flow of traffic to and from a development that includes affordable housing, and the conveyance will not substantially conflict or interfere with the use of the County's South Campus property;
 2. Approval of and authorization for the Chair to sign an Easement Purchase and Temporary Access Agreement with Napa Redevelopment Partners, LLC to accept financial compensation for the Public Road and Utility Easement of \$28,171 and to provide temporary access to the County's South Campus property for the purpose of relocating a fence from its existing location to an alignment adjacent to the easement area; and
 3. Approval of and authorization for the Chair to sign a Public Road and Utility Easement in favor of the City of Napa for an area totaling approximately 8,044 square feet at the County's South Campus to allow for the extension of a roadway and associated utilities, upon receipt of payment from Napa Redevelopment Partners, LLC.

Attachments: [Easement Area](#)
[Fence Diagram](#)
[Agreement](#)
[Road and Utility Easement](#)
[2019 Addendum to Napa Pipe EIR](#)

- N. Director of Public Works requests approval of and authorization for the Chair to sign a Measure A Contribution Agreement with Tuleyome for a maximum of \$236,289 for the term January 25, 2022, to June 30, 2023, to plan and implement erosion and sediment control features within Hunting Creek watershed. [21-1403](#)

Attachments: [Agreement](#)

- O.** Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 3 to Agreement No. 170216B with Johnson Control Fire Protection, L.P. to increase compensation by \$7,340, for a new maximum of \$65,333 for routine services, and amend the scope of work to include routine maintenance of kitchen hood systems at Provisions Café and the Re-entry Facility. [21-1435](#)

Attachments: [Agreement](#)

- P.** Director of Public Works requests the following actions regarding the Calistoga Area Paving Phase I project (4/5 vote required): [21-1436](#)
1. Creation of a new Capital Improvement Project (CIP) within the Roads Capital Improvement Program Budget (Fund 2040, Org 2040500) for Calistoga Area Paving Phase 1, RDS 22-03 (Project 22011); and
 2. Approval of a Budget Transfer for the following:
 - a. Increase appropriations by \$2,750,000 in the Accumulated Capital Outlay Fund (Fund 3000, Org 3000000) by releasing PG&E Settlement Designation to transfer to Project 22001 to fund the preliminary evaluation, design, engineering and construction of the project; and
 - b. Increase appropriations by \$2,750,000 in Project 22011 budget with offsetting revenue from the transfer from the Accumulated Capital Outlay Fund.

Attachments: [Project Budget](#)

- Q.** Director of Public Works requests the following actions regarding the Redwood Road MPM 5.76, RDS 21-05 Storm Slide Repair project: [21-1440](#)
1. Approval of and authorization for the Chair to sign an agreement with MGE Engineering Inc. (MGE), for a maximum compensation of \$468,246;
 2. Approval to create a new Roads Capital Improvement Project (CIP) (Fund 2040, Org 2040500, Project S7315) (4/5 vote required);
 3. Approval of a Budget Transfer for the following (4/5 vote required):
 - a. Increase appropriation by \$555,746 in the Measure T Non-Operating Special Revenue Fund (Fund 2440, Org 1220053) to transfer to Project S7315 (Redwood Road MPM 5.76, RDS 21-05) offset by use of its available fund balance; and
 - b. Increase appropriations by \$555,746 in Project S7315 budget offset by an increase in revenue from the transfer from the Measure T SRF budget.

Attachments: [Budget Summary](#)
[Agreement](#)

- R.** Director of Public Works requests the following actions regarding the Dry Creek Rd MPM 9.48 Storm Slide Repair project: [21-1441](#)
1. Approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 210301B with ADKO Engineering (ADKO) increasing maximum compensation by \$94,048 for a new maximum of \$474,445 adding this project to their scope;
 2. Approval to create a new Roads Capital Improvement Project for Dry Creek Rd MPM 9.48 (Fund 2040, Org 2040500, Project S9106) (4/5 vote required); and
 3. Approval of a Budget Transfer for the following (4/5 vote required):
 - a. Increase appropriation by \$116,735 in the SB1 Non-Operating Special Revenue Fund (SRF) budget (Fund 2440, Org 1220052) to transfer to Project S9106 (Dry Creek Rd MPM 9.48, RDS 21-39) offset by use of its available fund balance; and
 - b. Increase appropriations by \$116,735 in Project S9106 budget offset by an increase in revenue from the transfer of from the SB1 budget.

Attachments: [Agreement](#)
[Budget Summary](#)

- S. Director of Public Works requests approval of a following Budget Transfer related to the design and repair of a carport structure damaged during 2020 LNU Complex Fire at the Roads' Spanish Flat Corporation Yard (4/5 vote required): [21-1450](#)
1. Increase appropriation by \$50,000 in the Accumulated Capital Outlay (ACO) Fund (Fund 3000, Org 3000000) with the use of its available fund balance to be transferred to Capital Improvement Project 21062 (Fund 3000, Org 3000550); and
 2. Increase appropriations by \$50,000 in Project 21062 budget with offsetting revenue from the transfer from ACO.
- T. Director of Public Works requests acceptance of a donation in the amount of \$1,000 from Susan Wenner to the Napa County Animal Shelter and approval for the Chair to sign a letter of appreciation. [21-1457](#)
- Attachments:** [Letter](#)
- U. Director of Public Works requests approval of and authorization for the Chair to sign an agreement to grant a public utility easement to Pacific Gas and Electric Company in support of the Napa County Jail Replacement project. [21-1462](#)
- Attachments:** [PG&E Easement Deed](#)
- V. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 200149B with Carneros Fire Equipment Co., Inc., with no change in maximum compensation, to update prices charged per unit for portable fire extinguisher maintenance at County owned and operated facilities due to manufacturer rate increases. [22-152](#)
- Attachments:** [Agreement](#)
- W. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 6 to Agreement 130004B with ESA PWA (ESA), increasing the maximum compensation by \$244,300 for a new maximum of \$4,896,535 for the purpose of providing additional hydraulic analysis required to prepare a Letter of Map Revision (LOMR) application for the Napa River Oakville to Oak Knoll (OVOK) Restoration Project. [22-168](#)
- Attachments:** [Agreement](#)

8. DISCUSSION OF ITEMS PULLED FROM CONSENT CALENDARS

9. PUBLIC COMMENT

(for all matters not listed on the agenda but are within the jurisdiction of the Board of Supervisors and Special Districts as shown on page 1)

10. ADMINISTRATIVE ITEMS - SPECIAL DISTRICTS**11. ADMINISTRATIVE ITEMS****Auditor-Controller**

- A. Auditor-Controller to present and request acceptance of the Annual Comprehensive Financial Report (ACFR) and the Single Audit Report - Schedule of Expenditures of Federal Awards, for fiscal year ended June 30, 2021. [22-02](#)

Attachments: [Communications Letter](#)
[Single Audit Report](#)

12. SET TIME MATTERS OR PUBLIC HEARING - SPECIAL DISTRICTS**13. SET MATTERS OR PUBLIC HEARINGS****County Executive Office**

- A. SET MATTER 8:00 A.M. [22-169](#)

County Executive Officer requests adoption of a Resolution making findings in accordance with Assembly Bill (AB) 361 and Government Code Section 54953, for Board of Supervisors and County boards and commissions (including committees) to hold remote teleconference meetings due to the threat of COVID-19.

Attachments: [Resolution](#)

- B. SET MATTER 9:05 A.M. - 30 Minutes [22-239](#)

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.

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

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 CLOSED SESSION [21-1445](#)
- PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957)
Title: Chief Probation Officer
- B. CONFERENCE WITH LEGAL COUNSEL - POTENTIAL INITIATION OF LITIGATION [22-230](#)
- Potential initiation of litigation pursuant to Government Code Section 54956.9(d)(4): (1 matter)
- C. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION [22-231](#)
- Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2). (2 Cases)
- D. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8) [22-233](#)
- Property: Napa County Airport, Napa, California (APN 057-050-009)
Agency Negotiator: Minh C. Tran, County Executive Officer
Negotiating Parties: Napa County and Atlantic Aviation, Signature Flight Support LLC, and Leading Edge Jet Center LLC
Under Negotiation: [X] Price [X] Terms of Payment
- E. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8) [22-236](#)
- Property: Napa County Fairgrounds, Calistoga, California (APNs 011-140-006, 011-140-007, 011-140-056, 011-140-009, and 011-140-055)
Agency Negotiator: Minh C. Tran, County Executive Officer
Negotiating Parties: Napa County and City of Calistoga
Under Negotiation: [X] Price [X] Terms of Payment

19. ADJOURNMENT

ADJOURN TO THE BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, FEBRUARY 1, 2022 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, JANUARY 21, 2022 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