

Napa County

1195 THIRD STREET
THIRD FLOOR
NAPA, CA 94559



Agenda

8:00 AM SPECIAL MEETING

***Consolidated**

Tuesday, February 8, 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:

[22-283](#)

August 24, 2021,
September 14, 2021, and
February 1, 2022.

Attachments: [August 24, 2021](#)
[September 14, 2021](#)
[February 1, 2022](#)
[Correction Memorandum \(added after meeting\)](#)

4. PRESENTATIONS AND COMMENDATIONS

- A. Director of Human Resources to introduce new County employees.

[22-259](#)

5. DEPARTMENT HEAD REPORTS AND ANNOUNCEMENTS

*** CONTINUED ON NEXT PAGE ***

6. CONSENT ITEMS - SPECIAL DISTRICTS**Lake Berryessa Resort Improvement District**

- A. District Engineer requests approval of the following actions related to American Rescue Plan Act (ARPA) grant funding: [21-1417](#)
1. Approval of and authorization for the District Engineer to sign an Agreement with the Lake Berryessa Resort Improvement District for the term February 8, 2022 to December 31, 2026 for a maximum of \$1,350,000 to finance critical water and wastewater infrastructure projects;
 2. Approval to create Capital Improvement Projects in Lake Berryessa Resort Improvement District budget for Water Treatment Plant Upgrades (Fund 5220, Organization 5220500, Project 22013), Lift Station A Sewer Tank Replacement (Fund 5220, Organization 5220500, Project 22014), Water Treatment Plant Generator Replacement (Fund 5220, Organization 5220500, Project 22015) and SCADA System Updates (Fund 5220, Organization 5220500, Project 22016) (4/5 vote required); and
 3. Approval of Budget Transfer for the following increasing appropriations by \$150,000 for Water Treatment Plant Upgrades project budget (Project 22013), \$800,000 for Lift Station A Sewer Tank Replacement project budget (Project 22014), \$100,000 for Water Treatment Plant Generator Replacement project budget (Project 22015) and \$300,000 for SCADA System Updates project budget (Project 22016) offset by transfer in from COVID-19 ARPA budget. (4/5 vote required)

Attachments: [Agreement](#)

Monticello Public Cemetery District

- B. County Executive Officer requests consideration of the following applicants, Patrick Scribner Jr. and Cynthia Gosling, to fill one vacancy on the Monticello Public Cemetery District Advisory Committee with the term of office to commence immediately and expire December 31, 2024. [22-274](#)

Attachments: [Gosling Application](#)
[Scribner Application](#)
[MPCD Recommendation](#)

7. CONSENT ITEMS**County Counsel**

- A. County Counsel requests approval of and authorization for the Chair to sign Amendment No. 3 to Agreement No. 190327B with the law firm of Kaplan Kirsch Rockwell, increasing the maximum compensation from \$69,900 per fiscal year to \$150,000 per fiscal year and extending the term to June 20, 2022 with two renewals at the end of each fiscal year. [22-18](#)

Attachments: [Amendment](#)

County Executive Office

- B. 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. [22-280](#)

Attachments: [Resolution](#)

Health and Human Services Agency

- C. Director of Health and Human Services requests approval of and authorization for the Chair to: [21-1266](#)
- 1) Terminate the current Agreement No. 170496B with Crestwood Behavioral Health, Inc. for a maximum of \$800,000; and
 - 2) Sign a new Agreement No. 220164B with Crestwood Behavioral Health, Inc. for a maximum of \$875,000 with the term commencing upon approval through June 30, 2022, with a provision for four annual renewals to provide residential care and mental health services.

Attachments: [Agreement](#)

- D. Director of Health and Human Services requests approval of and authorization for the Chair to sign Agreement No. 220230B, a Data Use and Disclosure Agreement with the California Department of Public Health for the term April 20, 2021 through April 19, 2026 setting forth the privacy and security requirements the County is required to follow with respect to the State's enhanced HIV/AIDS Case Reporting System. [22-246](#)

Attachments: [Agreement](#)

- E. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 3 to Revenue Agreement No. 200130B with the California Department of Public Health, increasing the maximum by \$5,783 for a new maximum of \$2,872,114 for the term October 1, 2019 through September 30, 2022 to administer the Women, Infants and Children (WIC) Nutrition Program. [22-249](#)

Attachments: [Agreement](#)

- F. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 2 to Revenue Agreement No. 180334B with the California Department of Public Health increasing the maximum by \$1,954,276 for a new maximum of \$2,309,970 for the term April 1, 2021 through June 30, 2022 to provide funding for the prevention and control of disease. [22-250](#)

Attachments: [Agreement](#)

Housing and Homeless Services – Division of CEO’s Office

- G. Director of Housing and Homeless Services requests approval to increase appropriations in Housing and Homeless Services Subdivision (Fund 2030, Subdivision 2030000) for salaries and benefits in the amount of \$175,000 for Shelter employees, and \$725,000 in services and supplies, with an offsetting increase in revenue from Emergency Solutions Grant-COVID (ESG-CV) grant funds totaling \$900,000. (4/5 vote required) [22-282](#)

- H. Director of Housing and Homeless Services requests adoption of a Resolution rescinding and replacing Resolution No. 2021-119, consenting to, adopting and ratifying the terms and conditions relating to the 2021-22 Emergency Solutions Grant (ESG) Non-Competitive Balance of State allocation in an amount not to exceed \$520,000 which provides funding for housing and homeless services programs [22-324](#)

Attachments: [Resolution](#)

Human Resources – Division of CEO’s Office

- I. Director of Human Resources and Director of Health and Human Services Agency request adoption of a Resolution amending the Departmental Allocation List for multiple divisions of the Health and Human Services Agency, as outlined in “Exhibit A,” effective February 19, 2022, with a net increase of four full-time equivalents, and no impact to the County General Fund. [22-286](#)

Attachments: [Resolution](#)

Information Technology Services – Division of CEO's Office

- J.** County Executive Officer and Chief Information Officer request the following: [21-1323](#)

1. Declare certain items of personal property as surplus and no longer required for public use; and
2. Authorize the Purchasing Agent to dispose of these items of personal property by donating them to Computers for Classrooms.

Attachments: [Donation List](#)

Planning, Building and Environmental Services (PBES)

- K.** Director of Planning, Building and Environmental Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 220141B with BPR Consulting increasing compensation by \$80,000 for a new maximum of \$150,000 per fiscal year to provide Building Official services if needed. [22-237](#)

Attachments: [Agreement](#)

Public Works

- L.** Director of Public Works requests the following actions regarding the Campbell Creek Fish Passage Project, RDS 22-01: [21-1442](#)
1. Approval of and authorization for the Chair to sign an agreement with Cardno Engineering Inc. (Cardno), for a maximum compensation of \$382,355;
 2. Approval to create a new Roads Capital Improvement Project (CIP) for Campbell Creek Culvert (Fund 2040, Org 2040500, Project 22012) (4/5 vote required); and
 3. Approval of a Budget Transfer for the following (4/5 vote required):
 - a. Increase appropriation by \$374,675 in the SB1 Special Revenue Fund (Fund 2440, Sub-Division 1220052) with the use of its available fund balance to be transferred to Program 22012 budget; and
 - b. Increase appropriations by \$374,675 in Program 22012 budget offset by an increase in revenue from the transfer from the SB1 Special Revenue Fund.

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

- M.** Director of Public Works requests adoption of a resolution temporarily closing portions of Silverado Trail, Oak Knoll Avenue, Big Ranch Road, and El Centro Avenue from 7:00 A.M. to 1:30 P.M. on Sunday, March 6, 2022 for the 43rd Annual Kaiser Permanente Napa Valley Marathon. [22-267](#)

Attachments: [Map](#)
[Letter](#)
[Resolution](#)

Sheriff

- N.** Sheriff requests the following actions regarding the FY 2022/2023 Boating Safety and Enforcement Financial Aid Program: [21-1357](#)
1. Adoption of a Resolution to apply for and accept a grant award from the California Department of Parks and Recreation, Division of Boating and Waterways for the term July 1, 2022 through June 30, 2023, to conduct boating safety and enforcement activities; and
 2. Appoint the Sheriff or designee to execute all documents, including but not limited to applications, agreements, quarterly activity reports, payment requests, claim forms and other documents that may be required, subject to County Counsel approval.

Attachments: [Resolution](#)

- O.** Sheriff requests approval of and authorization for the Chair to sign Amendment No. 17 of revenue Agreement No. 200005B (previously No. 3220) with the City of American Canyon, increasing the amount by \$254,639 through June 30, 2024 for a new maximum of \$36,189,777 over the five (5) year term to add one (1) Records Technician II to the contracted staff for law enforcement services. [21-1368](#)

Attachments: [Agreement](#)

Treasurer-Tax Collector

- P.** Treasurer-Tax Collector requests the adoption of a Resolution adopting the “Napa County Policy Regarding the Submission of Claims for Excess Proceeds,” delegating authority to the Treasurer-Tax Collector to distribute excess proceeds resulting from tax-defaulted property sales in accordance with Chapter 1.3 of the California Revenue and Taxation Code section covering sections 4671 through 4676. [21-1429](#)

Attachments: [Resolution](#)
[Excess Proceeds Policy](#)

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**

Napa County Groundwater Sustainability Agency

- A. Director of Planning, Building and Environmental Services requests [22-277](#)
the Napa County Groundwater Sustainability Agency (NCGSA):
 1. Consider and provide feedback on staff's recommendation regarding the formation and structure of Technical and Stakeholder Advisory Groups (TAG and SAG) to advise the NCGSA on Napa Valley Subbasin Groundwater Sustainability Plan (GSP) implementation;
 2. Authorize staff to begin development of four (4) workplans related to GSP implementation; and
 3. Direct staff to investigate and report back on options for ongoing funding of GSP implementation.

Attachments: [Figure 12-1 Napa Valley Subbasin](#)
[Table 12-3 Napa Valley Subbasin](#)
[GSP Implementation Schedule](#)

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11. ADMINISTRATIVE ITEMS**County Executive Office**

- A. County Executive Officer requests the following actions regarding the U. S. American Rescue Plan Act (ARPA) allocating approximately \$15.8 million: [22-244](#)
1. Provide an update on the U.S. Treasury's Final Rule for State and Local Fiscal Recovery Funds and report that Staff will develop uses for the \$10 million of revenue recovery funds to be used for provision of government services under the standard allowance;
 2. Discussion and seek direction to expand the County's FY 2022 -23 Master Settlement Agreement (MSA) grant program by \$3 million over three years;
 3. Discussion and approval of the proposed scope of work for the Child Care Gap Assessment allocating \$3 million for investment, including solicitation of a consultant for up to \$25,000;
 4. Discussion and seek direction on the proximity housing loan and accessory dwelling unit incentive programs and opportunities for investment of \$5 million;
 5. Approval of and authorization for the County Executive Officer (CEO) to sign an Agreement with the Lake Berryessa Resort Improvement District (District) for the term February 8, 2022 to December 31, 2026 for a maximum of \$1,350,000 to finance critical water and wastewater infrastructure projects; and
 6. Approval of a budget adjustment increasing appropriations in the ARPA subdivision (Fund 2460, Subdivision 1020050) by \$4,826,825 from its available fund balance and transferring to various departments in the General Fund, Health & Human Services Agency Fund, Housing and Homeless Fund, Child Support Services Fund, and the Lake Berryessa Resort Improvement District to reimburse department expenditures for supporting the pandemic response and complete various water and sewer projects. (4/5 vote required)

Attachments: [Scope of Work](#)
[Guidelines](#)
[Master Allocation Worksheet](#)
[Budget Adjustment](#)
[Agreement](#)
[Presentation \(added after meeting\)](#)
[Presentation \(added after meeting\)](#)

- B.** County Executive Officer will provide a report on pending future agenda items requested by individual Board members at the January 25, 2022, and the February 1, 2022 Board of Supervisors meetings and will request discussion and direction regarding the following requests for presentations by: [22-278](#)
1. Napa Schools for Climate Action on their request and call to action;
 2. All Home on how grant monies were spent, their impact on diversion, and how the County can have a greater impact in the sphere of housing and homelessness;
 3. Bay Conservation and Development Commission on Bay Adapt Regional Strategy for a Rising Bay; and
 4. California Medical Services Program on Affordable Care Act.

Attachments: [Future Agenda Item Requests](#)

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Planning, Building and Environmental Services (PBES)

- C. Director of Planning, Building and Environmental Services will provide an update on the current drought and requests the following actions to address the continuing drought emergency: [22-333](#)
1. Direct staff to work with stakeholders to revise the Water Availability Analysis (WAA) Guidance document to: incorporate applicable provisions of the Groundwater Sustainability Plan; update the guidelines to reflect recent court decisions regarding the public trust and California Environmental Quality Act (CEQA) review of wells; suspend the water use screening criterion for parcels located on the Napa Valley floor during a drought emergency; and transfer decision making authority under the WAA from the Public Works Department to the Planning, Building, and Environmental Services Department; and
 2. Direct staff to work with stakeholders to update Chapter 13.04 (Approved Water Supply Systems); Chapter 13.12 (Wells); and Chapter 13.15 (Groundwater Conservation) of the Napa County Code to: incorporate applicable provisions of the Groundwater Sustainability Plan; update the County Code to reflect recent court decisions regarding the public trust and California Environmental Quality Act (CEQA) review of wells; integrate applicable recommendations of the Groundwater Resources Advisory Committee (GRAC); and make other procedural and process revisions to bring these chapters into greater consistency with the County Code.

Attachments: [County of Napa Water Use Water Table](#)
[Parcels With Well Permits \(2020-2021\)](#)

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

- A. SET MATTER 9:05 A.M. [22-281](#)

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 \(added after meeting\)](#)

County Counsel**B. SET MATTER 11:00 AM (Walt Ranch)****[21-1377](#)**

County Counsel requests consideration and adoption of a Resolution of Findings of Fact and Decision on Appeal regarding an appeal filed by Center for Biological Diversity (Appellant) to a decision by the Director of the Napa County Department of Planning, Building and Environmental Services on October 6, 2021, to approve a revision to Mitigation Measure 6-1 and to incorporate the revised mitigation measure into the Mitigation Monitoring and Reporting Plan applicable to the Walt Ranch Vineyards Agricultural Erosion Control Plan - File No. P11-00205-ECPA submitted by Hall Brambletree Associates, LP (Applicant) to allow earthmoving associated with the development of approximately 209 net acres of vineyard (±316 gross acres) (the Project).

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

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****[22-08](#)**

PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957(b)(1))

Title: Director of Planning, Building and Environmental Services

19. ADJOURNMENT

**ADJOURN TO THE BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY,
MARCH 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, FEBRUARY 4, 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