



A Tradition of Stewardship
A Commitment to Service

**MINUTES OF THE
NAPA COUNTY – BOARD OF SUPERVISORS MEETING**

January 26, 2021

Draft Summary of the Proceedings

1. CALL TO ORDER; ROLL CALL

The Board of Supervisors of the County of Napa met in regular session on Tuesday, January 26, 2021 at 9:00 a.m. with the following supervisors present: Chair Alfredo Pedroza, Vice Chair Belia Ramos (present via teleconference), Supervisors Diane Dillon, Ryan Gregory, and Brad Wagenknecht (present via teleconference). The meeting was called to order by Chair Alfredo Pedroza.

2. PLEDGE OF ALLEGIANCE

Chair Alfredo Pedroza led the assembly in the pledge of allegiance.

3. APPROVAL OF MINUTES

None.

13. SET MATTERS OR PUBLIC HEARINGS

- A. 9:00 AM 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.

Public Health Officer Dr. Karen Relucio made presentation.

Discussion held.

- B. 11:30 PM County Counsel requests consideration and adoption of a Resolution of Findings of Fact and Decision on Appeal regarding an appeal filed by Robert Barbarick on behalf of Balloons Above The Valley to a decision by the Napa County Planning Commission to deny Use Permit No.P19-00303 regarding a hot air balloon launching and related activities on the property located at 5360 Washington Street, Napa, California, APN: 036-130-029.

ENVIRONMENTAL DETERMINATION: Consideration and possible adoption of a Negative Declaration. According to the proposed Negative Declaration, the proposed project would have no potentially significant environmental impacts. This project site is not on any of the lists of hazardous waste sites enumerated under Government code section 65962.5.
(CONTINUED FROM JANUARY 12, 2021)

R-2021-07

Deputy County Counsel Laura Anderson made presentation.

Discussion held.

Two (2) people spoke during public comment.

Motion moved by Ryan Gregory, seconded by Belia Ramos, to approve requested action. Motion passed 3 – 2, with Ryan Gregory, Alfredo Pedroza and Belia Ramos voting yes via roll call vote. Diane Dillon and Brad Wagenknecht voting no.

- C. 1:30 PM PUBLIC HEARING The hearing for this matter was originally scheduled for May 19, 2020 to satisfy the ninety day scheduling deadline in the appeals ordinance, and continued to September 1, 2020. At the September 1, 2020 hearing, the matter was continued, at the applicant's request, to November 10, 2020 because of the LNU Fire Complex and ongoing challenges presented by the COVID-19 pandemic. Due to a scheduling conflict, the item was continued from November 10, 2020 to January 26, 2021, at the request of staff.

Consideration and possible direction regarding appeals filed by Patricia Damery, c/o Kathy Felch (Appellant Damery), and George and Jeff Atlas and Paul Rowe, c/o Kevin Block (Appellant Atlas and Rowe), to a decision by the Planning Commission on February 5, 2020 to approve (5:0– AYES: Gallagher, Whitmer, Hansen, Mazotti, Cottrell) an application submitted by Anthem Winery and Vineyards, c/o Justin H. Arbuckle and Julie A. Arbuckle, Trustees of the Arbuckle Family Trust May 5, 2006 (Applicant) for approval of a Use Permit Major Modification (P14-00320-MOD) for an existing 30,000 gallon winery permit to allow the following: (a) the construction of a new 10,388 sq. ft. winery facility that includes a 1,508 sq. ft. tasting room, a 1,724 sq. ft. office, catering and conference room, and approximately 4,600 sq. ft. of outdoor marketing areas; (b) the development of 29,053 sq. ft. of caves including the on-site placement and storage of spoils; (c) an increase in on-site parking from two spaces to 22 spaces; (d) the development of winery support facilities (water tanks, septic system, and rainwater harvesting and winery process water recycling and reuse systems); (e) an increase in the

number of employees from one part-time employee to seven full-time and five part-time employees; (f) a change in the winery's hours of operation from 9:00 AM to 5:00 PM Monday through Sunday to 8:00 AM to 8:00 PM Monday through Sunday (production hours) and 10:00 AM to 6:00 PM Monday through Sunday (visitation hours), and marketing events 11:00 AM to 10:00 PM Monday through Sunday; (g) a marketing plan that includes daily tours and tastings by appointment with a maximum of 170 visitors per week during the Summer/Fall Season (April 1 through November 15) and a maximum of 120 visitors per week during the Winter/Spring Season (November 16 through March 31), and 23 annual marketing events (20 30-person events, two 50-person events, and one 100-person event) resulting in a maximum of 7,623 annual visitors, and on-site consumption of wine produced on-site; and (h) the reconfiguration of an existing access driveway including the construction of a clear span bridge and approximately 650 feet of new driveway to provide adequate access to the winery (hereafter referred to as the Project). The Project also includes an Exception to the Napa County Road and Street Standards (RSS) for reduced commercial driveway widths and for road grades exceeding 18%, a viewshed request and an Agricultural Erosion Control Plan (ECPA) for the installation and maintenance of approximately 1.19 acres of new vineyard. The Project would be completed in three phases: Phase I includes construction of the driveway, parking, septic system, production structures (Fermentation Buildings and Bottling Room), outdoor tasting area, and the cave water storage tanks; Phase II includes construction of the remainder of the caves; and Phase III includes construction of the tasting room and the office/catering/conference room building. The Project is located on an approximate 44.8 acre holding within the Agricultural Watershed (AW) zoning district that consists of two parcels: i) the "Winery Parcel" (3454 Redwood Road, APN 035-470-046), an approximate 27.23 acre parcel located on the east side of Redwood Road approximately 1.5 miles north of its intersection with Browns Valley Road; and ii) the "Access Parcel" (3123 Dry Creek Road, APN 035-460-038), an approximate 17.54 acre parcel located on the west side of Dry Creek Road approximately 1.7 miles north of its intersection with Redwood Road (or approximately 0.4 miles north of its intersection with Linda Vista Avenue). Access to the winery is proposed from Dry Creek Road.

(CONTINUED FROM MAY 19, SEPTEMBER 1, AND NOVEMBER 10, 2020).

ENVIRONMENTAL DETERMINATION: Consideration and possible adoption of a Mitigated Negative Declaration. According to the proposed Mitigated Negative Declaration, the proposed Project would not have any potentially significant environmental impacts after implementation of mitigation measures. Mitigation measures are proposed for the following area(s) Biological Resources, Geology and Soils, and Noise. The Project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Director of Planning, Building, & Environmental Services David Morrison presented report.

County Counsel Jeffrey M. Brax presented report.

Discussion held.

Appellant Representative Kevin Block presented report.

Appellant Representative Tom Carey presented report.

Appellant Patricia Damery presented report.

Appellant Kathy Felch presented report.

Planning, Building, & Environmental Services Planner III Donald Barrella made presentation.

Appellant Jeff Atlas made presentation.

Witness Mike Podlech made presentation.

Fire Safety Firm Employee Dr. David Rich presented report.

Appellant Patricia Damery made presentation.

Witness Architect George Caloyannidis made presentation.

Witness Dry Creek resident Dana Manning made presentation.

Witness Dr. Walter Brooks made presentation.

Witness Lindsey Campbell presented report.

Nineteen (19) people spoke during public comment.

Applicant Counsel Rob Anglin made presentation.

Applicant witness Paul Warnock made presentation.

Applicant witness Anthony Hickie made presentation.

Applicant Julie Arbuckle presented report.

Motion moved by Ryan Gregory, seconded by Belia Ramos, to uphold the Planning Commission's decision and deny the appeal with the two additional conditions. Motion passed 4 – 1, with Ryan Gregory, Alfredo

Pedroza, Belia Ramos, and Brad Wagenknecht voting yes/ Diane Dillon voting no via roll call vote.

4. PRESENTATIONS AND COMMENDATIONS

None.

5. DEPARTMENT HEADS REPORTS AND ANNOUNCEMENTS

Director of Planning, Building, & Environmental Services David Morrison presented report.

Director of Public Works Steven Lederer presented report.

Emergency Services Coordinator Leah Greenbaum presented report.

Risk & Emergency Services Manager Kerry Whitney presented report.

6. CONSENT ITEMS - SPECIAL DISTRICTS

None.

7. CONSENT ITEMS

Community Resources & Infrastructure

A. Director of Public Works requests the following:

Approval and authorization for the Chair to sign Amendment No. 1 to Professional Services Agreement No. 200160B with TLCD Architecture increasing the amount by \$144,980 for a new maximum amount of \$408,020 to provide continued construction support and management for the South Campus Bldgs 1A & 3 Reroofing Project, PW 20-13, 2731, 2747 Napa Valley Corporate Drive; and Approval of Budget Transfer No. DPW 036 for the following (4/5 vote required): Increase appropriations by \$308,546 in the Accumulated Capital Outlay Fund (ACO) (Fund 3000, Subdivision 300000) with the use of its available fund balance to be transferred to South Campus Bldg. A, 1A & 3 Reroof Project (Fund 3000, Subdivision 3000504, Program 20023; and Increase appropriations by \$308,546 in Program 20023 budget offset by an increase in revenue from the transfer from the ACO.

B. Director of Public Works requests approval of Budget Transfer No. DPW033 for the following (4/5 vote required): Increase revenue and appropriations by \$67,301 in the Roads Operations Budget (Fund 2040, Subdivision 2040000) offset by a reimbursement from Upper Valley Waste Management Authority (UVWMA) for the purchase of

four (4) midsize matrix message boards/changeable message signs; and Revision of the Schedule of Approved Capital Assets in the Final Budget for Fiscal Year 2020-2021 for the establishment of four (4) new capital assets in the amount of \$67,301 for the purchase of four (4) midsize matrix message boards/changeable message signs.

- C. Director of Public Works request the following: Creation of a new Capital Improvement Project (CIP) within the Roads Capital Improvement Program budget (Fund 2040, Sub-Division 2040500) for the SB1- Silverado Trail Bridge over Bell Canyon Creek (Program 21031); and Approval of Budget Transfer No. DPW 034 for the following (4/5 vote required): Increase appropriations by \$124,000 in the SB-1 Non-Operating Special Revenue Fund (SRF) budget (Fund 2440, Sub-Division 1220052) to transfer to Program 21031 offset by use of its available fund balance; and Increase appropriations by \$124,000 in Program 21031 budget offset by an increase in revenue from the transfer from the SB1 SRF budget.
- D. Director of Public Works requests approval of the following actions related to the 2020 LNU Complex Fire at the Roads' Spanish Flat Corporation Yard (4/5 vote required): Approval of Budget Transfer No. DPW035 for the purchase of replacement equipment and the design of a carport structure, that were destroyed by the 2020 LNU Complex Fire at the Roads' Spanish Flat Corporation Yard: Increase appropriation by \$35,000 in the 2020 Napa Lightning Fires (Fund: 1000, Sub-Division: 1058006) Transfer Out Account by reclassifying Other Professional Services Account by the same amount to be transferred for seed money to fund the preliminary evaluation, design and engineering of the project at this time; Increase appropriations by \$35,000 in Public Works Capital Improvement Program budget (Fund 3000, Sub-Division 3000550) program 21062 budget with offsetting revenue from the transfer from the 2020 Napa Lightning Fires. Increase appropriations in the 2020 Napa Lightning Fires (Fund: 1000, Sub-Division: 1058006) budget by \$250,000 with offsetting increase to the revenue by \$250,000 from partial insurance settlement and remaining \$177,080 to be reclassified from Other Professional Services Account to Transfer Out Account to be transferred to Equipment Replacement-Roads (Fund: 4100, Sub-Division: 4101000) budget; Increase appropriations in the Equipment Replacement-Roads budget by \$427,080 with offsetting revenues from the 2020 Napa Lightning Fires budget and establishment of fixed assets in the amount of \$427,080 for the following: John Deere Backhoe (\$135,729) Freightliner 114SD (\$196,099) Caterpillar CB34B (\$69,355) TrailKing TKT16U (\$17,354) Snoway 32 Plow (\$8,543) Declare certain capital asset equipment as surplus and no longer required for public use, authorize the Auditor-Controller to remove these surplus assets from the capital asset listing and authorize equipment damaged in the 2020 LNU Complex Fire, not

eligible for public auction, to be disposed of accordingly at a local scrap yard; Authorize Fleet Operations Manager to prepare, sign and submit all the necessary documents to Department of Motor Vehicles for the surplus-scraping and new equipment; and Creation of a new Capital Improvement Project (CIP) within the Public Works Capital Improvement Program budget (Fund 3000, Sub-Division 3000550) for 2020 LNU Spanish Flat Yard (Program 21062).

- E. Director of Public Works requests the following:

Approval of plans and specifications for "2020 Glass Fire Stockpiled Tree Debris Removal Project," RDS 20-45B, 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 plans and specifications for "2020 Glass Fire Tree Debris Removal Project," RDS 20-45C, 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.

- F. 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, 2020 through December 31, 2020 pursuant to Resolution No. 2018-36.
- G. Director of Public Works and County Executive Officer request the following: Declare certain capital asset vehicles and equipment as surplus and no longer required for public use; Authorize the Auditor-Controller to remove these surplus assets from the capital asset listing; and Authorize the sale of capital asset surplus vehicles and equipment at public auction (4/5 vote required).

General Admin & Finance

- H. Chief Information Officer requests approval of and authorization for the Chair to sign an Agreement with Pictometry International Corporation for a maximum of \$182,355 for the term January 26, 2020 through December 31, 2022 to provide aerial photography services.

A-210266B

- I. County Executive Officer and Chief Information Officer request the following: Declare certain items of personal property as surplus and no longer required for public use; and authorize the Purchasing Agent to dispose of these items of personal property by donating them to Computers for Classrooms.

- J. Interim Director of Human Resources and Director of Health and Human Services Agency request the adoption of a resolution amending the Departmental Allocation List for the Public Health Division of the Health and Human Services Agency, as follows, effective January 26, 2021 with terms expiring October 31, 2022, no net increase in full-time equivalents, and no increase to the County General Fund: Deleting one 1.0 FTE Public Health Nurse (Limited Term); Deleting one 1.0 FTE Licensed Vocational Nurse (Limited Term); Adding one 1.0 FTE Epidemiologist (Limited Term); and Adding one 1.0 FTE Staff Services Analyst I/II (Limited Term).

R-2021-03

- K. Interim Director of Human Resources and Napa County Sheriff request adoption of a resolution amending the Departmental Allocation List for the Sheriff's Office by deleting one 1.0 FTE Administrative Secretary I*, and adding on 1.0 FTE Administrative Secretary II - Confidential, effective February 6, 2021, with no net increase in full-time equivalents, and a slight impact to the County General Fund.

*Subsequent deletion after a competitive internal selection process to fill the requested position.

R-2021-04

- L. Interim Director of Human Resources requests adoption of a resolution amending Napa County Policy Manual Part I: Section 37, retroactive to October 1, 2020 implementing prior agreements as a result of the 2019 negotiations which included an Education Incentive Program for Deputy Sheriff's Association (DSA) bargaining unit members.

R-2021-05

- M. Treasurer-Tax Collector requests the Board adopt of a resolution amending the makeup of the Treasury Oversight Committee (TOC), last amended by Napa County Resolution 2014-121, and direct the Treasurer-Tax Collector to include a cross reference in the TOC bylaws.

R-2021-06

- N. County Executive Officer requests consideration of the following applicant for reappointment on the Napa County Law Library Board of Trustees with the terms of office to commence immediately and expire December 31, 2021.

Name	District	Representing
James V. Jones	4	Trustee for the Board of Supervisors

- O. County Executive Officer requests reappointment of the following applicant to serve on the Napa County Library Commission with terms to commence immediately and expire January 31, 2024:

Name Representing Halley Lauer Napa County

Motion moved by Ryan Gregory, seconded by Diane Dillon, to approve consent calendar. Motion passed 5 – 0, with Diane Dillon, Ryan Gregory, Alfredo Pedroza, Belia Ramos, and Brad Wagenknecht voting yes via roll call vote.

8. DISCUSSION OF ITEMS PULLED FROM CONSENT CALENDARS

None.

9. PUBLIC COMMENT

One (1) person spoke during public comment.

10. ADMINISTRATIVE ITEMS - SPECIAL DISTRICTS

None.

11. ADMINISTRATIVE ITEMS

General Admin & Finance

- A. Auditor-Controller to present and request acceptance of the Comprehensive Annual Financial Report (CAFR) for fiscal year ended June 30, 2020.

Auditor-Controller Tracy Schulze made presentation.

Discussion held.

Motion moved by Brad Wagenknecht, seconded by Belia Ramos, to approve requested action. Motion passed 5 – 0, with Diane Dillon, Ryan Gregory, Alfredo Pedroza, Belia Ramos, and Brad Wagenknecht voting yes via roll call vote.

- B. County Executive Officer and Auditor-Controller requests the following actions regarding the COVID-19 pandemic, the Hennessey Fire, and the Glass Fire: Staff will provide an update on the impacts on County revenue and expenses; and Approval of Budget Transfer No. CEO016

increasing appropriations by \$3,000,000, offset by a transfer from General Reserves for the 2020 COVID-19 budget. (4/5 vote required)

Deputy County Executive Officer Helene Franchi made presentation.

Discussion held.

Motion moved by Diane Dillon, seconded by Ryan Gregory, to approve requested action. Motion passed 5 – 0, with Diane Dillon, Ryan Gregory, Alfredo Pedroza, Belia Ramos, and Brad Wagenknecht voting yes via roll call vote.

- C. County Executive Officer will provide a report on a possible campaign contribution limits ordinance and seek direction from the Board.

County Executive Office Management Analyst Sue Kuss presented a report.

Discussion held.

One (1) person spoke during public comment.

Informational only – No action required.

12. SET MATTERS OR PUBLIC HEARINGS - SPECIAL DISTRICTS

None.

14. LEGISLATIVE ITEMS

Informational only – No action required.

15. BOARD OF SUPERVISORS COMMITTEE REPORTS AND ANNOUNCEMENTS

Chair Alfredo Pedroza reported on attending a Napa Valley Vintners and Farm Bureau town hall meeting.

Supervisor Ryan Gregory reported on attending a Zoom meeting with business and chamber leaders as well as the Napa Subregion Housing Needs Allocation committee meeting.

16. BOARD OF SUPERVISORS FUTURE AGENDA ITEMS

None.

17. COUNTY EXECUTIVE OFFICER REPORTS AND ANNOUNCEMENTS

None.

18. CLOSED SESSION

None.

19. ADJOURNMENT

Adjourned to the Board of Supervisors regular meeting Tuesday, February 2, 2021, at 9:00 a.m.

ALFREDO PEDROZA, Chair

ATTEST:

NEHA HOSKINS, Clerk of the Board