



Meeting Minutes

Napa County 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

Tuesday, November 7, 2023

9:00 AM

Board of Supervisors Chambers
1195 Third Street, Third Floor

***Consolidated**

1. CALL TO ORDER; ROLL CALL

Present: Chair Belia Ramos, Vice-Chair Joelle Gallagher, Supervisors Anne Cottrell, Ryan Gregory, and Alfredo Pedroza. The meeting was called to order by Chair Belia Ramos.

2. PLEDGE OF ALLEGIANCE

Treasurer-Tax Collector Robert G. Minahen led the assembly in the Pledge of Allegiance.

3. PET OF THE WEEK

Chair Belia Ramos introduced the pet of the week.

Animal Shelter Manager Katie Ribardiere made presentation. (Hopper)

4. PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

- A. Presentation of a Proclamation to be received by Napa County Clerk of the Board Neha Hoskins, recognizing November 27 - December 1, 2023 as "Clerk of the Board of Supervisors Week."

[23-1855](#)

Chair Belia Ramos presented the proclamation.

Clerk of the Board Neha Hoskins made presentation.

5. CONSENT CALENDAR - SPECIAL DISTRICTS

Motion Text: Approve the Special Districts Consent Calendar.
Voting Yes: Cottrell, Gregory, Gallagher, Pedroza, and Ramos
Recusals: None
Result: Passed

Napa County Housing Authority

- A. Executive Director requests approval of the following actions (4/5 vote required): [23-1718](#)
1. Approval to accept donations totaling \$37,600 from Cinco de Mayo Golf Inc., a local non-profit, including \$5,400 in value for maintenance supplies, \$11,200 in value for two mowers, and \$21,000 cash for the purchase of three commercial ranges; and
 2. Approval of a Budget Amendment to:
 - a. Increase appropriation by \$5,400 in Maintenance Supplies (Fund 5060, Subdivisions 5060501, 5060502, 5060503, Account 53400) offset by Donations (Fund 5060, Subdivision 5060501, 5060502, 5060503, Account 47500);
 - b. Increase appropriation and establish five capital assets for a total of \$32,200, including three commercial ranges \$21,000, and two (2) John Deere Z515E lawn mowers \$11,200 (Fund 5060, Subdivisions 5060501, 5060502, 5060503, Account 55400) offset by Donations (Fund 5060, Subdivision 5060501, 5060502, 5060503, Account 47500);
 - c. Increase appropriation by \$9,000 in Intrafund Transfers Out (Fund 5060, Subdivision 5060000, Account 57900) offset by use of available fund balance;
 - d. Increase appropriation by \$9,000 in Safety Supplies (Fund 5060, Subdivisions 5060501, 5060502, 5060503, Account 53320) for purchase of Automated External Defibrillator (AED) units offset by \$9,000 in Intrafund Transfers In (Fund 5060, Subdivision 5060501, 5060502, 5060503, Account 49900); and
 3. Approval to dispose of existing commercial ranges and remove them from inventory.
- B. Auditor-Controller requests the Board of Supervisors to accept the internal audit quarterly monitoring report to the Napa County Housing Authority for the quarter-ended September 30, 2023. [23-1786](#)
-

Napa Berryessa Resort Improvement District

- C. District Engineer requests the approval of a Budget Amendment and a sole source award for the following (4/5 vote required): [23-1767](#)
1. Increase Intrafund Transfers Out appropriations by \$60,000 in the Napa Berryessa Resort District (NBRID) Fund 5240, Sub-Division 5240500, Program 16022 (USDA Bond-Wastewater Depr Rsv) with use of its available fund balance;
 2. Increase Intrafund Transfers Out appropriations by \$60,000 in NBRID Fund 5240, Sub-Division 5240500, Program 16023 (USDA Bond-Water Depr Rsv) with use of its available fund balance;
 3. Increase Construction Services appropriations by \$60,000 in the Program 21071 (USDA Res WWTP) budget (Fund 5240, Sub-Division 5240500) offset by an increase in revenue from the transfer-in from the NBRID Program 16022 budget;
 4. Increase Construction Services appropriations by \$60,000 in the Program 21072 (USDA Res WTP) budget (Fund 5240, Sub-Division 5240500) offset by an increase in revenue from the transfer-in from the NBRID Program 16023 budget; and
 5. Sole source award to Ovivo Watercare, Inc. of Salt Lake City, Utah for the purchase of two (2) aeration blowers plus accessories for the proprietary MBR Treatment Unit pursuant to Napa County Code Section 2.36.090 for a total \$24,351.72.

- D. District Engineer requests the following actions regarding the Woodhaven Court Sewer Lift Station Replacement Project (4/5 vote required): [23-1796](#)
1. Approval of a waiver of competitive bidding requirements and sole source award to Thomas and Associates in the amount of \$65,000 for a packaged duplex sewer pump station pursuant to Napa County Code Section 2.36.090;
 2. Establishment of a capital asset in the amount of \$65,000 for the purchase of fiberglass lift station package;
 3. Approval of a Budget Amendment to increase Transfers Out appropriations by \$125,000 in the 2020 Lightning Fire Complex (Fund 1000, Sub-division 1058006 Account 56100) with use of its available fund balance;
 4. Approval of a Budget Amendment to increase Construction Services appropriations by \$60,000 in Project 23032 (Woodhaven) budget (Fund 5240, Sub-division 5240500, Account 52360) offset by an increase in revenue from the transfer-in from Sub-division 1058006 - 2020 Lightning Fire Complex; and
 5. Approval of a Budget Amendment to increase Equipment appropriations by \$65,000 in Project 23032 (Woodhaven) budget (Fund 5240, Sub-division 5240500, Account 55400) offset by an increase in revenue from the transfer-in from Sub-division 1058006 - 2020 Lightning Fire Complex.
- E. District Engineer requests the approval of a Budget Amendment for the following (4/5 vote required): [23-1812](#)
1. Increase Transfers Out appropriations by \$60,000 in the 2020 Lightning Fire Complex (Fund 1000, Sub-division 1058006 Account 56100) with use of its available fund balance; and
 2. Increase Infrastructure/Land Maintenance appropriations by \$60,000 in the NBRID operating budget (Fund 5240, Sub-division 5240000, Account 52525) offset by an increase in revenue from the transfer-in from Sub-division 1058006 - 2020 Lightning Fire Complex.

6. CONSENT CALENDAR

Motion Text:	Approve the Consent Calendar.
Voting Yes:	Gregory, Gallagher, Cottrell, Pedroza, and Ramos
Recusals:	None
Result:	Passed

Agricultural Commissioner

- A. Agricultural Commissioner/Sealer of Weights and Measures requests approval of and authorization for the Chair to sign Agreement No. 240183B with the California Department of Food and Agriculture (CDFA) for a maximum of \$42,421 for the term July 1, 2023 through June 30, 2025 for reimbursement of expenditures associated with protecting the biodiversity of native ecosystems and abatement of noxious weed and other invasive plant infestations within the County of Napa. [23-1748](#)

Enactment No: A-240183B

Auditor-Controller

- B. Auditor-Controller requests the Board of Supervisors to accept, and instruct the Clerk of the Board to file, the internal audit report for County of Napa County-Wide Audit of Procurement Card (P-Card) Program for the period of January 1, 2023 - June 30, 2023. [23-1754](#)
- C. Auditor-Controller requests the Board of Supervisors to accept and instruct the Clerk of the Board to file the quarterly report of donations received for the quarter ended September 30, 2023. [23-1759](#)

Clerk of the Board

- D. Clerk of the Board requests the following actions to the Napa County Mental Health Board (MHB): [23-1784](#)
1. Appointment of Rose Sheehan to fill a term to represent Interested and Concerned Citizen with the term of office to commence immediately and expire on January 1, 2026;
 2. Appointment of Marion Villalba to fill a term to represent Interested and Concerned Citizen with the term of office to commence immediately and expire on January 1, 2025; and
 3. Appointment of Etta Williams to fill a term to represent a Family Member of Consumer on the with the terms of office to commence immediately and expire on January 1, 2024.
- E. Clerk of the Board requests approval of minutes from the October 17, 2023 regular meeting. [23-1787](#)
- F. Clerk of the Board requests the appointment of Cassidy Nolan to represent the position of At Large to the Napa County Veterans' Commission with the term of office to commence immediately and expire March 20, 2026. [23-1816](#)

County Executive Office

- G. County Executive Officer requests approval of and authorization for the Chair to sign Agreement No. 240187B with Matrix Consulting Group, Ltd. for a maximum of \$106,000 for the term of November 7, 2023, to December 31, 2024, to produce a fire organizational structure study. [23-1726](#)
Item pulled for discussion. See Item 9.
Enactment No: A-240187B
- H. County Executive Officer requests adoption of a Resolution continuing the State of Local Emergency due to pervasive tree mortality in Napa County. [23-1770](#)
Enactment No: R-2023-134
- I. County Executive Officer requests ratification for signing a grant support letter committing up to \$1,360,000 in matching funds over the five-year grant period as part of the Community Wildfire Defense Grant (CWDG) for Angwin Watershed Protection and hazardous fuel mitigation along evacuation routes. [23-1820](#)
- J. County Executive Officer requests approval of a Budget Amendment for a net increase of appropriations in the Fire Protection Fund-Salaries and Wages (2100000-51100) of \$50,000, offset by use of available fund balance. (4/5 vote required) [23-1850](#)

County Fire Department

- K. Deputy County Fire Chief requests the following: [23-1750](#)
1. Declare Capital Asset No. 26680-1, a 1995 HME Ladder Truck (T18), as surplus and no longer required for public use; and
2. Authorize the Auditor-Controller to remove this surplus asset from the capital asset listing; and
3. Authorize the sale of the capital asset surplus vehicle at public auction. (4/5 vote required)

District Attorney

- L. District Attorney requests approval of and authorization for the Chair to sign a Certification of Assurance of Compliance document that authorizes the District Attorney to apply for and sign grant Subaward documents with the California Office of Emergency Services for the Elder Abuse (XE) Program in the anticipated amount of \$217,444 for the term of January 1, 2024 through December 31, 2024. [23-1840](#)
Enactment No: A-8669B

- M. District Attorney requests approval of and authorization for the Chair to sign a Certification of Assurance of Compliance document that authorizes the District Attorney to apply for and sign grant Subaward documents with the California Office of Emergency Services for the Human Trafficking Advocate (HA) Program in the anticipated amount of \$147,000 for the term of January 1, 2024 through December 31, 2024. [23-1841](#)

Enactment No: A-8670B

- N. District Attorney and Auditor-Controller request the Board of Supervisors to accept, and instruct the Clerk of the Board to file, the Audit Reports for the Napa County District Attorney's Office Automobile Insurance Fraud and Workers' Compensation Insurance Fraud Grant Programs awarded by the California Department of Insurance for the fiscal year ended June 30, 2023. [23-1843](#)

Health and Human Services Agency

- O. Director of Health and Human Services Agency (HHSA) requests approval of and authorization for the Chair to sign MOU Agreement No. 240124B with Partnership Health Plan of California for the term September 1, 2023 through December 31, 2027 for the provision of data exchange. [23-1460](#)

Enactment No: A-240124B

- P. Director of Health and Human Services Agency (HHSA) requests approval of and authorization for the Chair to sign Revenue Agreement No. 240176B with the California Department of Public Health (CDPH) for Fiscal Year 2023-2024 for a contract maximum of \$300,000 to fund the California Tobacco Prevention Program (CTPP). [23-1699](#)

Enactment No: A-240176B

- Q. Director of Health and Human Services Agency (HHSA) requests approval of and authorization for the Chair to sign Revenue Agreement No. 240171B with the San Francisco Department of Public Health (SFDPH) for the term Fiscal Year 2023-2024 through Fiscal Year 2025-2026 for a contract maximum of \$584,250 for costs associated with the continued implementation of the California Home Visiting Program (CHVP). [23-1700](#)

Enactment No: A-240171B

- R. Director of Health and Human Services Agency (HHSA) requests approval of and authorization for the Chair to sign Agreement No. 240086B with Nurse-Family Partnership (NFP) for the term Fiscal Year 2023-2024 through Fiscal Year 2025-2026 for a contract maximum of \$197,511 for support to implement NFP's evidence-based home visiting program. [23-1708](#)

Enactment No: A-240086B

- S. Director of Health and Human Services Agency (HHSA) requests approval of and authorization for the Chair to sign Agreement No. 240181B and Agreement No. 240182B with California Department of Health Care Services (DHCS) for the Intergovernmental Agreement Regarding Transfer of Public Funds for the term July 1, 2023 through December 31, 2026 for the provision of Medi-Cal covered Behavioral Health Services.

[23-1779](#)

Enactment No: A-240181B; A-240182B

Housing & Homeless Services – Division of CEO’s Office

- T. Director of Housing & Homeless Services requests the following actions:
1. Approval of a Budget Amendment (4/5 vote required):
 - a. Increasing revenues in Federal Revenue (2030-2030000-43890) by \$181,500 for newly awarded Emergency Solutions Grant, Competitive (ESG-C) funding;
 - b. Increasing appropriation in Client Provider Services (2030-2030000-52430) by \$167,200;
 - c. The remaining \$14,300 is for existing, annually re-occurring administrative activities already included in annual appropriation for Department staff time and Homeless Management Information System (HMIS) operations; and
 2. Approval of and authorization for the Chair to sign Amendment No. 5 to Agreement No. 210018B with Abode Services, increasing the contract maximum by \$167,200 for a new maximum of \$4,176,708, to increase the rapid re-housing subsidy amount available using the newly awarded ESG-C funding.

[23-1682](#)

Enactment No: A-210018B Amend. 5

Human Resources – Division of CEO’s Office

- U. Director of Human Resources requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 210369B with Amistad Associates, for a maximum annual amount of \$82,000, for the term of November 7, 2023, through June 30, 2024, with an automatic renewal provision through June 30, 2026, to provide strategic planning, organizational development, and executive coaching consulting services.

[23-1594](#)

Enactment No: A-210369B Amend. 1

- V. Director of Human Resources and Director of Planning, Building, and Environmental Services (PBES) request adoption of a Resolution amending the Table and Index of Classes, the Departmental Allocation List for the Building Division of PBES, and appropriate personnel policies, with no net increase in FTEs, and no impact to the County General Fund, effective November 7, 2023.

[23-1810](#)

Enactment No: R-2023-135

- W. Director of Human Resources and District Attorney request adoption of a Resolution amending the Departmental Allocation List for the District Attorney's Office by extending an existing Attorney I/II/III - Limited Term through December 31, 2024, with no net increase in full-time equivalents, and a slight impact to the General Fund.

[23-1811](#)

Enactment No: R-2023-136

Information Technology Services – Division of CEO's Office

- X. County Executive Officer, Chief Information Officer, and Director of Library Services and Community Outreach request approval of and authorization for the Chair to sign Agreement No. 240186B with Personal Network Computing Inc. (dba Valley Internet) for a maximum contract amount of \$400,000 for the term November 7, 2023 through December 31, 2024 for design and engineering walkout in the County's broadband priority areas.

[23-1606](#)

Enactment No: A-240186B

- Y. Chief Information Officer requests approval of and authorization for the Chair to sign Agreement No. 240191B with Valley Communications, Inc. for the term of November 7, 2023 through June 30, 2026 with a maximum of \$15,000 per fiscal year, with an automatic rollover at the end of each fiscal year for up to two additional one year terms.

[23-1753](#)

Enactment No: A-240191B

- Z. Chief Information Officer requests the following:
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 the Napa County 4-H Program, managed by the University of California; and to Napa Ag 4 Youth, Directed by Paul Tarap; and to Computers for Classrooms.

[23-1813](#)

- AA. Chief Information Officer requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 170548B with Iron Mountain Information Management, LLC., increasing appropriations by \$25,000 for a new maximum of \$55,000 per year, beginning March 1, 2023, for continued offsite tape storage and asset disposition services.

[23-1839](#)

Enactment No: A-170548B Amend. 1

Public Works

- AB. Director of Public Works requests the following (4/5 vote required): [23-1731](#)
1. Declare certain capital asset vehicles and equipment with its modifications as surplus and no longer required for public use;
 2. Authorize the Auditor-Controller to remove these surplus assets from the capital asset listing;
 3. Authorize the sale of capital asset surplus vehicles and modifications at public auction; and
 4. Authorize the Public Works Director and/or Fleet Manager to sign the certificate of titles for the surplus items being sold at auction.

- AC. Director of Public Works requests acceptance of a donation in the amount of \$1,600 from Downtown Joe's to the Napa County Animal Shelter and approval for the Chair to sign a letter of appreciation. [23-1758](#)

- AD. Director of Public Works requests approval of and authorization for the Chair to sign Exclusive Negotiation Agreement No. 8671 with WhiTim Napa LLC (in conjunction with Camp Margaritaville Resorts) to conduct environmental studies, site investigation and due diligence, prepare environmental documents, and enter into negotiations for a long-term agreement for development and operation of resort concessions at the Steele Canyon resort area. [23-1772](#)

Item pulled for discussion. See Item 9.
Enactment No: A-8671B

[23-1775](#)

- AE. Director of Public Works Requests the following actions regarding Project 23006 which includes the Chiles Pope Valley Rd MPM 3.63 Guardrail Project, the Silverado Trail at Bell Canyon Creek Project, and the 2023 Annual Guardrail Repair Project (4/5 vote required):
1. Approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 230084B with ADKO Engineering, Inc. increasing the maximum compensation by \$26,510 for additional engineering design and support services for the Chiles Pope Valley Road MPM 3.63 portion of the project, for a new accumulated total maximum compensation of \$344,110; and
 2. Approval of the following Budget Amendment:
 - a. Increase Transfer Out appropriations by \$217,000 in the SB-1 Non-Operating Special Revenue Fund (SB1) (Fund 2440, Sub-Division 1220052, Account 56100) offset by use of its available fund balance to be transferred to Project 23006; and
 - b. Increase Engineering Services appropriations by \$179,918, Consultant Services appropriations by \$10,187, and Construction Services appropriations by \$26,895 in Project 23006 (Fund 2040, Sub-Division 2040500, Project 23006, Accounts 52145, 52310 and 52360) offset by transfer-in revenue from SB1.

Enactment No: A-230084B Amend. 2

AF. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 4 to Agreement No. 230037B with HCI Services, Inc. to increase compensation for non-routine services by \$55,000 for a new maximum amount of \$105,000 for non-routine services in Fiscal Year 2023-24 to complete repairs to the fire alarm system that were initiated but not completed in Fiscal Year 2022-23 at the Napa County Airport.

[23-1817](#)

Enactment No: A-230037B Amend. 4

AG. Director of Public Works requests approval of and authorization for the Chair to sign amendments to the following agreements for a new annual maximum of \$25,000 per agreement for current FY 23/24, and FY 24/25, with the option for two (2) one-year extensions for the provision of pest control applicator services:

[23-1818](#)

1. Amendment No. 1 to Agreement No. 230003B with Pestmaster Services, L.P.; and
2. Amendment No. 1 to Agreement No. 230004B with Hunters Services, Inc.

Enactment No: A-230003B Amend. 1 & A-230004B Amend. 1

AH. Director of Public Works requests the following:

[23-1826](#)

1. Approval of and authorization for the Director of Public Works to sign contract change orders to the Mt. Veeder Road MPM 6.25 Slide Repair Project, RDS 23-24 construction contract with Rehak General Engineering, LLC for a maximum not to exceed amount of \$443,173 to respond to unexpected circumstances during construction at the Mt Veeder Rd. mile marker 6.25 landslide repair (4/5 vote required);
2. Board's confirmation of the Director of Public Works' determination that the change orders are not suitable for advertising for bids and awarding a separate contract because of the delay they would cause to the project and the difficulty of mobilizing a second contractor to the site, and such action would not be in the County's best interests; and
3. Approval of a Budget Amendment for the following (4/5 vote required):
 - a. Increase Transfer Out appropriations by \$275,000 in the Accumulated Capital Outlay Fund (ACO) (Fund 3000, Sub-Division 3000000, Account 56100) offset by use of available fund balance to be transferred to Mt. Veeder Road MPM 6.25 Slide Repair Project (Fund 2040, Sub-Division 2040500, Project 23036); and
 - b. Increase Construction Services appropriations by \$275,000 in Mt. Veeder Road MPM 6.25 Slide Repair Project (Fund 2040, Sub-Division 2040500, Project 23036, Account 52360) offset by transfer-in revenue from ACO.

AI. Director of Public Works requests approval of and authorization for the Chair to sign Certificates of Acceptance of Avigation and Hazard Easement Deeds from CG American Canyon, LLC, a Delaware limited liability company, TC American Canyon, LLC, a Delaware limited liability company, and JSP American Canyon, LLC, a Delaware limited liability company (Assessor Parcel Numbers 058-320-001 and 058-380-008) to preserve the Napa County Airport's right to engage in and support aviation uses and to prevent the subject property from being used in a manner which creates avigation hazards. [23-1827](#)

AJ. Director of Public Works requests the following actions: [23-1828](#)

1. Approval of and authorization for the Chair to sign an Agreement No. 240200B with Kimley-Horn for the design of the Napa Valley Vine Trail from Yountville through St. Helena Project for a not to exceed amount of \$2,240,761 and a term that shall expire one year after completion of the Scope of Services;
2. Approval to create a new Roads Capital Improvement Project for the Napa Valley Vine Trail from Yountville through St. Helena Project (Fund 2040, Sub-Division 2040500, Project 24012); and
3. Approval of a Budget Amendment for the following (4/5 vote required):
 - a. Increase Transfer Out appropriations by \$2,500,000 in the Accumulated Capital Outlay Fund (ACO) (Fund 3000, Sub-Division 3000000, Account 56100) offset by use of its available fund balance to be transferred to Project 24012; and
 - b. Increase appropriations by \$2,500,000 in Project 24012 (Fund 2040, Sub-Division 2040500, Account 52310) budget offset by transfer in revenue from the ACO budget.

Enactment No: A-240200B

7. PUBLIC COMMENT

Nine (9) people spoke during public comment.

8. BOARD OF SUPERVISORS REPORTS AND ANNOUNCEMENTS

Chair Belia Ramos acknowledged new employees Fire Marshal Jason Downs, Fire Project Manager JR Rogers, and Fire Administrator Dave Shew, who are part of the new fire services administration team that will assist Napa County with the management of fire suppression and mitigation and preparedness efforts, as well as utilizing funding resources, such as a \$50 million Federal Emergency Management Agency (FEMA), BRIC (Building Resilient Infrastructure and Communities) grant. Chair Ramos also reported on attending the Wildfire Summit with Supervisor Anne Cottrell that was hosted by Community Foundation of the Napa Valley, Napa Valley Vintners, and Napa Valley Grapegrowers that focused on creating a fire resilient community. Lastly, Chair Ramos stated a San Francisco Bay Conservation and Development Commission (BCDC) hearing on the Highway 37 project was being postponed until next month.

Supervisor Ryan Gregory reported on attending a Napa Sanitation District meeting. A main topic of discussion was a contract to install the largest floating solar in the country that will be located on ponds in southern Napa. Supervisor Gregory also attended a meeting sponsored by the Solano-Napa Small Business Development Center (SBDC) with Supervisor Anne Cottrell where they heard from various small businesses owners on how they were able to utilize their grant funds. Lastly, Supervisor Gregory reported on participating in the annual Bay Area Ridge Trail cleanup project that was held at Skyline Park.

Supervisor Anne Cottrell reported on attending a Broadband Consortium meeting made up of Sonoma, Marin, Napa, and Mendocino Counties. She mentioned a Memorandum of Understanding (MOU) with Comcast for a broadband deployment project that was on today's Board of Supervisors agenda, and each county is focusing on their own project proposals to provide broadband service to new underserved residents vs. existing customers. Supervisor Cottrell also acknowledged attending the SBDC meeting with Ryan Gregory and complimented SBDC Lead Advisor Mike Basayne on coaching small business owners.

Supervisor Joelle Gallagher reported on attending a First 5 meeting where completion of their three-year plan was discussed. Supervisor Gallagher also attended a Bay Area Air Quality Management District (BAAQMD) meeting. A main topic of discussion was the air filtration program through Breathe California, a program that Napa County has not been able to access but for which Supervisor Gallagher advocated and noted that 27% of Napa residents suffer from asthma compared to 15% of Californians. Lastly, Supervisor Gallagher also attended a Napa County Climate Action Committee (CAC) meeting where they discussed creating a flexible draft reach building code and an opportunity through Lawrence Berkeley National Laboratory to become the first site in the United States to do on the ground, real-time greenhouse gas (GHG) monitoring.

9. DISCUSSION OF ITEMS PULLED FROM CONSENT CALENDARS

- 6G.

Assistant County Executive Officer Rebecca Craig made presentation.

Discussion held.

Motion Text: Approve the requested action.

Voting Yes: Cottrell, Gallagher, Gregory, Pedroza, and Ramos

Recusals: None

Result: Passed

- 6AD.

Director of Public Works Steven Lederer made presentation.

Lake Berryessa Concessions Manager Leigh Sears made presentation.

Discussion held.

Five (5) people spoke during public comment.

Motion Text: Approve the requested actions as amended.

Voting Yes: Pedroza, Cottrell, Gallagher, Gregory, and Ramos

Recusals: None

Result: Passed

10. ADMINISTRATIVE ITEMS - SPECIAL DISTRICTS

None

11. ADMINISTRATIVE ITEMS

County Counsel

- A. County Counsel requests consideration and adoption of a Resolution of Findings of Fact and Decision on Appeal filed by Center for Biological Diversity (Appellant) concerning the Le Colline Vineyard agricultural erosion control application (P14-00410-ECPA) submitted by Le Colline, LLC and Cold Springs, LLC (Applicant) to a decision made by the Designee of the Interim Director of the Planning, Building and Environmental Services (PBES) Department on March 24, 2023, to:
- (1) certify the Final EIR prepared for the Le Colline ECPA (P14-00410-ECPA);
 - (2) adopt the findings required pursuant to the California Environmental Quality Act (CEQA) including, but not limited to, rejecting the Proposed Project, the No Project Alternative and the Reduced Intensity Alternative, finding the Increased Water Quality and Sensitive Habitat Protection Alternative as revised and as set forth in the FEIR (the Modified Project or the Water and Habitat Alternative) consistent with the Napa County General Plan;
 - (3) adopt the Mitigation Monitoring and Reporting Program;
 - (4) adopt the Modified Project Alternative; and
 - (5) approve ECPA No. P14-00410-ECPA as revised to reflect the Modified Project, which generally consists of increased stream setbacks to avoid areas with relative higher biological value, and provide for greater wildlife movement. The project site is located on 88.3-acres south of the community of Angwin, on the east side of Howell Mountain Road and west of Cold Springs Road, within the unincorporated portion of Napa County (County) and zoned Agricultural Watershed (AW) and general plan designated Agricultural, Watershed and Open Space (AWOS) on Assessor's Parcel Numbers (APNs) 024-300-070, 024-300-071, 024-300-072, and 024-340-001.

[23-1849](#)

Deputy County Counsel Laura Anderson made presentation.

Seven (7) people spoke during public comment.

Discussion held.

Motion Text: Approve the requested actions.

Voting Yes: Cottrell, Gallagher, and Ramos

Voting No: Gregory and Pedroza

Recusals: None

Result: Passed

Enactment No: R-2023-137

County Executive Office

[23-1774](#)

- B. Napa County Office of Education will present the results of the Williams Monitoring visits in Napa County Schools.

Napa County Office of Education Superintendent Barbara Nemko, Ph.D., made presentation.

12. PUBLIC HEARING - SPECIAL DISTRICTS

None

13. PUBLIC HEARINGS

Planning, Building and Environmental Services (PBES)

[23-1749](#)

- A. PUBLIC HEARING 9:00 AM - Rutherford Ranch Appeal Consideration and possible direction regarding an appeal filed by Water Audit California (Appellant) concerning the Rutherford Ranch Winery Use Permit Major Modification Application No. P19-00126 and Use Permit Exception to the Conservation Regulations Application No. P23-00145 submitted by Marko B. Zaninovich and Theo Zaninovich (Applicants) and the decisions made by the Napa County Planning Commission on June 21, 2023 to: (1) adopt the Negative Declaration; (2) approve Use Permit Exception to the Conservation Regulations No.

P23-00145 to allow the following new improvements which encroach into minimum stream setback of 45 feet from top of bank: install two (2) water tanks, remove 15 unpermitted improvements located within the stream setback, restoration and revegetation of areas where improvements are removed, and recognition and continued use of the unpermitted pump house; and (3) approve Use Permit Major Modification No. P19-00126 to allow the following: recognition of days of operation Monday through Sunday and hours of operation for Production 6:00 a.m. - 5:30 p.m. and visitation 10:00 a.m. - 6:00 p.m., increase employment to 58 full-time and 5 part-time employees, increase visitation, tours, and tastings with seasonal fluctuations, approve a new marketing plan, allow on-premises consumption of wine, convert the entire residence to winery offices, install a commercial kitchen in the existing winery building, increase the number of parking spaces, and other related accessory and infrastructure improvements. The project site is located on a 17.37-acre parcel at 1680 Silverado Trail South, St. Helena, CA 94574. The General Plan designation is Agriculture, Watershed, and Open Space (AWOS) the Zoning is Agricultural Watershed (AW). APN: 030-300-030 (CONTINUED FROM OCTOBER 10, 2023. APPELLANT, APPLICANTS, AND STAFF REQUEST A CONTINUANCE TO FEBRUARY 6, 2024, AT 10:30 A.M.)

Planning, Building, and Environmental Services Planning Manager Michael Parker made presentation.

Chair Belia Ramos opened the public hearing.

Motion Text: Approve the requested actions.

Voting Yes: Gregory, Gallagher, Cottrell, Pedroza, and Ramos

Recusals: None

Result: Passed

- B. PUBLIC HEARING 10:30 A.M. - DUCKHORN VINEYARDS WINERY APPEAL (USE PERMIT MAJOR MODIFICATION NO. P19-00097-MOD) - CONTINUED FROM JULY 25, 2023. [23-1412](#)

Consideration and possible direction regarding appeals filed by (1) Appellant Water Audit California and (2) Appellant John Murphy on behalf of Preserve Lodi Lane concerning the Duckhorn Vineyards Winery Use Permit Major Modification Application No. P19-00097-MOD submitted by Duckhorn Wine Company, DBA Duckhorn Vineyards (Applicant) and the decisions made by the Napa County Planning Commission on May 3, 2023, to: (1) adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; and (2) approve Use Permit Major Modification No. P19-00097-MOD. The project site is an existing pre-WDO winery on a 10.67-acre parcel, at the corner of Lodi Lane and Silverado Trail, located at 1000 Lodi Lane, St. Helena. The property is zoned Agricultural Preserve and general plan designated Agricultural Resource and Agricultural, Watershed and Open Space on Assessor's Parcel Numbers 022-130-010, 022-100-033, 022-100-034 and 022-100-035. (APPLICANT AND STAFF REQUEST A CONTINUANCE TO A DATE UNCERTAIN DUE TO THE APPLICANT CONSIDERING MAKING CHANGES TO THE PROJECT SCOPE. BOTH APPELLANTS DO NOT OBJECT TO THE REQUEST FOR A CONTINUANCE.)

Planning, Building, and Environmental Services Supervising Planner Trevor Hawkes made presentation.

Chair Belia Ramos opened the public hearing.

One (1) person spoke during public comment.

Motion Text: Approve the requested actions.

Voting Yes: Gregory, Cottrell, Gallagher, Pedroza, and Ramos

Recusals: None

Result: Passed

14. CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION [23-1757](#)

(Government Code section 54956.9(d)(1))

Name of case: Napa County, et al. v. Lindsay Blair Hoopes, et al.

Case No.: Napa Superior Court Case No. 22CV001262

One (1) person spoke during public comment.

Closed Session held. No reportable action. Direction was given to counsel.

B. CONFERENCE WITH LABOR NEGOTIATORS (Government Code [23-1795](#)

Section 54957.6) Agency Designated Representatives: Christine Briceño,

Director of Human Resources Employee Organization: SEIU 2015

(representing Napa County In Home Support Services workers)

Closed Session held. No reportable action. Direction was given to the negotiator.

C. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government [23-1823](#)

Code Section 54956.8)

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: Ryan Alsop, County Executive Officer

Negotiating Parties: Napa County and City of Calistoga Under Negotiation:

[X] Price [X] Terms of Payment

Closed Session held. No reportable action. Direction was given to the negotiator.

15. ADJOURNMENT

**ADJOURN TO THE BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY,
NOVEMBER 28, 2023 AT 9:00 A.M.**

Neha Hoskins (By e signature)

NEHA HOSKINS, Clerk of the Board