



A Tradition of Stewardship
A Commitment to Service

AGENDA

NAPA COUNTY BOARD OF SUPERVISORS

Tuesday January 28, 2020 9:00 A.M.

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

Jose Luis Valdez
Clerk of the Board

Jeffrey M. Brax
County Counsel

GENERAL INFORMATION

The Board of Supervisors meets as specified in its adopted annual calendar on Tuesdays at 9:00 A.M. in regular session at 1195 Third Street, Suite 305, 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 Government Code sections 6253.5, 6254, 6254.3, 6254.7, 6254.15, 6254.16, or 6254.22.

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

1. CALL TO ORDER; ROLL CALL**2. PLEDGE OF ALLEGIANCE****3. APPROVAL OF MINUTES****4. PRESENTATIONS AND COMMENDATIONS**

- A. Presentation of a Retirement Proclamation to Mary Butler, Chief Probation Officer, in recognition of 36 years of service to the people of Napa County.

5. DEPARTMENT HEADS REPORTS AND ANNOUNCEMENTS**6. CONSENT ITEMS**Community Resources & Infrastructure

- A. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No.1 to Lease Agreement No. 8307 with Waltraud and John Tuteur 1989 Revocable Family Trust for space located at 1917 First Street, Napa, for a five (5) year term beginning July 1, 2020 through June 30, 2025, with a monthly rental amount of \$3,306.67 during FY 2020-2021 and a 2% annual increase for the remaining four (4) years.
- B. Director of Public Works requests authorization for the Chair to sign three Purchase and Sale Agreements and Easement Deeds for the Brookside Drive Storm Damage Repair Project, RDS 18-09 for:
1. The acquisition of a right-of-way easement and a storm drain easement from Stacey Bauer for the value of \$8,700. (Assessor's Parcel Number 024-210-020);
 2. The acquisition of a storm drain easement from Jagodinka Alimpic for the value of \$2,000. (Assessor's Parcel Number 024-210-022); and
 3. The acquisition of a temporary construction easement from Pacific Union College for the value of \$3,600. (Assessor's Parcel Number 024-400-006).
- C. Director of Public Works requests approval of and authorization for the Chair to sign a Measure A Memorandum of Understanding (MOU) with La Tierra Mutual Water Company for a maximum of \$28,946 to implement a project to improve water reservoirs, water quality, and water system reliability for the term January 7, 2020 through 60 days following notification to the County that the project has been completed.
- D. Director of Public Works requests the following:
1. Award of a contract to Gordon N. Ball, Inc. of Alamo, California for their low base bid of \$2,458,775 and authorize the Chair to sign the construction contract for the following 2017 Storm Slide Repairs-Retaining Wall projects:
 - a. Dry Creek Road MPM 10.50, RDS 19-09, FEMA 4308-DR-CA, NANCC93;
 - b. Dry Creek Road MPM 7.75, RDS 19-10, FEMA 4350-DR-CA, NANCC94;
 - c. Mt. Veeder Road MPM 4.75, RDS 19-11, FEMA 4308-DR-CA, NANCC97; and
 - d. Dry Creek Road MPM 7.51, RDS 19-15, FEMA 4308-DR-CA, NANCC53
 2. Approval of Budget Transfer No. DPW024 for the following (4/5 vote required):

- a. Increase appropriation by \$3,845,497 in Measure T non-operating special revenue fund (Fund 244, Sub-Division 1220053) offset by the use of its available fund balance to fund the following four Storm 2017 Roads Capital Improvement Projects:
 - b. Increase appropriation by \$745,327 in Dry Creek Road-MPM 10.5, RDS 19-09, project budget in the Roads CIP budget (Program S7313) offset by increase in revenue from the transfer from Measure T funds;
 - c. Increase appropriation by \$573,275 in Dry Creek Road-MPM 7.75, RDS 19-10, project budget in the Roads CIP budget (Program S7402) offset by increase in revenue from the transfer from Measure T funds;
 - d. Increase appropriation by \$1,725,201 in Mt. Veeder Road-MPM 4.75, RDS 19-11, project budget in the Roads CIP budget (Program S7405) offset by increase in revenue from the transfer from Measure T funds; and
 - e. Increase appropriation by \$801,694 in Dry Creek Road-MPM 7.51, 19-15, project budget in the Roads CIP budget (Program S7202) offset by increase in revenue from the transfer from Measure T funds.
- E.** Director of Public Works requests approval of plans and specifications for the Berryessa/Knoxville Road MPM 20.50-22.00 Culvert Replacement Project (NANCC08), PA-09-CA-4301-PW-00233(1), RDS 19-08 and authorization to advertise for sealed bids and opening of the bids at a time, date, and location to be published by the Director of Public Works pursuant to Section 20150.8 of the Public Contract Code.
- F.** Director of Public Works requests acceptance of a donation in the amount of \$1,910.78 from Hog Island Oyster Co., INC to the Napa County Animal Shelter and approval for the Chair to sign a letter of appreciation.
- G.** Director of Public Works requests acceptance of a donation in the amount of \$1,050 from Pet Food Express to the Napa County Animal Shelter and approval for the Chair to sign a letter of appreciation.
- H.** Second reading and adoption of an ordinance repealing County Code Chapter 18.117, Small Wind Energy Systems, and replacing in its entirety with a new Chapter, Renewable Energy Systems, establishing development requirements for accessory on-site solar energy systems and commercial renewable energy production facilities, and amending sections 18.24.030 (AV-AIRPORT DISTRICT), 18.36.030 (I-INDUSTRIAL DISTRICT), 18.40.020 (IP-INDUSTRIAL PARK DISTRICT, 18.44.020 (GI-GENERAL INDUSTRIAL DISTRICT), and 18.50.030 (PL-PUBLIC LANDS DISTRICT) to allow commercial renewable energy facilities upon grant of a use permit; and amending section 18.120.010 (EXCEPTIONS TO USE LIMITATIONS) of Title 18 of the Napa County Code.

ENVIRONMENTAL DETERMINATION: Consideration and possible adoption of Categorical Exemptions Class 7, Class 8, Class 4, Class 5 and the General Rule. It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act. [See Categorical Exemption Class 7 (“Actions by Regulatory Agencies for Protection of Natural Resources”) which may be found in the guidelines for the implementation of the CEQA at 14 CCR §15307]; Categorical Exemption Class 8 (“Actions by Regulatory Agencies for Protection of the Environment”) which may be found in the guidelines for the implementation of the CEQA at 14 CCR §15308]; Categorical Exemption Class 4 (“Minor Alterations to Land”) which may be found in the guidelines for the implementation of the CEQA at 14 CCR §15304; see also Napa County’s Local Procedures for Implementing the California Environmental Quality Act, Appendix B]; Categorical Exemption Class 5 (“Minor Alterations in Land Use Limitations”) which may be found in the guidelines for the implementation of the CEQA at 14 CCR §15305; see also Napa County’s Local Procedures for Implementing the California Environmental Quality Act, Appendix B]; and General Rule in that it can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment and therefore CEQA is not

applicable. [See Guidelines For the Implementation of the CEQA 14 CCR 15061(b)(3)]. This project is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

General Admin & Finance

- I. County Executive Officer/Purchasing Agent/Sheriff request a waiver of competitive bidding requirements and sole source award for the purchase of a US-1 Drone from Impossible Aerospace Corporation of Santa Clara, California, for a total of \$34,172 pursuant to County Ordinance Code 2.36.090.
- J. County Executive Officer and Risk & Emergency Services Manager request the following actions regarding Urban Area Security Initiative (UASI) 2019 grant funding:
 - 1. Approval of and authorization for the Chair to sign a revenue agreement with the City and County of San Francisco, as the distribution agent for UASI grant funds, for a maximum of \$38,700 for the term of November 1, 2019 through December 31, 2020, to purchase seven (7) interoperable, multiband portable radios to improve interoperable communications capabilities; and
 - 2. Adopt a resolution under the 2019 Urban Area Security Initiative authorizing the County Executive Officer and the Risk & Emergency Services Manager to take the action necessary to accept and administer this grant and to sign associated modifications and reimbursement forms.
- K. Director of Housing and Homeless Services requests approval of and authorization for the Chair to sign an agreement with the City of Napa for a maximum of \$20,000 for the term January 28, 2020 to June 30, 2020 with annual renewal for the provision of project and construction management services for participants of the Junior Accessory Dwelling Unit/Accessory Dwelling Unit Loan Program.
- L. County Executive Officer requests authorization for out-of-state travel for Supervisor Diane Dillon and Supervisor Ryan Gregory to attend the National Association of Counties (NACo) Legislative Conference in Washington, DC and to meet with federal officials regarding legislative matters related to Napa County from February 28, 2020 to March 5, 2020 for an estimated cost of travel per person of \$3,500.

7. DISCUSSION OF ITEMS PULLED FROM THE CONSENT CALENDAR

8. PUBLIC COMMENT

In this time period, anyone may address the Board of Supervisors regarding any subject over which the Board has jurisdiction but which is not on today's posted agenda. In order to provide all interested parties an opportunity to speak, time limitations shall be at the discretion of the Chair. As required by Government Code, no action or discussion will be undertaken on any item raised during this Public Comment period.

9. SET MATTERS OR PUBLIC HEARINGS**A. 9:00 AM**

Director of Planning, Building and Environmental Services (PBES) requests approval of a Certificate of Public Convenience or Necessity for a Type 21 Off-Sale General License for Raconteur Fine Wines, as required by the State Department of Alcoholic Beverage Control for property located at 521 Alexis Court, in the Napa Valley Business Park (Assessor's Parcel No. 057-220-028).

B. 9:00 AM PUBLIC HEARING

Director of Planning, Building, and Environmental Services (PBES) requests the first reading and intention to adopt an ordinance amending section 18.10.020 of Chapter 18.10 (Zoning Administrator) Section 18.124.080 and Section 18.124.131 of Chapter 18.124 (Use Permits) and Section 18.126.030 and adding a new section 18.126.065 to Chapter 18.126 (Administrative Permits) of Title 18 (Zoning) of the Napa County Code regarding issuance of small winery use permits and modifications to winery use permits.

Environmental Determination: Consideration and possible adoption of Categorical Exemptions Class 1, Class 3, Class 4, and the General Rule. It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act. [See Categorical Exemption Class 1 ("Existing Facilities") which may be found in the guidelines for the implementation of the CEQA at 14 CCR §15301]; Categorical Exemption Class 3 ("New Construction or Conversion of Small Structures") which may be found in the guidelines for the implementation of the CEQA at 14 CCR §15303]; Categorical Exemption Class 4 ("Minor Alterations to Land") which may be found in the guidelines for the implementation of the CEQA at 14 CCR §15304; see also Napa County's Local Procedures for Implementing the California Environmental Quality Act, Appendix B]; and General Rule in that it can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment and therefore CEQA is not applicable. [See Guidelines For the Implementation of the CEQA 14 CCR 15061(b)(3)]. This project is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

C. 1:30 PM

Director of Planning, Building and Environmental Services (PBES) requests discussion and direction regarding public outreach on the issue of commercial cannabis.

D. 2:30 PM

Director of Planning, Building and Environmental Services (PBES) to provide an update on the status of the recovery effort from the 2017 Napa Fire Complex and the 2018 Steele Fire.

10. ADMINISTRATIVE ITEMS**General Admin & Finance**

- A. Auditor-Controller to present and request acceptance of the Comprehensive Annual Financial Report (CAFR) and the Single Audit Report - Schedule of Expenditures of Federal Awards, for fiscal year ended June 30, 2019.
- B. County Executive Officer requests the adoption of the Strategic Financial Plan for FY 2020-21 through

FY 2024-25 and receive the 5-year forecast.

11. LEGISLATIVE ITEMS

- A. County Executive Officer, on behalf of the Legislative Subcommittee, requests discussion and possible approval of Napa County's 2020 State Legislative & Regulatory Platform amendments (unanimous vote required).
- B. County Executive Officer, on behalf of the Legislative Subcommittee, requests discussion and possible approval of Napa County's 2020 Federal Legislative & Regulatory Platform amendments. (unanimous vote required).

12. BOARD OF SUPERVISORS COMMITTEE REPORTS AND ANNOUNCEMENTS

13. BOARD OF SUPERVISORS FUTURE AGENDA ITEMS

14. COUNTY EXECUTIVE OFFICER REPORTS AND ANNOUNCEMENTS

15. CLOSED SESSION

A. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government 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: Minh C. Tran, County Executive Officer

Negotiating Parties: Napa County and City of Calistoga

Under Negotiation: Price Terms of Payment

B. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8)

Property: 2344 Old Sonoma Road, Napa, California

Agency Negotiator: Steve Lederer, Director of Public Works

Negotiating Parties: Napa County and public entities and housing sponsors as identified in Government Code Section 54222(a)(1)

Under Negotiation: Price Terms of Payment

16. ADJOURNMENT

ADJOURN TO THE BOARD OF SUPERVISORS SPECIAL MEETING, TUESDAY, FEBRUARY 4, 2020 AT 8:00 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 24, 2020 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.

Jose Luis Valdez (By e-signature)

JOSE LUIS VALDEZ, Clerk of the Board