



A Tradition of Stewardship  
A Commitment to Service

# AGENDA

## NAPA COUNTY BOARD OF SUPERVISORS

**Tuesday December 17, 2019 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](http://www.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 meetings:

1. Special and Regular Meetings of Tuesday, October 15, 2019;
2. Regular Meeting of Tuesday, October 22, 2019;
3. Special and Regular Meetings of Tuesday, November 12, 2019;
4. Regular Meeting of Tuesday, November 19, 2019;
5. Special Meeting of Friday, November 22, 2019; and
6. Special and Regular Meetings of Tuesday, December 10, 2019.

**4. PRESENTATIONS AND COMMENDATIONS****5. DEPARTMENT HEADS REPORTS AND ANNOUNCEMENTS****6. CONSENT ITEMS**Law & Justice

- A.** Chief Probation Officer requests adoption of a Resolution amending the Napa County Committees, Commissions & Advisory Boards Part II, Section 22 Bylaws of the Juvenile Justice Coordinating Council effective December 17, 2019.

Public Safety

- B.** Director of Corrections requests approval of and authorization for the Chair to sign the following amendments with Securus Technologies, Inc. to extend each term through June 30, 2022 with an automatic rollover of two (2) additional one (1) year terms:
1. Amendment No. 3 to Agreement No. 190215B to provide video visitation between Corrections' inmates and their minor children in the care of Child Welfare Services; and
  2. Amendment No. 4 to Agreement No. 170629B to provide telephone services to Corrections' inmates and Juvenile Hall youth.
- C.** County Fire Chief requests adoption of a resolution ratifying Ordinance No. 2019-03 of the American Canyon Fire Protection District adopting the 2019 Edition of the California Code of Regulations Title 24, Part 9 and related model codes with appendices and amendments.

Community Resources & Infrastructure

- D.** Director of Planning, Building and Environmental Services and the County Fire Chief request second reading and adoption of an ordinance to adopt the 2019 California Building Standards Code (Title 24, California Code of Regulations) as promulgated and approved by the California Building Standards Commission including the amendment of various chapters of Title 15 of the Napa County Code as provided.

- E. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 1 to Napa County Agreement No. 6122 with Las Madronas, LLC consenting to the assignment and assumption of the lease at 3460 Airport Road to Las Madronas Aviation, LLC.
- F. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 2 to Lease Agreement No. 180217B with Yamaha Motor Corporation U.S.A., increasing the annual rental fee revenue by 3.9 percent from \$25,956 to \$26,964, and extending the term through June 30, 2020, with an option for an additional six (6) month term, for the continued leasing of space at 2000 Airport Road.
- G. Director of Public Works requests the approval of and authorization for the Chair to sign Amendment No. 2 to Professional Services Agreement No. 190218B with ADKO Engineering increasing the agreement amount by \$150,000 for a new maximum amount of \$450,000 to provide resident engineer and structural engineer services for the Devlin Road Segment E Project, RDS 11-06.
- H. Director of Public Works requests approval of Amendment No. 1 to Agreement No. 200089B with the City of Calistoga extending the due diligence period by sixty days to February 19, 2020.
- I. Director of Public Works requests approval of the following actions (4/5 vote required):
  - 1. Creation of new Capital Improvement Projects (CIP) within the Roads Capital Improvement Program budget (Fund 2040, Sub-Division 2040500) for Airport Blvd Project (Program 20032), Salvador Paving Project (Program 20033), El Centro Paving Project (Program 20034), Milton Road Phase 2 Project (Program 20036), Buhman Bridge Project (Program 20035), and Mt. Veeder Road Bridge MPM 2.13 Project (Program 20037); and
  - 2. Approval of Budget Transfer No. DPW020 for the following:
    - a. Increase appropriations by \$300,000 in the Measure T Non-Operating Special Revenue Fund (SRF) budget (Fund 2440, Sub-Division 1220053) to transfer to Programs 20032, 20033, 20034 and 20036 offset by use of its available fund balance;
    - b. Increase appropriations by \$115,000 in the SB1 Non-Operating Special Revenue Fund (SRF) budget (Fund 2440, Sub-Division 1220052) to transfer to Programs 20035 and 20037 offset by use of its available fund balance;
    - c. Increase appropriations by \$150,000 in Program 20032 (Airport Blvd Project) budget offset by an increase in revenue from the transfer from the Measure T SRF budget;
    - d. Increase appropriations by \$50,000 in Program 20033 (Salvador Paving Project) budget offset by an increase in revenue from the transfer from the Measure T SRF budget;
    - e. Increase appropriations by \$50,000 in Program 20034 (El Centro Paving Project) budget offset by an increase in revenue from the transfer from the Measure T SRF budget;
    - f. Increase appropriations by \$50,000 in Program 20036 (Milton Road Phase 2 Project) budget offset by an increase in revenue from the transfer from the Measure T SRF budget;
    - g. Increase appropriations by \$30,000 in Program 20035 (Buhman Bridge Project) budget offset by an increase in revenue from the transfer from SB1 SRF budget; and
    - h. Increase appropriations by \$85,000 in Program 20037 (Mt. Veeder Rd. Bridge) budget offset by an increase in revenue from the transfer from the SB1 SRF budget.

**J. Director of Public Works requests the following:**

1. Approval of and authorization for the Chair to sign an agreement with Vanir Construction Management Inc. for a maximum of \$1,350,833 for the term December 17, 2019 through June 30, 2020, with an automatic extension provision for an additional year at the end of each fiscal year not to exceed four (4) years for plan check, inspection, and construction management services for the Napa County Jail Replacement Project;
2. Cancel \$1,350,833 of Designation for Capital Replacement within the Accumulated Capital Outlay Fund (Fund 3000, Sub-Division 3000000, Account 32100) (4/5 vote required); and
3. Approval of Budget Transfer No. DPW022 for the following (4/5 vote required):
  - a. Increase appropriations by \$1,350,833 in the Accumulated Capital Outlay Fund with the use of its available fund balance;
  - b. Increase appropriations and revenue by \$1,157,168 in the Replacement Jail Project Budget (Fund 3000, Sub-Division 3000505, Program 19005) offset by transfer from the Accumulated Capital Outlay Fund; and
  - c. Increase appropriations and revenue by \$193,665 in the Replacement Jail (offsite) Project Budget (Fund 3000, Sub-Division 3000505, Program 19006) offset by transfer from the Accumulated Capital Outlay Fund.

**K. Director of Public Works requests the following (4/5 vote required):**

1. Approval to establish a new Airport Capital Improvement Project for the design of the Taxiway H, Section 1 Reconstruction project, Program 20029 (Fund 5010, Sub-Division 5010500);
2. Approval of Budget Transfer No. AIR002 for the following:
  - a. Increase appropriations by \$16,337 in Airport Operations Budget (Fund 5010, Sub-Division 5010000) with the use of available fund balance to transfer to Program 20029 Budget; and
  - b. Increase appropriations by \$297,042 in Program 20029 Budget offset by \$16,337 transfer from Airport Operations budget, \$13,367 from California Department of Transportation and \$267,338 from Federal Aviation Administration.

**General Admin & Finance**

- L.** Auditor-Controller requests the Board approve, and instruct the Clerk of the Board to file the Self-Assessment Report for the County of Napa Internal Audit Section for the year ended June 30, 2019.
- M.** Chief Information Officer requests approval of and authorization for the Chair to sign an agreement with Neko Industries, Inc., for a maximum of \$5,985 for the term of December 10, 2019 through June 30, 2020, to upgrade the Electronic Document Management System to the newest operating version.
- N.** County Counsel requests approval of and authorization for the Chair to sign an agreement with Thomson Reuters for a maximum amount of \$12,132 for the term February 1, 2020 through January 31, 2021, with two annual renewals and a 2% increase each subsequent year to provide Westlaw legal research software.
- O.** County Executive Officer requests approval of and authorization for the Chair to sign Amendment No. 7 to Agreement No. 170289B with EOS USA, Inc. (formerly California Service Bureau, Inc.) to extend the term through June 30, 2020 on a month to month basis under the same terms and conditions to provide for collection services including collection of unpaid fines, fees, and costs owed to Napa County as ordered by the Superior Court of California and to ensure continuity of services upon expiration or termination of the Agreement.

- P. Director of Housing and Homeless Services requests approval of and authorization for the Chair to sign an agreement with Solano-Napa Habitat for Humanity for a maximum of \$250,000 for the term December 17, 2019 through June 30, 2020, with a provision for an automatic renewal on a fiscal year basis, for housing rehabilitation of properties in the unincorporated area for low income occupants.
- Q. Director of Human Resources and Director of Corrections request the adoption of a resolution amending the Departmental Allocation List for the Napa County Department of Corrections by extending the term of a Cook I - Limited Term through June 26, 2020, with no net increase in full-time equivalents and a slight increase to the General Fund.
- R. Second reading and adoption of an ordinance amending Chapter 9.12 (Social Host Accountability Ordinance) of the Napa County Code, including adding language regarding the non-medical use of cannabis among minors, as well as the use of other controlled substances. All provisions related to civil fines and abatement included in the original ordinance remain.
- ENVIRONMENTAL DETERMINATION:** Consideration and adoption of the proposed ordinance is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable. Additionally, 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 California Environmental Quality Act, 14 CCR 15061(b)(3)].

## 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. 9:15 AM PUBLIC HEARING

Director of Public Works requests adoption of a resolution forming the Napa County Groundwater Sustainability Agency (GSA) for the Napa Valley Subbasin pursuant to Sections 10723.8 and 10724 of the Sustainable Groundwater Management Act of 2014.

### B. 9:50 AM PUBLIC HEARING

Director of Planning, Building and Environmental Services requests first reading and intention to adopt an ordinance to repeal County Code Chapter 18.117, Small Wind Energy Systems, and to replace 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), 18.28.030 (CL COMMERCIAL LIMITED DISTRICT), 18.32.030 (CN COMMERCIAL NEIGHBORHOOD DISTRICT), 18.34.030 (MC MARINE COMMERCIAL 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.

**C. 10:20 AM PUBLIC HEARING**

Director of Public Works requests the Board conduct a public hearing and consider the following related to Measure T funding for County Roads:

1. Adoption of a resolution approving projects under the Measure T Program; and
2. Adoption of a resolution approving the Maintenance of Effort (MOE) amount under the Measure T Program.

**D. 1:30 PM**

Director of Public Works and County Executive Officer to provide update on the Replacement Jail Project (Project) and recommend the Project be bid and constructed without the requirement for a Project Labor Agreement (PLA).

**10. ADMINISTRATIVE ITEMS**Community Resources & Infrastructure

- A. Director of Planning, Building and Environmental Services requests adoption of a resolution nominating the "South Napa Priority Production Area" to the Association of Bay Area Governments and Metropolitan Transportation Commission.

General Admin & Finance

- B. Chief Information Officer and Director of Library Services and Community Outreach request the Board receive an update on the North Bay/North Coast Broadband Consortium work, communications assessment, and the consortium work plan for the 2019-2022 work years.
- C. County Executive Officer requests the appointment of one of the following applicants to represent Second Alternate on the Dangerous Animal Hearing Panel with a 3 year term to commence on October 1, 2019 and expire September 30, 2022.

Name

Deassa Binstock

Bergen Bridges

Debbie Peecook

**11. LEGISLATIVE ITEMS****12. BOARD OF SUPERVISORS COMMITTEE REPORTS AND ANNOUNCEMENTS**

- A. Supervisors Diane Dillon and Brad Wagenknecht to provide a presentation on Napa County's participation in the 2019 Great Wine Capitals General Assembly Conference held in Bordeaux, France November 2-7, 2019.

**13. BOARD OF SUPERVISORS FUTURE AGENDA ITEMS**

**14. COUNTY EXECUTIVE OFFICER REPORTS AND ANNOUNCEMENTS**

**15. CLOSED SESSION**

**A. CONFERENCE WITH LABOR NEGOTIATOR** (Government Code Section 54957.6)

Agency Designated Representatives: Karen Taylor, Director of Human Resources

Employee Organization: SEIU Local 1021 - NAPE (Public Services Employee Unit and Supervisory Unit of the County of Napa)

**B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Initiation of litigation pursuant to Government Code Section 54956.9(d)(4): (1 Case)

**16. ADJOURNMENT**

**ADJOURN TO THE BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, JANUARY 7, 2020  
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, DECEMBER 13, 2019 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