



A Tradition of Stewardship  
A Commitment to Service

# AGENDA

## NAPA COUNTY BOARD OF SUPERVISORS

**Tuesday March 17, 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](http://www.countyofnapa.org)**

1. **CALL TO ORDER; ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **APPROVAL OF MINUTES**
4. **PRESENTATIONS AND COMMENDATIONS**
5. **DEPARTMENT HEADS REPORTS AND ANNOUNCEMENTS**
6. **CONSENT ITEMS**

Law & Justice

- A. Director of Corrections and Chief Probation Officer request approval of the following:
1. Establishing a fixed asset in each department for the purchase of a total of two (2) LiveScan fingerprinting systems;
  2. Approval of Budget Adjustment No. COR003 for the following (4/5 vote required):
    - a. Increase appropriations \$35,600 in the Corrections budget (Fund 1000, Subdivision 14000-01, Account 55400) to purchase the equipment; and
    - b. Increase revenue in the Corrections budget (Fund 1000, Subdivision 14000-01, Account 48200) via a budgeted transfer-in funded by the Fingerprint ID Special Revenue Fund;
  3. Approval of Budget Adjustment No. PRO001 for the following 94/5 vote required):
    - a. Increase appropriations \$34,000 in the Probation budget (Fund 1000, Subdivision 142100-00, Account 55400) to purchase the equipment; and
    - b. Increase revenue \$34,000 in the Probation budget (Fund 1000, Subdivision 142100-00, Account 48200) via a transfer-in funded by the Fingerprint ID Special Revenue Fund; and
    - c. Increase appropriations \$34,000 in the Fingerprint ID Special Revenue Fund (Fund 2420, Subdivision 13600-51, Account 56100) via a transfer-out; and
  4. A waiver of competitive bidding requirements and sole source award of the purchase of two (2) LiveScan fingerprinting systems from IDEMIA for a total of \$69,600 pursuant to County Ordinance Code 2.36.090.

Public Safety

- B. Sheriff requests the following actions regarding the State Department of Boating Safety and Enforcement Financial Aid Program:
1. Approval of and authorization for the Sheriff to sign Revenue Agreement No. 3446-8 with the State of California Department of Boating and Waterways for a maximum of \$308,150 for the term July 1, 2020 through June 30, 2021 for the provision of law enforcement services;
  2. Approval for Sheriff or his designee to sign quarterly activity reports and other documents for the State Department of Boating and Waterways; and
  3. Authorize the county auditor to certify the amount of prior year vessel taxes received by the county.

Community Resources & Infrastructure**C.** Director of Public Works requests the following:

1. Approval of the "bid relief" for the first lowest bidder, Valentine Corporation, for their base bid of \$319,739.00 due to "keystroke" error in their bid submittal; Award of the contract to the second lowest bidder, Granite Rock Company of San Jose, California for their base bid of \$423,085 and authorize the Chair to sign the construction contract for the Manley Lane Culvert (LOP 235) MPM 0.60, RDS 17-31, FEMA PA-09-CA-4193 PW-00213(0)
2. Approval of Budget Transfer No. DPW031 for the following (4/5 vote required):
  - a. Increase appropriation by \$500,000 in the Accumulated Capital Outlay Fund (Fund 3000, Sub-Division 3000000) offset by the use of its available fund balance to fund Manley Lane Culvert project (Fund 2040, Sub-Division 2040500, Program R8390); and
  - b. Increase appropriation by \$500,000 in Manley Lane Culvert project budget (Program R8390) offset by increase in revenue from the transfer from the Accumulated Capital Outlay fund.

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

1. Approval of plans and specifications for the Zinfandel Lane Paving Project, RDS 19-05 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;
2. Creation of new Capital Improvement Projects (CIP) within the Roads Capital Improvement Program budget (Fund 2040, Sub-Division 2040500) for Measure T Zinfandel Lane Project (Program 20041); and
3. Approval of Budget Transfer No. DPW029 for the following (4/5 vote required):
  - a. Increase appropriations by \$44,126 in the Measure T Non-Operating Special Revenue Fund (SRF) budget (Fund 2440, Sub-Division 1220053) to transfer to Program 20041 offset by use of its available fund balance; and
  - b. Increase appropriations by \$44,126 in Program 20041 (Zinfandel Lane Project) budget offset by an increase in revenue from the transfer from the Measure T SRF budget.

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

1. Approval of plans and specifications for the Taxiway H Section 1 Reconstruction Project, PW20-20, 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
2. Authorization to file a grant application for FAA Airport Improvement Program (AIP) funds and accept any grant funds awarded to Napa County Airport.

- F. Director of Public Works requests the following actions related to the Oakville to Oak Knoll Reach (OVOK) Group D Project, PW 20-28:
1. Approval of plans and specifications; and
  2. 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.
- G. Director of Public Works requests a waiver of competitive bidding requirements and a sole source award to Nixon-Egli Equipment Co. for the two month rental of Wirtgen W120 XTi Cold Milling Machine in the amount of \$61,000 pursuant to Napa County Code Section 2.36.090. The equipment will allow staff to "mill and fill" permanent repairs on various County roads.
- H. Director of Public Works requests approval of and authorization for the Chair to sign a Federal Apportionment Exchange Program and State Match Program Agreement with the State of California Department of Transportation for the term July 1, 2019 through June 30, 2020 providing revenue in the amount of \$337,648 to the County Roads Fund for general transportation purposes.
- I. Director of Public Works requests adoption of a resolution authorizing the County Executive Officer to execute and deliver a facility sublease for and ratifying all previous actions with respect to the Napa County Staff Secure Facility Project and authorizing certain actions in connection therewith.

#### General Admin & Finance

- J. Director of Human Resources and Assessor-Recorder-County Clerk request adoption of a resolution amending the Departmental Allocation List for the Elections Division of the Napa County Assessor's Office by adding one 1.0 FTE Assessment Records Assistant I/II (limited term\*), effective March 17, 2020 through June 30, 2022, with a net increase of one full-time equivalent and a slight increase to the General Fund.
- K. Director of Human Resources and County Executive Officer request the adoption of a resolution amending the Departmental Allocation List for the Human Resources Division of the County Executive Office, as follows, effective March 21, 2020, with no net increase in full-time equivalents and a slight increase to the General Fund:
1. Delete one 1.0 FTE Human Resources Analyst II.
  2. Add one 1.0 FTE Senior Human Resources Analyst.
- L. Director of Human Resources and County Fire Chief request adoption of a resolution amending the Table and Index of Classes by adding Vegetation Management Aide, effective March 17, 2020, with no increase to full-time equivalents, with no impact to the County General Fund for use by the County Fire Department to assist with fire prevention activities.

- M. Director of Human Resources and Chief Probation Officer request adoption of a resolution amending the Departmental Allocation List for the Napa County Probation Department by adding one 1.0 FTE Staff Services Analyst I (limited term), effective March 17, 2020 through June 30, 2022, with a net increase of one full-time equivalent and no increase to the General Fund.
  
- N. Director of Human Resources requests adoption of a resolution regarding an application for industrial disability retirement determining that an employee in the Sheriff's Office is substantially incapacitated within the meaning of the California Public Employees' Retirement Law for performance of his duties and eligible for advance disability pension payments effective March 7, 2020.
  
- O. County Executive Officer requests the reappointments and appointments of the following applicants to the Napa County Advisory Board on Alcohol and Drug Programs (ABAD) with terms to commence immediately:

<u>Name</u>	<u>District</u>	<u>Representing</u>	
Maria Biddenback	2	Education	Reappointment
Gary Pitkin	1	Law Enforcement	Reappointment
Catalina Chavez Tapia	2	Interested Citizen	Reappointment
Amy Bailey	1	Interested Citizen	New Applicant
Danis Kreimeier	1	Interested Citizen	New Applicant

- P. Treasurer-Tax Collector requests adoption of a resolution renewing the delegation of investment/reinvestment authority to the Treasurer-Tax Collector for an additional one-year period beginning April 1, 2020 pursuant to California Government Code Sections 53607 and 27000.1.
  
- Q. County Executive Officer acting as the Director of Emergency Services requests adoption of a resolution ratifying and continuing a Proclamation of a Local Health Emergency related to COVID-19.

**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. 9:30 AM PUBLIC HEARING

Consideration and possible action regarding an appeal filed by Michael Hackett to a decision by the Napa County Planning Commission on October 16, 2019 to approve a request from Bremer Group LLC/Bremer Family Winery for an exception to the Napa County Conservation Regulations in the form of a Use Permit (No. P19-00153-UP) to maintain, in their current configuration, the following existing physical site improvements, or portions thereof, that encroach into the minimum required stream setbacks: (1) an approximate 2,200 square foot agricultural storage building and associated water tank; (2) an approximate 800 square foot pad and associated walls attached to the winery; (3) an approximate 150 square foot ground floor/story addition and second floor/story deck to the farmhouse/office building; (4) an approximate 100 square foot freestanding restroom; (5) approximately 1,210 lineal feet of rock walls; and (6) two pedestrian bridges over a blue-line stream.

The project is located on an approximately 47.1-acre holding (Assessor's Parcel Nos. 021-400-002 and 021-420-027) at 975 Deer Park Road, St. Helena, California. **(CONTINUED FROM FEBRUARY 4, 2020)**

**ENVIRONMENTAL DETERMINATION:** Consideration and possible adoption of Categorical Exemptions Class 1, 2, 3, and 4. 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 (CEQA). [See Section 15301, Class 1 Minor Alterations to Existing Facilities; Section 15302, Class 2 Replacement or Reconstruction; Section 15303 Class 3 New Construction or Conversion of Small Structures; Section 15304, and Class 4 Minor Alterations to Land, which may be found in the guidelines for the implementation of the CEQA at 14 CCR Sections 15301, 15302, and 15304. This project has also been determined to be exempt pursuant to CCR Section 15061 in that the recognition, retention, and maintenance of existing site improvements has no possibility of causing a significant effect. This project is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

### B. 1:45 PM

Recess to the Napa County Groundwater Sustainability Agency (NCGSA) special meeting (see NCGSA Agenda).

## 10. ADMINISTRATIVE ITEMS

### General Admin & Finance

- A. County Executive Officer requests approval of and authorization for the Chair to sign a Managing Partner Agreement with the United States Bureau of Reclamation regarding concession management at Lake Berryessa effective November 1, 2020.

- B.** County Executive Officer requests consideration of the following applicants to fill four vacancies due to expiring terms on the Napa County Fire Services Advisory Committee with the terms of office to commence immediately.

<u>Name</u>	<u>District</u>	<u>Representing</u>	
Timothy Borman*	3	Public Member	Reappointment
Patrick Brown*	2	Napa County Volunteer Firefighter	Reappointment
Stephen Jones*	3	Napa County Volunteer Firefighter	Reappointment
Sandra Storck*	4	Napa County Volunteer Firefighter	Reappointment
Daniel Herdon	3	Public Member	New Applicant
Roger Lutz III	3	Napa County Volunteer Firefighter	New Applicant
Dave Robertson	3	Napa County Volunteer Firefighter	New Applicant

\*Recommended by FSAC

#### 11. LEGISLATIVE ITEMS

#### 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. 11:30 AM - 1 Hour

**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)

**16. ADJOURNMENT**

**ADJOURN TO THE BOARD OF SUPERVISORS SPECIAL MEETING, TUESDAY, MARCH 24, 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, MARCH 13, 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