1. CALL TO ORDER; ROLL CALL

The Board of Supervisors of the County of Napa met in regular session on Tuesday, December 4, 2018, at 9:00 a.m. with the following supervisors present: Supervisors Diane Dillon, Ryan Gregory, Alfredo Pedroza and Belia Ramos. Chair Brad Wagenknecht was absent (Excused). The meeting was called to order by Vice Chair Ryan Gregory.

2. PLEDGE OF ALLEGIANCE

Vice Chair Ryan Gregory led the assembly in the pledge of allegiance.

3. APPROVAL OF MINUTES

A. Clerk of the Board requests approval of minutes from the regular meeting of November 13, 2018.

Motion moved by Alfredo Pedroza, seconded by Belia Ramos, to approve minutes as amended. Motion passed 4 – 0 with Diane Dillon, Ryan Gregory, Alfredo Pedroza, and Belia Ramos voting yes. Brad Wagenknecht was absent.

4. PRESENTATIONS AND COMMENDATIONS

A. Director of Human Resources to introduce new County employees.

Introduced new employees.

5. DEPARTMENT HEADS REPORTS AND ANNOUNCEMENTS

Registrar of Voters John Tuteur presented report.
6. CONSENT ITEMS

Public Safety

A. County Fire Chief requests adoption of a resolution authorizing the County Fire Chief to enter into an agreement for the 2018-2019 California Climate Investments Fire Prevention Grant for a maximum of $314,000 for the term August 30, 2019 through March 15, 2022 to provide funding for the Napa County Fuels Reduction Chipping Program and the Napa Communities Firewise Foundation programs.

R-2018-153

Correction memo submitted.

Item removed for separate discussion. See Item 7.

Human Services

B. Interim Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Revenue Agreement No. 160151B with the California Department of Public Health increasing the amount by $103,608 for a new total of $703,608 and replacing Exhibit B to include a revised budget and payment provisions for the Supplemental Nutrition Assistance Program - Education (SNAP-ED).

A-160151B (Amend. 1)

B. Interim Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No.170400B with the Workforce Alliance of the North Bay (WANB), a Joint Powers Agency, increasing the amount by $468,804 for a new maximum of $871,662 for the term commencing June 21, 2016 and continuing in effect until terminated for the provision of Executive Director and support staff services to the WANB.

A-170400B (Amend. 2)

C. Interim Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 2 to Revenue Agreement No. 180246B with the Department of Health Care Services increasing the amount by $429,074 for a new maximum of $556,716 and replacing Exhibit D(C) with Exhibit D(F) due to adding federal funding for Crisis Counseling services in response to the recent Napa Fire Complex.

A-180246B (Amend. 2)
E. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 5 to Agreement No. 170577B (formerly Agreement No. 8049) with Colliers Parrish International, Inc., extending the term of the agreement through November 30, 2021 and reducing the commission amounts for sale or lease from 2.5% to a sliding scale percentage beginning at 2.5% and reducing to 1.0% based on the aggregate lease or sale amount.

A-170577B (Amend. 5)

F. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 180210B with Andrew Moffatt BVSC, Inc., doing business as Alley Cat Small Animal Hospital and California Pet Hospital, increasing the amount by $65,000 for a new maximum of $125,000 per fiscal year to provide veterinary services for animals being temporarily housed at the Napa County Animal Shelter and Adoption Center.

A-180210B (Amend. 2)

G. Director of Public Works requests the following actions:

1. Approval of and authorization for the Chair to sign the following agreements effective January 1, 2019 with the Napa County Office of Education (NCOE), to facilitate NCOE's placement of modular units and utilities for the operation of a State Preschool and Day Care Center on a portion of Napa County Fairgrounds:

   a) Ground Lease Agreement to facilitate NCOE's use and occupancy of the Lease Area; and
   b) Access and Utility Easement Agreement for NCOE's purposes of installation, maintenance, repair and use of utilities and for purposes of access to and from the Lease Area.

2. Determination that in accordance with Government Code section 26227, NCOE's intended use of the property covered by the Ground Lease Agreement and the Access and Utility Easement Agreement for the operation of a preschool and day care center will serve important public purposes and that the property is not and, during the time of possession by NCOE, will not be needed for County purposes.

A-8574; A-8575
H. Director of Public Works requests approval of the following actions:

1. Authorization for the Chair to sign an agreement with Schaaf and Wheeler for a maximum of $34,920 for the term December 4, 2018 through June 30, 2021 for floodplain study for the Greenwood Culvert Replacement Project, RDS 14-21; and

2. Approval of Budget Transfer No. DPW014 for the following (4/5 vote required):
   a) Increase appropriations by $62,400 in the Roads Operations budget (Fund 2040, Sub-Division 2040000) offset by the use of its available fund balance; and
   b) Increase revenue and appropriations by $62,400 in Program 16017, Greenwood Environmental Monitoring Report and Maintenance project, within the Roads Capital Improvement Project (CIP) budget - (Fund 2040, Sub-Division 2040500), with offsetting revenues from the Roads Operations budget.

A-190179B, BT-DPW014

I. Director of Public Works requests authorization for the Chair to sign a Purchase and Sale Agreement and other documents with Edward and Yvonne Yarbrough, who are the property owners of Assessor's Parcel Number (APN) 025-300-026, for the acquisition of a slope easement that is required for the construction of the Silverado Trail retaining wall at mile post marker (MPM) 18.04, RDS 18-17 for the value of $7,500.

A-190180B

J. Director of Public Works requests the following actions related to certain Napa County Airport Lease Agreements:
   1. Authorization for the Director of Public Works or designee to terminate Lease No. 4468 with Apex Aviation Corporation dated May 1, 2001;
   2. Approval of the application for Discharge of Accountability, filed with the Board of Supervisors, pertaining to Lease No. 4468 with Apex Aviation Corporation; and
   3. Approval of the application for Discharge of Accountability, filed with the Board of Supervisors, pertaining to Lease No. 8170 with International Aviation Training Academy LLC.
K. Director of Public Works requests adoption of two resolutions authorizing the Public Works Director or designee to sign the following California Department of Transportation (Caltrans) Program Supplement Agreements to administering Agency-State Agreement No 04-5921F15 for the 2017 Napa Fire Complex Repairs Projects:

1. No. 053-F - Wooden Valley Road, RDS 17-21A – Guardrail, Signage on Wooden Valley Road Program 18015, DAF # PMP-NAPCO-001-0, Federal Aid Project Number: ER 38H0 (001); and
2. No. 054-F Petrified Forest Road, RDS 17-21B – Guardrail, DAF # PMP-NAPCO- 002-0, Federal Aid Project Number: ER 38H0 (002).

R-2018-154; R-2018-155

L. Director of Public Works requests the following actions with respect to the Napa Valley Business Park Area Traffic Mitigation Fee program:

1. Receive and instruct the Clerk of the Board to file the annual report required by Government Code Section 66006 (b) for the Napa Valley Business Park Area Traffic Mitigation Fee program, including those traffic impact fees transferred to the County by the City of American Canyon; and

R-2018-156

M. Director of Public Works requests adoption of a resolution authorizing the Director of Public Works to enter into a grant agreement with the State Water Resources Control Board for a maximum of $750,000 with a match of $250,000 for the term February 1, 2019 through February 28, 2025 for construction of Group B of the Oakville to Oak Knoll Restoration Project and designating the Director of Public Works as the authorized agent in carrying out the County’s responsibilities under the grant.

R-2018-157

N. Director of Public Works requests acceptance of a donation in the amount of $1,500 from Pet Food Express and approval for the Chair to sign a letter of appreciation.
General Admin & Finance

O. Chief Information Officer requests adoption of a resolution approving revisions and additions to the Office of County Counsel, District Attorney, Public Defender, HHSA - Mental Health, and HHSA - Alcohol and Drug Services retention schedules in Section 40 of the County Policy Manual effective June 5, 2018. (4/5 vote required)

R-2018-158

P. Director of Human Resources and Chief Information Officer request adoption of a resolution, as follows, effective December 4, 2018, with no increase to full-time equivalents, and a decrease to the County General Fund:

1. Amend the Table and Index of Classes by deleting Technology Architect (MC).
2. Amend the Departmental Allocation List for Information Technology Services Department by:
   a) Deleting one 1.0 FTE Technology Architect (MC);
   b) Deleting one 1.0 FTE Information Systems Supervisor;
   and
   c) Adding two 1.0 FTE Information Systems Specialist I/II/Senior.
3. Amend appropriate Personnel Policies as outlined in "Exhibit A" of the attached Resolution.

R-2018-159

Q. Director of Human Resources and Director of Public Works request adoption of a resolution amending the Departmental Allocation List for the Public Works Department by adding one 1.0 Staff Services Analyst I/II, effective December 15, 2018, with a net increase of one full-time equivalent, and a slight increase to the County General Fund.

R-2018-160

R. Director of Human Resources requests adoption of a resolution amending the Table and Index to reflect a salary increase for members of the Board of Supervisors, effective July 1, 2018, as authorized by Napa County Ordinance No. 1263.

R-2018-161

Item removed for separate discussion. See Item 7.
S. County Executive Officer and Director of Human Resources request adoption of a resolution establishing a $1,000 Matching Employer Contribution for Management, Confidential and Non-Classified officers and employees who are participants in Napa County’s 401(a) Retirement Savings Plan during calendar year 2019.

**R-2018-162**

T. County Executive Officer and Sheriff request approval of the following actions:

1. Declare a Fixed Frequency Mini Intrusion Detection System (MIDS) Alarm (Tag ID# 26825) capital asset as surplus and no longer required for public use;
2. Authorize removal of the capital asset from the Sheriff’s Office capital asset inventory; and
3. Authorize disposal by means of E-Waste disposal. (4/5 vote required)

U. County Executive Officer/Director of Emergency Services requests adoption of a resolution approving participation in the federally funded Fiscal Year 2018 Emergency Management Performance Grant Program for the period of July 1, 2018 through June 30, 2019 for a maximum amount of $153,512 and delegation of signing authority to the County Executive Officer and the Risk/Emergency Services Manager to accept and administer the program funds.

**R-2018-163**

V. County Executive Officer requests the reappointment of Supervisor Alfredo Pedroza to serve on the Metropolitan Transportation Commission (MTC) for a new four-year term that commences on February 10, 2019.

W. County Executive Officer requests authorization for out of state travel for Supervisor Alfredo Pedroza to New York City, New York from December 5, 2018 to December 7, 2018 to attend the Bold Regional Housing Leadership Learning session as part of a Bay Area delegation through the Metropolitan Transportation Commission.

**Correction memo submitted.**
X. County Executive Officer requests the following regarding actions filed by the 2017-2018 Civil Grand Jury which have been dismissed by the Superior Court for lack of sufficient evidence and failure to state sufficient claims:

1. Authorization under Government Code 995.8 to reimburse John Tuteur up to a maximum of $80,000 for reasonable legal defense costs against allegations that are within the scope of his employment and in his capacity as Assessor-Recorder-County Clerk; and

2. Approval of Budget Transfer No. CEO005 increasing appropriations in Non-Departmental by $80,000 with an offsetting reduction in Appropriation for Contingencies. (4/5th vote required).

BT-CEO005

Y. County Executive Officer and Chief Probation Officer request appointment of the following applicant to serve on the Napa County Community Corrections Partnership, with the term commencing immediately and expiring June 30, 2022:

Name: Robert Plummer

Representing: Chief of Police

Z. County Executive Officer requests the appointment of the following applicant to the Napa County Child Care and Development Planning Council with the term of office to commence immediately and expire June 30, 2021:

Name: Debora J. Ferrero-Waite

Representative: Community Representative

Motion moved by Belia Ramos, Seconded by Alfredo Pedroza, to accept the consent calendar with 6A and 6R pulled with the noted Correction Memo for Item 6W. Motion passed 4 – 0 with Diane Dillon, Ryan Gregory, Alfredo Pedroza, and Belia Ramos voting yes. Brad Wagenknecht was absent.
7. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

Item 6A:

Fire Chief Barry Biermann presented report.

Held discussion.

No public testimony presented.

Motion moved by Alfredo Pedroza, Seconded by Diane Dillon, to approve requested action. Motion passed 4 – 0 with Diane Dillon, Ryan Gregory, Alfredo Pedroza, and Belia Ramos voting yes. Brad Wagenknecht was absent.

Item 6R:

Public testimony presented.

Registrar of Voters John Tuteur made presentation.

Director of Human Resources Nikki Salas made presentation.

County Executive Officer Minh C. Tran made presentation.

Held discussion.

Motion moved by Alfredo Pedroza, Seconded by Belia Ramos, to approve requested action. Motion passed 4 – 0 with Diane Dillon, Ryan Gregory, Alfredo Pedroza, and Belia Ramos voting yes. Brad Wagenknecht was absent.

8. PUBLIC COMMENT

17 people spoke during public comment.

Deputy County Executive Officer Molly Rattigan replied to Public Comment.

Fire Chief Barry Biermann replied to Public Comment.

9. SET MATTERS OR PUBLIC HEARINGS

A. 8:00 AM Board of Supervisors (BOS) - Closed Session (See Special 8:00 AM BOS Meeting Minutes).
B. 9:30 AM PUBLIC HEARING

Director of Planning, Building and Environmental Services requests adoption of a resolution establishing certain Agricultural Preserves (Types A & H), and approval of and authorization for the Chair to execute the following Williamson Act Agricultural Contracts:

1. Approving thirteen (13) new contracts with the following applicants:
   a) Michael Lee Fisher Trust, in the general location of Mount Veeder Road & Oakville Grade: SE ¼, Section 5 T6N R5W.
   b) Beckstoffer Vineyards XVI, LLC, in the general location of Las Amigas Road and Duhig Road: NW ¼, Section 6 T4N R4W.
   c) K. Fontanella Trust, and the Jeffrey and Karen Fontanella Trust, in the general location of Patrick Road & Borrette Lane: SE ¼, Section 2 T5N R5W.
   d) The Capra Company LLC, and Mills Vineyard LLC, in the general location of Hennessey Ridge Road: NE ¼, Section 32 T8N R4W.
   e) The Capra Company LLC, and Mills Vineyard LLC, in the general location of Hennessey Ridge Road: SE ¼, Section 32 T8N R4W.
   f) The Capra Company LLC, and Mills Vineyard LLC, in the general location of Sage Canyon Road SW ¼, Section 33 T8N R4W and NW ¼, Section 4 T7N R4W.
   g) Foss Valley Ranch LLC, in the general location of the Terminus Atlas Peak Road: NE ¼, Section 35 T7N R4W and NW ¼, Section 36 T7N R4W.
   h) Rocking R Ranch LLC, in the general location of the Terminus Atlas Peak Road: SE ¼, Section 35 T7N R4W.
   i) Rocking R Ranch LLC, in the general location of the Terminus Atlas Peak Road: SE ¼, Section 35 T7N R4W.
   j) Rocking R Ranch LLC, in the general location of the Terminus Atlas Peak Road: SW ¼, Section 36 T7N R4W.
   k) Circle R Ranch LLC, in the general location of the Terminus Atlas Peak Road: SE ¼, Section 35 T7N R4W and SW ¼, Section 36 T7N R4W.
   l) Circle R Ranch LLC, in the general location of the Terminus Atlas Peak Road: SE ¼, Section 26 T7N R4W and SW ¼, Section 35 T7N R4W.
   m) Peter S. Boyer and Margaret G. Boyer, Trustees of the Boyer Family Trust, in the general location of Arrowhead Mountain Road: SE ¼, Section 15 T5N R5W.

2. Rescind one (1) existing Type F contract and replace with one (1) new Type H contract with the following applicant:
   a) Patrick Estate LLC, in the general location of Patrick Road & Borrette Lane: SE ¼, Section 2 T5N R5W.

Vice Chair Gregory opened public hearing.
Director of Planning, Building and Environmental Services David Morrison requested a continuance of this item due to an error in the public notice. Director Morrison requested continuance of the item to the December 18, 2018 Board of Supervisors Meeting.

County Executive Officer Minh C. Tran advised the Board that 9:10 AM would be the scheduled time certain for this item on December 18, 2018.

Motion by Diane Dillon, Seconded by Belia Ramos, to approve continuance of the item to December 18, 2018 at 9:10 AM. Motion passed 4 – 0 with Diane Dillon, Ryan Gregory, Alfredo Pedroza, and Belia Ramos voting yes. Brad Wagenknecht was absent.

C. 9:40 AM

Presentation by Bruce Wilson, Executive Director Workforce Alliance of the North Bay, updating the Board on the Workforce Investment and Opportunities Act.

Workforce Alliance Executive Director Bruce Wilson made presentation (PowerPoint).

Held discussion.

Public testimony presented.

No formal action taken by the Board.

D. 9:45 AM

Dr. Robert Eyler, Economist at Sonoma State University will provide the Board an update on the economic outlook for Napa County.

Dr. Robert Eyler made presentation (PowerPoint).

Held discussion.

Public testimony presented.

No formal action taken by the Board.
E. 11:00 AM

County Executive Officer requests the Board receive a presentation and project update regarding the Jail replacement facility.

County Executive Office Management Analyst Leigh Sharp introduced the item.

Acting Director of Corrections Dina Jose made presentation (PowerPoint).

Maynard Feist, Lead Architect with Lionakis Architecture and Engineering, made presentation (PowerPoint).

Deputy Director of Public Works – Engineering Juan Arias made presentation (PowerPoint).

Director of Public Works Steve Lederer presented a brief report to the Board.

Assistant County Executive Officer Mary Booher presented a brief report to the Board.

Public testimony presented.

Held discussion.

No formal action taken by the Board.

10. ADMINISTRATIVE ITEMS

Community Resources & Infrastructure

A. Director of Planning, Building and Environmental Services requests adoption of a resolution providing direction to County staff regarding the County code compliance program; annual winery production and grape source reports; and regulation and permitting of temporary events.

R-2018-164

Director of Planning, Building and Environmental Services David Morrison made presentation.

Public testimony presented.

Held discussion.
Motion by Alfredo Pedroza, Seconded by Belia Ramos, to adopt resolution. Motion passed 4 – 0 with Diane Dillon, Ryan Gregory, Alfredo Pedroza, and Belia Ramos voting yes. Brad Wagenknecht was absent.

General Admin & Finance

B. Director of Human Resources requests discussion and appointment of two (2) members of the Board of Supervisors to sit as an Ad Hoc Committee with the CEO to interview final candidates for the Director Health & Human Services on Monday, December 17, 2018.

Deputy County Executive Officer Helene Franchi made presentation.

Motion by Belia Ramos, Seconded by Alfredo Pedroza, to appoint Supervisors Dillon and Gregory to the Ad Hoc Committee with the CEO as requested. Motion passed 4 – 0 with Diane Dillon, Ryan Gregory, Alfredo Pedroza, and Belia Ramos voting yes. Brad Wagenknecht was absent.

C. Clerk of the Board requests direction to prepare a comprehensive Request for Proposal (RFP) for a new agenda management system including but not limited to agendas, minutes and boards and commissions modules for future consideration and possible action by the Board.

Clerk of the Board Jose Luis Valdez made presentation to the Board (PowerPoint).

Held discussion.

No public testimony presented.

Motion by Belia Ramos, Seconded by Diane Dillon, directing the Clerk of the Board to prepare a Request for Proposals for a new agenda management system. Motion passed 4 – 0 with Diane Dillon, Ryan Gregory, Alfredo Pedroza, and Belia Ramos voting yes. Wagenknecht was absent.

D. County Executive Officer requests approval of the Napa County Arts & Culture Advisory Committee (ACAC) grant guidelines for the FY 2019-20 grant award cycle.

Correction memo submitted.

Deputy County Executive Officer Molly Rattigan made presentation.
Held discussion.

No public testimony presented.

Motion by Diane Dillon, Seconded by Belia Ramos, approving the requested action as modified in the Correction Memo clarifying that Napa County, and not the Board of Supervisors, will be the funding source. Motion passed 4 – 0 with Diane Dillon, Ryan Gregory, Alfredo Pedroza, and Belia Ramos voting yes. Brad Wagenknecht was absent.

E. County Executive Officer requests appointment of the following applicants to the Area Agency on Aging Oversight Board with the terms of office to commence immediately and expire December 31, 2024.

Name: Heather Stanton
Representing: Senior Community Representative

Name: Xavia Hendriksz
Representing: At-Large Member

Assistant County Executive Officer Mary Booher made presentation.

Health and Human Services Deputy Director, Comprehensive Services for Older Adults Kristin Brown made presentation.

Held discussion.

No public testimony presented.

Motion by Belia Ramos, Seconded by Diane Dillon, to approve the requested action. Motion passed 4 – 0 with Diane Dillon, Ryan Gregory, Alfredo Pedroza, and Belia Ramos voting yes. Brad Wagenknecht was absent.
11. LEGISLATIVE ITEMS

   A. County Executive Officer, on behalf of the Legislative Subcommittee, requests discussion and possible approval of the 2019 Napa County Federal Legislative & Policy Platform. (Unanimous vote required)

      Deputy County Executive Officer Molly Rattigan made presentation.

      Held discussion.

      No public testimony presented.

      Motion by Alfredo Pedroza, Seconded by Belia Ramos, to approve the requested action. Motion passed 4 – 0 with Diane Dillon, Ryan Gregory, Alfredo Pedroza, and Belia Ramos voting yes. Brad Wagenknecht was absent.

   B. County Executive Officer, on behalf of the Legislative Subcommittee, requests discussion and possible approval of Napa County's 2019 State Legislative & Policy Platform.

      Deputy County Executive Officer Molly Rattigan made presentation.

      Held discussion.

      No public testimony presented.

      Motion by Diane Dillon, Seconded by Belia Ramos, to approve the requested action. Motion passed 4 – 0 with Diane Dillon, Ryan Gregory, Alfredo Pedroza, and Belia Ramos voting yes. Brad Wagenknecht was absent.

12. BOARD OF SUPERVISORS COMMITTEE REPORTS AND ANNOUNCEMENTS

   None.

13. BOARD OF SUPERVISORS FUTURE AGENDA ITEMS

   None.

14. COUNTY EXECUTIVE OFFICER REPORTS AND ANNOUNCEMENTS

   County Executive Office Minh C. Tran provided the Board with a Strategic Plan Update and spreadsheet listing all future agenda items.

15. CLOSED SESSION

   A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
      Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9: (One case)
Closed session not held.

B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Government Code Section 54956.9)

Closed session held. Direction given, No reportable action.

Name of case: Napa County v. John Alex Bremer and Laura Joyce Bremer, Trustees of the Bremer Family 1995 Living Trust, Bremer Group, LLC, Napa County Superior Court #17CV000884.

C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Government Code Section 54956.9)

Name of case: Napa County v. PG&E Corporation et al., Napa County Superior Court Case No. 18CV00238; San Francisco County Superior Court, Judicial Council Coordination Proceeding No. 4955 (California North Bay Fire Cases)

Closed session not held.

D. 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: [X] Price [X] Terms of Payment

Closed session not held.

16. ADJOURNMENT

Adjourn to the Board of Supervisors Special Meeting, Tuesday, December 11, 2018 at 8:30 A.M.

______________________________
RYAN GREGORY, Vice Chair

ATTEST:

______________________________
JOSE LUIS VALDEZ, Clerk of the Board