



REGULAR MEETING AGENDA FOR THE CITY COUNCIL OF THE CITY OF NAPA

Tuesday, April 18, 2023

3:30 PM Afternoon Session

6:30 PM Evening Session

City Hall Council Chambers

955 School Street

Napa, CA 94559

www.cityofnapa.org

CITY COUNCIL OF THE CITY OF NAPA

Mayor Scott Sedgley

Vice Mayor Beth Painter

Councilmember Liz Alessio

Councilmember Mary Luros

Councilmember Bernie Narvaez

See last pages of agenda for information regarding meeting procedures
Vea las últimas páginas de esta agenda para información sobre juntas del poder legislativo

3:30 P.M. AFTERNOON SESSION**1. CALL TO ORDER:****1.A. Roll Call:****2. AGENDA REVIEW AND SUPPLEMENTAL REPORTS:****3. PUBLIC COMMENT:**

***See page 6 for procedures to provide public comments to Council.**

4. CONSENT CALENDAR:

- 4.A. [142-2023](#) City Council Meeting Minutes**
- Recommendation:** Approve the minutes from the March 30, 2023 Special Meeting, and the April 4, 2023 Regular Meeting of the City Council.
- Attachments:** [ATCH 1 - March 30, 2023 Draft Special Meeting Minutes](#)
[ATCH 2 - April 4, 2023 Draft Regular Meeting Minutes](#)
- 4.B. [136-2023](#) Napa County Mosquito Abatement District Board Membership**
- Recommendation:** Appoint Patrick C. Gorman to the Napa County Mosquito Abatement District Board for a two-year term beginning immediately and ending December 31, 2024.
- Attachments:** [ATCH 1 - Application](#)
- 4.C. [079-2023](#) Fleet Equipment Replacement and Upgrade Reserve Fund Allocation**
- Recommendation:** Approve a budget adjustment in the Fleet Fund increasing the expenditure budget by \$100,000 as documented in Council Budget Amendment No. 23P10.
- Attachments:** [ATCH 1 - Council Budget Amendment No. 23P10](#)
- 4.D. [102-2023](#) Terminate Moderate Water Shortage Emergency**
- Recommendation:** Adopt a resolution declaring that a moderate water shortage emergency no longer exists, terminating the requirements of the City's water shortage regulations set forth in Napa Municipal Code Chapter 13.10, and determining that the actions authorized by this resolution are exempt from CEQA.
- Attachments:** [ATCH 1 - Resolution](#)

- 4.E. [111-2023](#) **On-Call Repair and Construction Service Agreements for Water Utility Infrastructure**
- Recommendation:** Authorize the Utilities Director to execute agreements with Atlas Peak Construction, Inc., Garney Pacific, Inc., and G.D. Nielson Construction, Inc., for amounts not to exceed \$300,000 each with a three-year term, for emergency and on-call repair and construction services for water utility infrastructure, and determine this action is exempt from CEQA.
- Attachments:** [ATCH 1 - On-Call Contract Atlas Peak Construction](#)
[ATCH 2 - On-Call Contract Garney Pacific](#)
[ATCH 3 - On-Call Contract GD Nielson Construction](#)
- 4.F. [118-2023](#) **Environmental Laboratory Analyses Services for Water Quality Monitoring**
- Recommendation:** Authorize the Utilities Director to approve a Services Agreement with Caltest Analytical Laboratory in an amount not to exceed \$275,000 for environmental laboratory analyses services, and determine this action is exempt from CEQA.
- 4.G. [120-2023](#) **Application for the 2022/23 CalRecycle Organics Grant Program**
- Recommendation:** Adopt a resolution authorizing the Utilities Director to submit an application for, and execute all necessary documents to implement, a CalRecycle organics grant in the amount not-to-exceed \$10 million for a THOR model food waste de-packager equipped with a materials polisher, a trommel screen, two glass crushers, a 6,000 gallon tank and an anaerobic digestion facility with a capacity of 32,000 tons per year and grant eligible labor at the City's Materials Diversion Facility and determining that the actions authorized by this resolution were adequately analyzed by a previous CEQA action.
- Attachments:** [ATCH 1 - Resolution](#)
[ATCH 2 - Brief Project Description](#)

5. ADMINISTRATIVE REPORTS:

- 5.A. [031-2023](#) **Council Spotlight - Public Works Operations Division**
- Recommendation:** Receive a Council Spotlight Presentation providing an overview of Public Works Operations efforts.

5.B. [034-2023](#)**Napa Recycling & Waste Services SB 1383 Contract Amendment****Recommendation:**

Adopt a resolution authorizing the Utilities Director to execute the SB 1383 Contract Amendment to City Agreement No. 8687 with Napa Recycling & Waste Services, LLC ("NRWS") for a term through December 31, 2031, for the collection and transportation of Municipal Solid Waste, Recyclable Materials, and Compostables, and operation of the Napa Materials Diversion Facility, and determining that the actions authorized by this resolution are exempt from CEQA.

Attachments:

[ATCH 1 - Resolution](#)

[EX A - Proposed SB1383 Contract Amendment](#)

[ATCH 2 - Relevant Red-Lined section of Proposed Amendment](#)

[ATCH 3 - PowerPoint Presentation](#)

6. PUBLIC HEARINGS:**6.A. [133-2023](#)****Interim Zoning Ordinance and Temporary Moratorium****Recommendation:**

Adopt an Urgency Interim Ordinance to implement the City's October 2022 General Plan Update, commonly known as the City of Napa 2040 General Plan, by amending Title 17 of the Napa Municipal Code to (1) add interim zoning districts and associated interim zoning regulations, (2) amend the zoning map to rezone certain properties to the new interim zoning districts, (3) establish interim procedures for review of permit applications, pending the adoption of a comprehensive update to the zoning code, and (4) impose a moratorium on new or expanded service stations and drive through uses, and determining the actions authorized by this Ordinance are either exempt from CEQA or have been adequately analyzed and addressed by a previous CEQA action.

Attachments:

[ATCH 1 - Ordinance](#)

[EX A - Zoning Map](#)

[EX B - Zoning Consistency Table](#)

[ATCH 2 - Interim Zoning Ordinance Rezoning Table](#)

7. COMMENTS BY COUNCIL OR CITY MANAGER:**8. CLOSED SESSION:****8.A. [143-2023](#)****CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

(Government Code Section 54956.8): Property: 3 parcels totaling approximately 1.1 acres located at 725 Coombs Street (APN 003-213-010), 720 Randolph Street (APN 003-213-008) and 730 Randolph Street (003-213-009).

Authority Negotiators: Steve Potter, Liz Habkirk, Michael

Barrett, Vin Smith, Bill Zenoni, and Julie Lucido. Negotiating

Parties: City of Napa, and Napa County. Under Negotiation: price and terms of payment.

CITY COUNCIL RECESS**6:30 P.M. EVENING SESSION****9. CALL TO ORDER:****9.A. Roll Call:****10. PLEDGE OF ALLEGIANCE:****11. AGENDA REVIEW AND SUPPLEMENTAL REPORTS:****12. PUBLIC COMMENT:**

*See page 6 for procedures to provide public comments to Council.

13. PUBLIC HEARINGS:**13.A. [132-2023](#)****City of Napa Operating Budget Workshop for FY 2023/24
and FY 2024/25****Recommendation:**

1. Provide input to staff regarding any amendments to the Proposed Budget; and
2. Provide direction to staff to schedule public hearings on June 6, 2023 and June 20, 2023 to receive public comment on the Fiscal Year 2023/24 and 2024/25 Proposed Budget.

Attachments:

[ATCH 1 - Baseline Budget for FY 23/24 and FY 24/25 GF and EF only](#)
[ATCH 2 - Recommended Budget Packages for FY 23/24 and FY 24/25](#)

14. REPORT ACTION TAKEN IN CLOSED SESSION:**15. COMMENTS BY COUNCIL OR CITY MANAGER:****16. ADJOURNMENT:**

The next regularly scheduled meeting for the City Council of the City of Napa is May 2, 2023.

I hereby certify that the agenda for the above stated meeting was posted at a location freely accessible to members of the public at City Hall, 955 School Street, on Friday, April 14, 2023 at 5:00 p.m.

Tiffany Carranza, City Clerk

**** Notice of Meeting Procedures ******ATTENDING THE MEETING IN PERSON**

Members of the public may participate in the City Council meeting by attending in-person at the City Hall Council Chambers located at 955 School Street, Napa, CA 94559.

PROVIDING SUPPLEMENTAL WRITTEN COMMENTS

Any member of the public may provide supplemental written comments to the City Council before or during the meeting, and those supplemental written comments will be made a part of the written record in accordance with the Council's Rules of Order and Procedures (R2016-6).

Supplemental written comments may be submitted to the City Clerk via email at clerk@cityofnapa.org, via mail to ATTN: City Clerk, 955 School Street, Napa, CA 94559, via fax at (707) 257-9534, or dropped off in person at the City Clerk's Office located at City Hall. If you are commenting on a particular item on the agenda, please identify the agenda item number and letter. Please be aware that any public comments received that do not specify a particular agenda item number will be entered into the record under the general public comment portion of the agenda.

VIEWING THE MEETING LIVE

All members of the public are invited to view the meeting live (a) in person at the City Hall Council Chambers located at 955 School Street, Napa, CA 94559, (b) on local cable TV Channel 28; or (c) live-streamed on the City of Napa's website at www.cityofnapa.org (see: <https://napacity.legistar.com/Calendar.aspx> ; and click on the "In Progress" button).

VIEWING ARCHIVED WEBCASTS OF PAST MEETINGS

Members of the public may access past City meetings at any time by going to <https://napacity.legistar.com/Calendar.aspx>; which includes an indexed listing of past meetings, including supporting documents, minutes, and video.

GENERAL PROCEDURES FOR CITY COUNCIL MEETINGS**MEETING DATES:**

The City Council meets regularly on the first and third Tuesday of each month; and additional meetings may be scheduled as needed.

INFORMATION AVAILABLE FOR CITY COUNCIL MEETINGS:

Information and documents related to this meeting are available on the City's website at www.cityofnapa.org; or by contacting the City Clerk by email at clerk@cityofnapa.org, by calling (707) 257 9503, or in person at 955 School Street, Napa. Any documents related to an agenda item that are provided to a majority of the City Council after distribution of the agenda packet are reported by the City Clerk at the meeting under "Supplemental Reports and Communications," and are available for public inspection.

CITY POLICY TO FACILITATE ACCESS TO PUBLIC MEETINGS:

The City of Napa offers its public programs, services, and meetings in a manner that is reasonably accessible to everyone, including individuals with disabilities. The City complies with all applicable requirements of the Americans with Disabilities Act and California law, and does not discriminate against any person with a disability. If any person has a disability and requires information or materials in an appropriate alternative format (or any other reasonable accommodation), or if you need any special assistance to participate in this meeting, contact the City Clerk at (707) 257 9503 or email at clerk@cityofnapa.org. For TTY/ Speech to Speech users, dial 7 1 1 for the California Relay Service, for text to speech, speech to speech, and Spanish language services 24 hours a day, 7 days a week.

In making any request to the City for assistance, please provide as much advance notice as feasible, at least 48-hours prior to the meeting.

TRADUCCIONES EN ESPAÑOL / SPANISH-LANGUAGE TRANSLATIONS:

Esta agenda identifica los asuntos que serán considerados para la acción de un cuerpo legislativo de la Ciudad en la fecha, hora y lugar que se muestran en la primera página. Todas las juntas del cuerpo legislativo están abiertas al público, y se invita a los miembros del público a asistir y dirigirse directamente ante el cuerpo legislativo.

Si solicita ayuda para traducir del inglés al español esta agenda o información relacionada, comuníquese con la Secretaria de la Ciudad al 707-257-9503 o por correo electrónico a clerk@cityofnapa.org. Para una solicitud de asistencia, favor de avisar con al menos 48 horas de anticipación.

RULES OF ORDER FOR THE CONDUCT OF CITY COUNCIL MEETINGS:

The City Council conducts its meetings in accordance with the requirements of state law (the "Ralph M. Brown Act," California Government Code Sections 54950, et seq.) and the City's Rules of Order (Council Policy Resolution 19, R2016-6). Members of the public are expected to conduct themselves with courtesy and respect and comply with the Rules of Order.

PROCEDURES TO DIRECTLY ADDRESS THE CITY COUNCIL:

Any member of the public may directly address the Council regarding: (a) any matter identified on the agenda; or (b) during the Public Comment portion of the meeting for any matter within the Council's subject matter jurisdiction that is not identified on the agenda. Each speaker is requested to submit a speaker card or request to speak before the item is called to be addressed by Council (for Public Comment, Consent Calendar, Administrative Reports, Consent Hearings, or Public Hearings). Speaker cards are used to promote efficient and orderly progress of the meeting; however, a card is not required if the speaker otherwise makes a clear and timely request to address the Council. Information on Speaker cards is subject to public disclosure under the California Public Records Act.

Speakers should direct comments to Mayor and Councilmembers, not the audience. Speakers are expected to yield the floor when the time limit is identified. For each item, speaking time is limited to no more than three minutes per person, unless otherwise specified for hearings and appeals, or at the discretion of the Mayor or City Council to address special circumstances. The Mayor may modify (increase or decrease) any time requirements for any speaker, or change the order of the items on the agenda, in accordance with the Rules of Order in order to facilitate the efficient and fair conduct of the meeting. This may include moving all or a portion of the Public Comment portion of the agenda to the end of the meeting (see Council Policy Resolution 19, R2016-6 section 6.1.4).

PUBLIC COMMENT:

The public may directly address the City Council on any matter within the Council's subject matter jurisdiction, including any matter that is not on the agenda. However, State law strictly limits the Council's authority to respond at the meeting to any matter that is not on the agenda.

CONSENT CALENDAR:

Items on the Consent Calendar are considered routine and may be approved by a single vote of the City Council.

ADMINISTRATIVE REPORTS:

Items on the Administrative Reports portion of the agenda do not require a public hearing prior to City Council taking the identified action.

CONSENT HEARINGS:

Items on the Consent Hearing portion of the agenda are considered routine and may be approved by a single vote of the City Council; however, any member of the public or City Council may remove an item for consideration during the Public Hearing portion of the agenda.

PUBLIC HEARINGS:

During any public hearing (which includes any appeal hearing), an opportunity will be provided for public testimony when any person may directly address the City Council. Applicants (or appellants) are allowed 10 minutes to present testimony at the beginning of the public hearing, and if needed, 5 minutes to present rebuttal at the end of the public testimony. All other speakers will be limited to times established by the Mayor under the Procedures to Directly Address the City Council (above).

CLOSED SESSION:

The City Council is authorized to meet in closed session, without attendance by the public, on limited confidential topics such as pending litigation, real property negotiations, or personnel or labor matters.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

The California Environmental Quality Act ("CEQA") is the state law that requires the City to evaluate and document the potential environmental consequences of discretionary decision. (See, California Public Resources Code Sections 21000 21189.3; and the "CEQA Guidelines" at California Code of Regulations Title 14, Division 6, Chapter 3, Sections 15000 15387). For each item that requires a CEQA determination by City Council, there is a reference to that determination on this agenda, and more information regarding the CEQA analysis is included in the documents that accompany this Agenda. To the extent that City staff determines that particular items are not subject to CEQA, there will be no indication of a CEQA action on this Agenda.

CHALLENGES TO DECISIONS MADE BY THE CITY COUNCIL:

If a person wishes to file a legal challenge to any decision made by the City Council, you may be limited to raising only those issues which you or someone else raised during the meeting, or in a written communication received by the City Clerk prior to or during the meeting. In addition, a legal challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies. The time limit to commence any legal challenge may be subject to strict timing requirements, and failure to comply with applicable timing requirements may result in a legal challenge being barred. Any lawsuit or legal challenge to any quasi adjudicative decision made by the City Council is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi adjudicative decision made by City Council must be filed no later than the 90th day following the date on which such decision becomes final.