



## **REGULAR MEETING AGENDA - Final FOR THE CITY COUNCIL OF THE CITY OF NAPA**

**Tuesday, May 16, 2023**

**3:30 PM Afternoon Session**

**6:30 PM Evening Session**

**City Hall Council Chambers**

*955 School Street  
Napa, CA 94559  
[www.cityofnapa.org](http://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. SPECIAL PRESENTATIONS:****3.A. [192-2023](#) Mental Health Awareness Month**

**Recommendation:** Proclaim May 2023 as Mental Health Awareness Month.

**Attachments:** [ATCH 1 - Proclamation](#)

**3.B. [187-2023](#) National Public Works Week**

**Recommendation:** Proclaim May 21-27, 2023 as National Public Works Week.

**Attachments:** [ATCH 1 - Proclamation](#)

**4. PUBLIC COMMENT:**

**\*See page 7 for procedures to provide public comments to Council.**

**5. CONSENT CALENDAR:****5.A. [191-2023](#) City Council Meeting Minutes**

**Recommendation:** Approve the minutes from the May 2, 2023 Regular Meeting of the City Council.

**Attachments:** [ATCH 1 - May 2, 2023 Draft Regular Meeting Minutes](#)

**5.B. [193-2023](#) Old Sonoma Road Mixed Use Development**

**Recommendation:** Approve the second reading and final passage, and adopt an ordinance amending Napa Municipal Code (NMC) Title 17 to add a new Chapter 17.33 establishing the Old Sonoma Road Mixed-Use Master Plan zone district (MP: OSR-MU) and amending the zoning map to rezone an 8.6 acre parcel at 2344 Old Sonoma Road, APN: 004-291-015, and an adjacent parcel of approximately 2,911 square feet from Public, Quasi-Public (PQ-P) district to the MP: OSR-MU, and determining that the actions authorized by the ordinance were adequately analyzed by a previous CEQA action.

**Attachments:** [ATCH 1 - Ordinance with Exhibits "A", "B", "C", "D1" and "D2"](#)  
[ATCH 2 - 15183 Consistency Analysis](#)

- 5.C. [131-2023](#) **Classification Plan and Salary for Economic Development Program Coordinator in the Community Development Department**
- Recommendation:** Adopt a resolution amending the City Classification Plan by adopting the new classification specification and salary range for Economic Development Program Coordinator and deleting the classification specifications for Development Project Coordinator and Senior Development Project Coordinator; and amending the Budget Staffing Plan by adding two (2) Economic Development Program Coordinator positions, and deleting one (1) Development Project Coordinator position and one (1) Senior Development Project Coordinator position.
- Attachments:** [ATCH 1 - Resolution](#)  
[EX A - Econ Dev Prgm Crd Class Spec](#)
- 5.D. [135-2023](#) **Citywide Landscape Maintenance Assessment District, Fiscal Year 2023-2024**
- Recommendation:**
1. Adopt a resolution to order the City Engineer to prepare and file the Preliminary Engineer's Report describing the improvements to be maintained by the Citywide Landscape Maintenance Assessment District for Fiscal Year 2023-2024, and determining that the actions authorized by this resolution are exempt from CEQA.
  2. Adopt a resolution of intention to approve the Preliminary Engineer's Report, levy and collect assessments, and give notice of a Public Hearing to consider approval of the Citywide Landscape Maintenance Assessment District for Fiscal Year 2023-2024, and determining that the actions authorized by this resolution are exempt from CEQA.
- Attachments:** [ATCH 1 - Resolution for Engineer's Report Preparation with EX A](#)  
[ATCH 2 - Resolution for Public Hearing](#)  
[EX A - Citywide Preliminary Engineer's Report](#)
- 5.E. [139-2023](#) **Joint Powers Agreement for Fire Services**
- Recommendation:** Adopt a resolution authorizing the Fire Chief to execute on behalf of the City a Joint Powers Agreement for Fire Services with Napa County and American Canyon Fire Protection District.
- Attachments:** [ATCH 1 – Resolution](#)  
[EX A - Fire Services JPA](#)

5.F. [148-2023](#)**CAL FIRE Urban and Community Forestry Grant****Recommendation:**

Adopt a resolution: (1) authorizing the Parks and Recreation Services Director on behalf of the City to accept a grant from the State of California through the California Department of Forestry and Fire Protection (CAL FIRE) for Urban and Community Forestry Management in the amount of \$510,908, with a City match of up to \$174,388; (2) approving both revenue and expenditure budget adjustments to appropriate grant revenue in the Nonrecurring General Fund in the amount of \$510,908, as documented in Council Budget Amendment No. 29P11; (3) authorizing the Parks & Recreation Services Director to negotiate and execute an agreement with Davey Resource Group, Inc. for the CAL FIRE Urban and Community Forestry Grant Project in an amount of up to \$516,606; (4) authorizing the Parks & Recreation Services Director on behalf of the City to support the Napa County Resource Conservation District in their inter-jurisdictional application to the U.S. Department of Agriculture for an Urban and Community Forestry Grant for tree planting and related activities and utilize the CAL FIRE grant funds or in-kind services to satisfy the matching requirements; and (5) determining that the actions authorized by this resolution are exempt from CEQA.

**Attachments:**[ATCH 1 - Resolution](#)[ATCH 2 - Council Budget Amendment No. 29P11](#)5.G. [188-2023](#)**Alston Park Water Tank Demolition****Recommendation:**

Authorize the Utilities Director to execute change orders in an amount not to exceed \$25,000 on Agreement No. C2023-088 with Garney Pacific Inc. in the original amount of \$122,692, for a total contract amount not to exceed \$147,692 and determine this action is exempt from CEQA.

**6. ADMINISTRATIVE REPORTS:**6.A. [154-2023](#)**Council Spotlight - City Clerk's Department****Recommendation:**

Receive a Council Spotlight Presentation providing an overview of the City Clerk Department's functions.

6.B. [151-2023](#)**Quarterly Recruitment Update****Recommendation:**

Receive a presentation regarding the Quarterly Recruitment Update.

**Attachments:**[ATCH 1 - Quarterly Recruitment Update](#)

**7. CONSENT HEARINGS:**7.A. [169-2023](#)**Regulations for Interruptible Surplus Agricultural Water Service, Water for Temporary Purposes, Water Conservation, and Water Shortage**

**Recommendation:** Approve the first reading and introduction of an ordinance amending Napa Municipal Code Section 13.04.050 (from "Metered Rates for Interruptible Surplus Agricultural Water Service" to "Interruptible Surplus Agricultural Water Service"), Section 13.04.350 (from "Water for Construction Purposes" to "Water for Temporary Purposes"), Chapter 13.09 (from "Permanent Water Conservation Regulations" to "Water Conservation Regulations"), and Chapter 13.10 (from "Moderate Water Shortage Regulations" to "Water Shortage Regulations"); repealing Napa Municipal Code Chapter 13.12 ("Severe Water Shortage Regulations"); and determining that the actions authorized by this ordinance are exempt from CEQA.

**Attachments:**

[ATCH 1 - Ordinance](#)  
[EX A - Amending Section 13.04.050](#)  
[EX B - Amending Section 13.04.350](#)  
[EX C - Amending Chapter 13.09](#)  
[EX D - Amending Chapter 13.10](#)

**8. PUBLIC HEARINGS:**8.A. [172-2023](#)**Extension of Interim Zoning Ordinance and Temporary Moratorium**

**Recommendation:** Adopt an Ordinance extending for 22 months and 15 days Urgency Interim Ordinance No. O2023-004 of the City Council of the City of Napa, State of California, implementing the City's October 22 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 updated to the zoning code, and (4) impose a temporary moratorium on new or expanded service stations, and determining the actions authorized by this Ordinance are exempt from CEQA or have been adequately analyzed and addressed by a previous CEQA action.

**Attachments:**

[ATCH 1 - Draft Ordinance Extending Ordinance No. O2023-004](#)  
[ATCH 2 - Ordinance No. O2023-004](#)

**9. COMMENTS BY COUNCIL OR CITY MANAGER:****CITY COUNCIL RECESS**

---

**6:30 P.M. EVENING SESSION****10. CALL TO ORDER:****10.A. Roll Call:****11. PLEDGE OF ALLEGIANCE:****12. AGENDA REVIEW AND SUPPLEMENTAL REPORTS:****13. PUBLIC COMMENT:**

\*See page 7 for procedures to provide public comments to Council.

**14. PUBLIC HEARINGS:****14.A. [163-2023](#)****Devlin Bed and Breakfast Appeal****Recommendation:**

Adopt a resolution denying an appeal and upholding the Planning Commission's denial of a use permit to operate a bed and breakfast inn at 962 Jackson Street.

**Attachments:**

[ATCH 1 - Resolution](#)

[ATCH 2 - Appeal Letter from Robert Devlin](#)

[ATCH 3 - Planning Commission staff report dated April 6, 2023](#)

[ATCH 4 - Planning Commission resolution denying the Bed and Breakfast](#)

[ATCH 5 - Project Plans](#)

[ATCH 6 - Staff Correspondence to Applicant/Appellant](#)

**15. COMMENTS BY COUNCIL OR CITY MANAGER:****16. ADJOURNMENT:**

The next regularly scheduled meeting for the City Council of the City of Napa is June 6, 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 Thursday, May 11, 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](mailto: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](http://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](http://www.cityofnapa.org); or by contacting the City Clerk by email at [clerk@cityofnapa.org](mailto: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](mailto: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](mailto: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.