



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

Tuesday, October 17, 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. SPECIAL PRESENTATIONS:****3.A. [377-2023](#) "Imagine a Day Without Water" Proclamation**

Recommendation: Proclaim that water is essential to our health, safety, environment, and economic prosperity; and recognize the importance of educating the public through "Imagine a Day Without Water" campaign on October 19, 2023.

Attachments: [ATCH 1 - Proclamation](#)

4. PUBLIC COMMENT:

*See page 10 for procedures to provide public comments to Council.

5. CONSENT CALENDAR:**5.A. [378-2023](#) City Council Meeting Minutes**

Recommendation: Approve the minutes from the October 3, 2023 Regular Meeting of the City Council.

Attachments: [ATCH 1 - October 3, 2023 Draft Regular Meeting Minutes](#)

5.B. [362-2023](#) Amended 2023 City Council Calendar

Recommendation: Adopt a resolution establishing the amended 2023 City Council Calendar by approving the cancellation of the regular meeting of the City Council on November 21, 2023.

Attachments: [ATCH 1 - Resolution](#)
[EX A - 2023 Proposed Amended Calendar](#)

- 5.C. [380-2023](#) **Building and Fire Code Board of Appeals and Disability Access Board of Appeals Membership**
- Recommendation:** 1. Reappoint two incumbents, John McBroom and Gina Biter-Mundt, and appoint new member, Kyle Larson, to the Building and Fire Code Board of Appeals, with a two-year term expiring September 30, 2025; and
2. Reappoint two incumbents, John McBroom and Gina Biter-Mundt to the Disability Access Board of Appeals, with a two-year term expiring September 30, 2025.
- Attachments:** [ATCH 1 - Applications](#)
[ATCH 2 - Draft October 4, 2023 Nomination Committee Minutes](#)
- 5.D. [381-2023](#) **Bicycle and Pedestrian Advisory Commission Membership**
- Recommendation:** Appoint incumbent, Cindy Deutsch, and new member, Robert Reber, to the Bicycle and Pedestrian Advisory Commission for terms effective immediately and ending September 30, 2025.
- Attachments:** [ATCH 1 - Applications](#)
[ATCH 2 - Draft Nomination Committee Meeting Minutes](#)
- 5.E. [382-2023](#) **Parks, Recreation and Trees Advisory Commission Membership**
- Recommendation:** Appoint incumbents Amy Deck and Rainer Hoenicke, and new applicant Joe Streng to the Parks, Recreation and Trees Advisory Commission for a term effective immediately and ending September 30, 2025; and designate Amy Deck as one of the three members who demonstrate experience in one of the following identified fields: urban planning, park planning, park operations, park maintenance, recreation programming, horticulture, or arboriculture.
- Attachments:** [ATCH 1 - Applications](#)
[ATCH 2 - Draft Nomination Committee Meeting Minutes](#)
- 5.F. [370-2023](#) **Update to One-Way Streets Designated**
- Recommendation:** Approve the Second Reading and final passage of an ordinance amending Napa Municipal Code Section 10.24.010 related to the designation of one-way streets; and determine that the actions authorized by this ordinance are exempt from CEQA.
- Attachments:** [ATCH 1 - Ordinance](#)

- 5.G. [369-2023](#) **Military Equipment Ordinance Update Adding Additional Equipment**
- Recommendation:** Approve the Second Reading and final passage, and adopt an ordinance approving the updated police military equipment use policy to add additional equipment in accordance with California Government Code sections 7070 through 7075.
- Attachments:** [ATCH 1 - Ordinance](#)
[EX A - Policy and Inventory](#)
[EX B - 2023 Proposed Equipment](#)
- 5.H. [320-2023](#) **Body Worn Cameras and Digital Evidence Management for the Police Department**
- Recommendation:** Adopt a resolution authorizing the Police Chief to execute an agreement with Axon Enterprises, Inc., in the amount of \$1,574,131.72, for a five-year term to purchase body worn cameras, a digital evidence management system, and taser electronic control devices.
- Attachments:** [ATCH 1 - Resolution](#)
[EX A - Axon Contract](#)
- 5.I. [300-2023](#) **Napa Countywide Road Maintenance Act (Measure T) - Maintenance of Effort**
- Recommendation:** Adopt a resolution certifying Measure T Maintenance of Effort for Fiscal Years 2023 through 2025, and determining that the actions authorized by this resolution are exempt from CEQA.
- Attachments:** [ATCH 1 - Resolution](#)
[EX A – Maintenance of Effort FY 2023](#)
- 5.J. [356-2023](#) **Napa Countywide Road Maintenance Act (Measure T) - Equivalent Fund Expenditures**
- Recommendation:** Adopt a resolution approving a certification of Equivalent Fund Expenditures under the Measure T Program that demonstrates use of non-Measure T revenue for Class I Bike projects for fiscal year 2022-23
- Attachments:** [ATCH 1 - Resolution](#)
[EX A – Equivalent Fund Expenditures Worksheet FY23](#)

- 5.K. [357-2023](#) **State Route 29 Bicycle and Pedestrian Undercrossing Riparian Restoration and Monitoring Program**
- Recommendation:** Adopt a resolution: (1) authorizing the Public Works Director to award a construction contract to, and execute a construction contract with, Empire Landscaping, Inc., for the State Route 29 Bicycle and Pedestrian Undercrossing Riparian Restoration and Monitoring Program project in the bid amount of \$168,725; (2) authorizing the Public Works Director to approve change orders and charges for project services up to \$96,073 for a total project amount not to exceed \$264,798; and (3) determining that the actions authorized by this resolution were adequately analyzed by a previous CEQA action.
- Attachments:** [ATCH 1 - Resolution](#)
- 5.L. [376-2023](#) **On-Call Construction Management Consulting Services**
- Recommendation:** Authorize the Utilities Director to execute agreements with 4Leaf, Inc., Alpha CM, Inc., Consolidated CM, Inc. , and Psomas, in an amount not to exceed \$500,000 each, for on-call construction management consulting services.
- 5.M. [358-2023](#) **Repair and Maintenance for Heating and Cooling Systems**
- Recommendation:** Authorize the Public Works Director to execute on behalf of the City Amendment No. 5 to Agreement No. C2017-205 with Bell Products, Inc., for heating and air conditioning systems (HVAC) services, to expand the scope of services and increase the maintenance rates with no change to the total compensation or expiration date and determine that the actions authorized by this item are exempt from CEQA.
- Attachments:** [ATCH 1 - C2017-205 Amendment No. 5](#)
- 5.N. [359-2023](#) **Fleet Replacement Schedule**
- Recommendation:** Adopt a resolution (1) approving an amended Appendix H, Fleet Replacement Schedule to the Approved Fiscal Year 2024/2025 City of Napa Budget, and (2) authorizing the Public Works Director to execute contracts on behalf of the City for the purchase of replacement vehicles and equipment based on the descriptions and dollar amounts identified on the amended Appendix H in the total amount of \$5,384,300 in FY2023/24 and \$3,195,000 in FY2024/25.
- Attachments:** [ATCH 1 - Resolution](#)
[Ex A - Fleet Replacements and Purchases Appendix H](#)

5.O. [368-2023](#)**Fire Portable Radio Equipment Replacement**

Recommendation: Authorize the Assistant City Manager to issue a purchase order in an amount not-to-exceed \$300,000 with Motorola Solutions for the purchase of portable radios and ancillary items for use in the Napa Fire department.

Attachments: [ATCH 1- Motorola Quote 2257992](#)
[ATCH 2 - Motorola Quote 2257976](#)
[ATCH 3 - Purchasing Exception Request Form](#)

6. ADMINISTRATIVE REPORTS:**6.A. [383-2023](#)****Council Spotlight - Water Treatment Operations**

Recommendation: Receive a Council Spotlight Presentation providing an overview of the Utilities Department Water Treatment operations.

6.B. [373-2023](#)**Mission Statement and Core Values**

Recommendation: Approve a resolution establishing a Mission Statement and Core Values for the City of Napa.

Attachments: [ATCH 1 - Resolution with EX A](#)

6.C. [343-2023](#)**3875 Jefferson Street Housing Project Update**

Recommendation: Receive an update on the City-owned property at 3875 Jefferson Street and a presentation by the Housing Land Trust of the North Bay's Executive Director, Dev Goetschius, on the housing land trust model and provide staff direction on whether to pursue the land trust model for affordable housing development on the site.

7. CONSENT HEARINGS:**7.A. [350-2023](#)****City Manager's Office Staffing Plan Update (Amending Napa Municipal Code Section 2.08.090 regarding the designation of appointive officers in the City Manager's Office)**

Recommendation: Approve the first reading and introduction of an ordinance amending Napa Municipal Code Section 2.08.090 regarding the designation of appointive officers in the City Manager's Office.

Attachments: [ATCH 1 - Ordinance](#)

8. PUBLIC HEARINGS:**8.A. [355-2023](#)****Acquisition of Real Property Needed for the Trower Avenue Widening Project (City Project No. ST14PW05)****Recommendation:**

Adopt a Resolution of Necessity to authorize commencement of litigation to acquire by eminent domain portions of the property located at 2415 Trower Avenue ("Wolfson Property") that are needed for the Trower Avenue Widening Project; to seek an order of possession for the Wolfson Property (Code of Civil Procedure Section 1245.220); and to determine that the actions authorized by this resolution were adequately analyzed by a previous CEQA action.

Adopt a Resolution of Necessity to authorize commencement of litigation to acquire by eminent domain portions of the property located at 2427 Trower Avenue ("Gundling Property") that are needed for the Trower Avenue Widening Project; to seek an order of possession for the Gundling Property (Code of Civil Procedure Section 1245.220); and to determine that the actions authorized by this resolution were adequately analyzed by a previous CEQA action.

Adopt a Resolution of Necessity to authorize commencement of litigation to acquire by eminent domain portions of the property located at 2433 Trower Avenue ("Gundling Property") that are needed for the Trower Avenue Widening Project; to seek an order of possession for the Gundling Property (Code of Civil Procedure Section 1245.220); and to determine that the actions authorized by this resolution were adequately analyzed by a previous CEQA action.

Adopt a Resolution of Necessity to authorize commencement of litigation to acquire by eminent domain portions of the property located at 2437 Trower Avenue ("Marof Property") that are needed for the Trower Avenue Widening Project; to seek an order of possession for the Marof Property (Code of Civil Procedure Section 1245.220); and to determine that the actions authorized by this resolution were adequately analyzed by a previous CEQA action.

Attachments:

[ATCH 1 - Graphic Depiction of Project](#)
[ATCH 2 - Resolution Wolfson Property](#)
[EXS A - E for ATCH 2](#)
[ATCH 3 - Resolution Gundling Property](#)
[EXS A - E for ATCH 3](#)
[ATCH 4 - Resolution Gundling Property](#)
[EXS A - E for ATCH 4](#)
[ATCH 5 - Resolution Marof Property](#)
[EXS A - E for ATCH 5](#)

8.B. [354-2023](#)**Acquisition of Real Property Needed for the Big Ranch Road Widening Project (City Project No. ST11PW02)****Recommendation:**

Adopt a Resolution of Necessity to authorize commencement of litigation to acquire by eminent domain portions of the property located at 2023 Big Ranch Road ("Morse Property") that are needed for the Big Ranch Widening Project; to seek an order of possession for the Morse Property (Code of Civil Procedure Section 1245.220); and to determine that the actions authorized by this resolution were adequately analyzed by a previous CEQA action.

Adopt a Resolution of Necessity to authorize commencement of litigation to acquire by eminent domain portions of the property located at 2033 Big Ranch Road ("Imfeld-Shueh Property") that are needed for the Big Ranch Widening Project; to seek an order of possession for the Imfeld-Shueh Property (Code of Civil Procedure Section 1245.220); and to determine that the actions authorized by this resolution were adequately analyzed by a previous CEQA action.

Adopt a Resolution of Necessity to authorize commencement of litigation to acquire by eminent domain portions of the property located at 2047 Big Ranch Road ("JIL Property") that are needed for the Big Ranch Widening Project; to seek an order of possession for the JIL Property (Code of Civil Procedure Section 1245.220); and to determine that the actions authorized by this resolution were adequately analyzed by a previous CEQA action.

Attachments:

[ATCH 1 - Graphic Depiction of Project](#)

[ATCH 2 - Resolution Morse Property](#)

[EXS A - E for ATCH 2](#)

[ATCH 3 - Resolution Imfeld-Shueh Property](#)

[EXS A - E for ATCH 3](#)

[ATCH 4 - Resolution JIL Development Property](#)

[EXS A - E for ATCH 4](#)

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 10 for procedures to provide public comments to Council.

14. ADMINISTRATIVE REPORTS:**14.A. [324-2023](#) Fourth of July Event Options**

Recommendation: Approve staff recommendation for the 2024 Fourth of July event to include the continuation of the Community Celebration at Oxbow Commons, Parade support for the Sunrise Rotary, and Patriotic Decor in Downtown Napa and determine that the actions authorized by this item are exempt from CEQA.

Attachments: [ATCH 1 - July 4th Event Options](#)

15. PUBLIC HEARINGS:**15.A. [374-2023](#) Housing Element Adoption**

Recommendation: Adopt a resolution adopting a General Plan amendment to repeal the Fifth Cycle Housing Element and adopt the Sixth Cycle Housing Element for the period of 2023-2031 in compliance with State Housing Element Law and determining that the actions authorized by this resolution are exempt from CEQA.

Attachments: [ATCH 1 - Resolution with EXA](#)
[ATCH 2 - 2023-2031 Housing Element \(Revision No. 6 - October 6, 2023\)](#)
[ATCH 3 - Initial HCD Findings Letter](#)
[ATCH 4 - CEQA Analysis](#)
[ATCH 5 - HCD Findings Tracking Sheet](#)

16. COMMENTS BY COUNCIL OR CITY MANAGER:**17. ADJOURNMENT:**

The next regularly scheduled meeting for the City Council of the City of Napa is November 7, 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, October 12, 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 711 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 any matter identified on the agenda. Regular meeting agendas will include an agenda item for "Public Comment". 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:

During each regular meeting, 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 will include a staff report and an opportunity for the public to address the City Council, but they do not require a formal 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.