



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

Tuesday, October 20, 2020

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

*Mayor Jill Techel
Vice Mayor Doris Gentry
Councilmember Liz Alessio
Councilmember Mary Luros
Councilmember Scott Sedgley*

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. [320-2020](#) “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 the sixth Annual "Imagine a Day Without Water" campaign.
- Attachments:** [ATCH 1- Proclamation](#)
- 3.B. [336-2020](#) Arbor Day**
- Recommendation:** Proclaim October 29, 2020 as Arbor Day.
- Attachments:** [ATCH 1 - Proclamation](#)
- 3.C. [344-2020](#) COVID-19 Financial Update**
- Recommendation:** Receive and discuss financial update from Robert Eyler, PhD, regarding impacts of COVID-19 on economic metrics.
- Attachments:** [ATCH 1- City of Napa EFA Indicators Oct 2020](#)
- 4. PUBLIC COMMENT:**
**See provisions on pages 7-8 for providing public comment.
- 5. CONSENT CALENDAR:**
- 5.A. [350-2020](#) City Council Meeting Minutes**
- Recommendation:** Approve the September 1, 2020, the September 15, 2020, and the October 6, 2020 Regular City Council Meeting Minutes.
- Attachments:** [ATCH 1 - Sept 1, 2020 Regular CC Mtg Minutes DRAFT](#)
[ATCH 2- Sept 15, 2020 Regular CC Mtg Minutes DRAFT](#)
[ATCH 3 - Oct 6, 2020 Regular CC Mtg Minutes DRAFT](#)
- 5.B. [323-2020](#) Monthly Budget and Investment Statement**
- Recommendation:** Receive the Monthly Budget and Investment Statement as of August 31, 2020.
- Attachments:** [ATCH 1 - August 2020 Budget Investment Report](#)

- 5.C. [328-2020](#) **Employee Disaster Leave Program for calendar year 2020**
- Recommendation:** Adopt a resolution Establishing a Disaster Leave Program to Assist Employees Impacted by Natural Disasters
- Attachments:** [ATCH 1 - Resolution](#)
- 5.D. [335-2020](#) **Abandonment of a Water Line Easement at 1802 Silverado Trail**
- Recommendation:** Adopt a resolution authorizing the summary abandonment of a portion of a Water Line Easement no longer used for the purpose for which it was acquired, affecting property located at 1802 Silverado Trail (APN 052-071-011), and determining that the actions authorized by this resolution are exempt from CEQA.
- Attachments:** [ATCH 1 - Resolution](#)
[EX A - Subject Easement](#)
- 5.E. [340-2020](#) **CalHome Application**
- Recommendation:** Adopt a resolution authorizing the Community Development Director to submit an application for up to \$1,000,000 to the California State Department of Housing and Community Development for funding under the CalHome Program; the execution of a Standard Agreement if selected for such funding and any amendments thereto; and any related documents necessary to participate in the CalHome Program.
- Attachments:** [ATCH 1 - Resolution](#)
- 5.F. [342-2020](#) **Abandonment and Quit Claim of Excess Right of Way at 220 S. Jefferson Street**
- Recommendation:** Adopt a resolution authorizing the summary abandonment and quit claim of excess right of way not used for the purpose for which it was dedicated or acquired, affecting property located at 220 S. Jefferson Street (APN 005-212-017), and determining that the actions authorized by this resolution are exempt from CEQA.
- Attachments:** [ATCH 1 - Resolution](#)
[EX A - Subject Property](#)
- 5.G. [346-2020](#) **Tobacco/Smoking Regulations**
- Recommendation:** Approve the second reading and final passage, and adopt an ordinance amending the Napa Municipal Code by repealing Chapter 5.20 ("Cigarette Vending Machines"); repealing Chapter 8.20 ("Smoking") and replacing it with a new chapter 8.20 ("Smoking Regulations"); and amending sections 12.36.005 ("Definitions") and 12.36.280 ("Smoking Prohibited in all City Parks") relating to smoking in City parks.
- Attachments:** [ATCH 1 - Ordinance with Exhibit A](#)

- 5.H. [348-2020](#) **Agreement for Marketing, Advertising, Public Relations, Event Planning & Related Services for Tourism Promotion - Napa Tourism Improvement District (Napa TID)**
- Recommendation:** Authorize the Community Development Director to negotiate and execute an agreement with D. Augustine & Associates, Inc. for marketing, advertising, public relations, event planning and related services for tourism promotion for the term of October 1, 2020 to June 30, 2021 for an amount not-to-exceed of \$450,000.
- Attachments:** [ATCH 1 - Proposed Contract Renewal Scope of Work FY20-21](#)
[ATCH 2 - Augustine Agency Proposed Budget Renewal FY20-21](#)
- 5.I. [349-2020](#) **City of Napa COVID-19 Microenterprise Grant Program**
- Recommendation:** Adopt a resolution authorizing the Community Development Director or City Manager to establish administrative regulations to implement and administer a COVID-19 Microenterprise Grant Program.
- Attachments:** [ATCH 1 - Resolution](#)
- 6. ADMINISTRATIVE REPORTS:**
- 6.A. [273-2020](#) **Proclamation of Local Emergency to Respond to the Coronavirus (COVID-19)**
- Recommendation:** Continue the Proclamation of Local Emergency authorizing the City Manager to take actions necessary to respond to the Coronavirus (COVID-19); and ratify actions taken by the City Manager in implementation of the Proclamation of Local Emergency.
- 6.B. [284-2020](#) **Economic Development Division Update**
- Recommendation:** Receive a report providing an overview of the Economic Development Division's recent activities and future strategy.
- 6.C. [316-2020](#) **The Harry T. Price Riverwalk**
- Recommendation:** Adopt a resolution authorizing the official naming of the Riverfront Promenade, from 3rd Street to Division Street, to the "Harry T. Price Riverwalk" in honor of the major contributions to the City of Napa by the late Harry T. Price.
- Attachments:** [ATCH 1 - Resolution](#)
[ATCH 2 - Proposed Location](#)

7. COMMENTS BY COUNCIL OR CITY MANAGER:

8. CLOSED SESSION:

- 8.A. [352-2020](#) • CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION (Government Code Section 54956.9(d)(2)): Significant exposure to litigation in one potential case.
- 8.B. [353-2020](#) • CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6): City designated representatives: Steve Potter, Liz Habkirk, Bret Prebula, Michael Barrett, and Jesse Lad (City's labor counsel from the Meyers Nave law firm). Employee organization: Police Management Unit.

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. REPORT ACTION TAKEN IN CLOSED SESSION:****13. PUBLIC COMMENT:**

****See provisions on pages 7-8 for providing public comment.**

14. PUBLIC HEARINGS/APPEALS:**14.A. [318-2020](#) Braydon Apartments, Phase II**

Recommendation: Adopt a resolution approving a Design Review Permit for Phase II of the Braydon Apartments (formerly the Vista Tulocay Apartments) and determining that the potential environmental effects of the actions authorized by this resolution were adequately analyzed by a previous CEQA action.

Attachments: [ATCH 1 - Resolution](#)
[EX A - Napa Sanitation letter dated June 08, 2020](#)
[EX B - Environmental Health Memorandum dated February 13, 2020](#)
[EX C - Flood District Letter dated February 13, 2020](#)
[ATCH 2 - PC Staff Report, corres & mins excerpts](#)
[ATCH 3 - Project Description and Plans](#)
[ATCH 4 - Applicant's Letter to Council](#)

15. COMMENTS BY COUNCIL OR CITY MANAGER:

16. ADJOURNMENT:

The next regularly scheduled meeting for the City Council of the City of Napa is November 17, 2020.

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, October 16, 2020 at 5:00 p.m.

Tiffany Carranza, City Clerk

**** CORONAVIRUS (COVID-19) - Notice of Meeting Procedures ******TELECONFERENCE MEETING**

In order to slow the spread of the Coronavirus (COVID-19) pandemic, the City will conduct this meeting as a teleconference in compliance with the Governor's Executive Orders N-29-20 and N-63-20, and members of the City Council or City staff may participate in this meeting telephonically or electronically. The City Council Chambers will be closed to the public, and members of the public may participate in the meeting by viewing the meeting live, and providing comments, as described below.

VIEWING THE MEETING LIVE

All members of the public are invited to view the meeting live on: (a) local cable TV Channel 28; or (b) 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).

PROVIDING COMMENTS VIA TELEPHONE

If you would like to provide comments via telephone during the Council meeting, you must submit a request to the City Clerk by no later than 3:00 p.m. on Tuesday, October 20, 2020. The request may be submitted to the City Clerk by emailing clerk@cityofnapa.org, or by calling (707) 257-9503. When submitting the request, please identify your name, your telephone number (including the area code first), and the agenda item number and letter you would like to comment on. On the day of the Council meeting, a representative from the City Clerk's Office will call you to connect you to the Council meeting to allow you to provide your comments to the Council via telephone.

PROVIDING WRITTEN COMMENTS VIA EMAIL TO BE READ AT THE MEETING

Any member of the public may provide a written comment to the City Council before or during the meeting by sending it to the City Clerk via email at: clerk@cityofnapa.org. If you are commenting on a particular item on the agenda, please identify the agenda item number and letter. Any comment of 500 words or less (per person, per item) will be read into the record if: (1) the subject line includes "COMMENT TO COUNCIL FOR OCTOBER 20, 2020 MEETING – PLEASE READ"; and (2) it is received by the City Clerk prior to the time for public comment during the meeting for that agenda item. Please be aware that any public comments received that do not specify a particular agenda item number will be read aloud during the general public comment portion of the agenda. Due to potential technological delays in transmission, the public is encouraged to submit any comments to the City Clerk early, in order to ensure they are received in time to be read into the record.

PROVIDING WRITTEN COMMENTS IN PAPER FORM TO BE READ AT THE MEETING

Any member of the public may provide a written comment in a paper form (handwritten or typed) to the City Council if it is received by no later than 3:00 p.m. on Tuesday, October 20, 2020, by either: (a) placing the comment in an envelope addressed to the attention of the City Clerk, and depositing it in the “NIGHT DEPOSIT - PAYMENTS” slot located at the front door of City Hall at 955 School Street; or (b) making arrangements for a personal delivery in advance, by calling the City Clerk’s office at 707-257-9503. If you are commenting on a particular item on the agenda, please identify the agenda item number and letter. Any comment of 500 words or less (per person, per item) will be read into the record if: (1) the comment includes “COMMENT TO COUNCIL FOR OCTOBER 20, 2020 MEETING – PLEASE READ”; and (2) it is received by the City Clerk prior to 3:00 p.m. on October 20, 2020. Please be aware that any public comments received that do not specify a particular agenda item number will be read aloud during the general public comment portion of the agenda. The public is encouraged to submit any comments to the City Clerk early, in order to ensure they are received in time to be read into the record.

PROVIDING SUPPLEMENTAL WRITTEN COMMENTS

Any member of the public may provide supplemental written comments to the City Council before or during the meeting, beyond the 500 word limit for comments read into the record, 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).

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.

The City of Napa thanks you in advance for taking all precautions to prevent spreading the COVID-19 virus.

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.

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 may address the Council at designated times and are expected to conduct themselves with courtesy and respect. Speakers should direct comments to the Mayor and Councilmembers, not the audience. Speakers are expected to yield the floor when the time limit is identified and comply with the City's Rules of Order. Speaking times are limited to no more than three minutes per person, with the exception of certain hearings and appeals, or at the discretion of the Mayor or City Council.

PUBLIC COMMENT (INCLUDING CONSENT CALENDAR AND ADMINISTRATIVE REPORTS):

The public may directly address the City Council on any subject within the Council's subject matter jurisdiction, including any matter that is not on the agenda. Speaking time is limited to no more than three (3) minutes per person, unless modified at the discretion of the Mayor or City Council.

If the matter is not on the agenda, or if the matter is on the Consent Calendar, or is an Administrative Report, submit a speaker card or request to speak during the Public Comment portion of the meeting.

Speaker cards are used to promote the 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.

CONSENT CALENDAR:

Items on the Consent Calendar are considered routine and may be approved by a single vote of the City Council. Unless otherwise authorized by the Mayor or a majority of the City Council, public input for items on the Consent Calendar may be required during the Public Comment portion of the meeting.

ADMINISTRATIVE REPORTS

Unless otherwise authorized by the Mayor or a majority of the City Council, public input for items on the Administrative Reports portion of the agenda may be required during the Public Comment portion of the meeting.

CONSENT HEARINGS:

Items on the Consent Hearing portion of the agenda are considered routine and may be approved by a single vote; 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/APPEALS

During any public hearing or appeal, 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 3 minutes.

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.