



# CITY of NAPA

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

October 02, 2012

3:30 PM Afternoon Session

6:30 PM Evening Session

City Hall Council Chambers  
955 School Street

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### INFORMATION FOR CITY MEETINGS:

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**Information Available:** Documents related to the City Council or the Board for the Housing Authority are available at [www.cityofnapa.org](http://www.cityofnapa.org); or email [clerk@cityofnapa.org](mailto:clerk@cityofnapa.org); or contact the Office of the City Clerk: 955 School Street, Napa, CA 94559/ telephone: (707) 257-9503. Any documents related to an agenda item provided to a majority of the City Council (Board) after distribution of the agenda packet are available for public inspection at the Office of the City Clerk or in a binder so labeled in the Council Chambers on the meeting date.

**Public Comment:** Speaker cards are available; it is requested but not required, to submit a card to the City Clerk before the meeting begins. Speakers will be limited to five minutes and will comply with the City's rules of order. If your comments pertain to a specific item on the agenda, reserve your comments until the item is before the City Council (Board). Time limits will be enforced by the Mayor to facilitate the fair and efficient conduct of the meeting.

**Consent Calendar:** Items are considered routine and may be approved by a single vote. Only the Mayor (Chair) or a majority of the City Council (Board) may authorize public input.

**Consent Hearings:** These routine items may be approved by a single vote; however, any member of the public or City Council (Board) may remove an item for consideration during the public hearing portion of the agenda.

**Administrative Reports:** Only the Mayor (Chair) or a majority of the governing body may authorize public input for these items.

**Public Hearings/Appeals:** 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 hearing. All other speakers will be limited to 5 minutes.

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

**Governing Law:** City Council (Board) conducts all meetings in accordance with the "Ralph M. Brown Act" (California Government Code Sections 54950, et seq.) and pursuant to the City's Rules of Order for City Council meetings (Policy Resolution 19).

**CITY COUNCIL MEETING: AFTERNOON SESSION 3:30 P.M.**

**COUNCILMEMBERS:** Juliana Inman, James Krider, Peter Mott,  
Vice Mayor Mark van Gorder, Mayor Jill Techel

**1. CALL TO ORDER:**

**1.A. Roll Call**

**2. AGENDA REVIEW AND SUPPLEMENTAL REPORTS:**

[Click here to view informational material received before the meeting.](#)

[Click here to view informational material received during and after the meeting.](#)

**3. SPECIAL PRESENTATIONS: None**

**4. PUBLIC COMMENT:**

**5. CONSENT CALENDAR:**

**5.A. [Second Reading and Final Adoption Ordinance Amendment to Extend Tentative Map Expiration in Accordance with State Law](#)**

Second Reading and final adoption of an Ordinance amendment extending the expiration of tentative maps to comply with recent changes in State law and ensure that discretionary land use entitlements associated with tentative maps are automatically extended for a period commensurate with the extension of the underlying tentative map.

**5.B. [Amend City Council compensation to support paperless City Council agenda packets](#)**

Second Reading and final adoption of an ordinance amending Section 2.04.110 of the Napa Municipal Code relating to the compensation of Mayor and Council.

**5.C. [Appointments to the Disability Access Board of Appeals and the Building and Fire Code Board of Appeals](#)**

Appoint two incumbents to the Disability Access Board of Appeals; one person will serve concurrently on the Building and Fire Code Board of Appeals pursuant to NMC Chapter 15.04.100, and one person who fulfills the requirement of "physically handicapped persons" pursuant to NMC Chapter 15.04.110.

**5.D. [Appropriation of Funds and Amendment to Agreement for Fire Station No. 1 Seismic Retrofit Design Services](#)**

Adopt a resolution authorizing the appropriation of \$74,000 from the CIP Building Reserve Fund to the Fire Station No. 1 Seismic Evaluation & Retrofit Project (MS12FD02) for Phase 2 design and construction services, and authorizing the Public Works Director to execute Amendment No. 1 to Agreement C2012 42 with ZFA Structural Engineers in the amount of \$106,436 for a total contract amount not to exceed \$126,058.

- 5.E. [Funds for Class II Bike Lanes in conjunction with the Saratoga Drive Extension Project](#)  
Adopt a resolution authorizing the City Manager to execute an agreement with NCTPA for a grant of \$31,154 for the construction of Class II bike lanes in conjunction with the Saratoga Drive Extension Project, and authorizing the appropriation of these funds to the project.
- 5.F. [Contract with Napa County Office of Education to operate an After School Education and Safety program at three Napa Valley Unified School sites.](#)  
Authorize the Director of Parks and Recreation Services Department to execute on behalf of the City, a contract with the Napa County Office of Education allowing the City to operate an After School Education & Safety Grant funded after school program at three Napa Valley Unified School sites; Irene-Snow, Phillips and Shearer Charter elementary schools.
- 5.G. [Police Department Budget Allocation from the Office of Traffic Safety \(OTS\) Grant Funds](#)  
Adopt a resolution accepting the Office of Traffic Safety (OTS) Avoid the 9 Grant and authorize the appropriation of \$140,000.
- 5.H. [Police Department Staffing and Budget Allocation from Office of Traffic Safety \(OTS\) Grant Funds](#)  
Adopt a resolution accepting the Office of Traffic Safety (OTS) STEP Grant and authorizing the appropriation of \$65,000.00
- 5.I. [Amendment to the Class Specification for the Classification of Chief Building Official](#)  
Adopt a Resolution amending the class specification for the classification of Chief Building Official.

6. **ADMINISTRATIVE REPORTS:**

- 6.A. [Review of July 4, 2012 Special Event](#)  
Present information to the City Council reviewing the July 4th, 2012 Special Event held in downtown Napa.
- 6.B. [Approve Business Terms for Sales Tax Revenue Sharing Agreement for The Shops at Napa Center](#)  
Adopt a resolution to approve business terms for a sales tax revenue sharing agreement with NTC Shops LLC, or its Affiliates ("NTC Shops") for The Shops at Napa Center and delegate authority to the City Manager to negotiate and execute the final agreement in accordance with the business terms
- 6.C. [Fiscal Year 2011-2012 Fourth Quarter Report](#)  
Receive and file the Fourth Quarter Report for Fiscal Year 2011-2012.

7. **COMMENTS BY COUNCIL OR CITY MANAGER:**

8. **CLOSED SESSION:**

- 8.A. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION:  
Government Code Section 54956.9(a); Napa Superior Court Case  
No. 26-59807.

5:00 P.M. to 6:30 P.M. CITY COUNCIL RECESS

CITY COUNCIL MEETING: EVENING SESSION 6:30 P.M.

COUNCILMEMBERS: Juliana Inman, James Krider, Peter Mott,  
Vice Mayor Mark van Gorder, Mayor Jill Techel

9. **CALL TO ORDER:**

- 9.A. Roll Call

10. **PLEDGE OF ALLEGIANCE:**

11. **AGENDA REVIEW AND SUPPLEMENTAL REPORTS:**

[Click here to view informational material received before the meeting.](#)

[Click here to view informational material received during and after the meeting.](#)

12. **COMMISSION INTERVIEWS AND APPOINTMENTS:**

- 12.A. [Interviews and Appointment to the Tree Advisory Commission](#)  
Interview applicants and make an appointment to fill one term expiration on  
the Tree Advisory Commission.

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

14. **SPECIAL PRESENTATIONS:** None

15. **PUBLIC COMMENT:**

16. **ADMINISTRATIVE REPORTS:** None

17. **CONSENT HEARINGS:**

- 17.A. [Second Tier Retirement Benefits for Non-Sworn Employees and Elected Officials](#)

Adopt a Resolution of Intent and introduce and conduct the first reading of an Ordinance to amend the contract between the City of Napa and the Board of Administration of the California Public Employees Retirement System (CalPERS) to provide for reduced retirement benefits for non-sworn employees hired after December 21, 2012, and elected officials first entering office after December 21, 2012.

18. **PUBLIC HEARINGS/APPEALS:**
19. **COMMENTS BY COUNCIL OR CITY MANAGER:**
20. **ADJOURNMENT:**

The next regularly scheduled meeting of the City of Napa City Council is October 16, 2012.

I HEREBY CERTIFY THAT THE AGENDA FOR THE ABOVE STATED MEETING (S) WAS POSTED AT A LOCATION FREELY ACCESSIBLE TO MEMBERS OF THE PUBLIC AT CITY HALL, 955 SCHOOL STREET, ON THURSDAY, SEPTEMBER 27, 2012 by 5:00 P.M.

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Dorothy Roberts, City Clerk

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#### **MAYOR'S MESSAGE:**

The City Council pledges to listen carefully to all sides of an issue, examine the rights of each individual, and consider the needs of our community before making a decision. Accordingly, the Council expects members of the audience to conduct themselves with courtesy and respect during the meeting. Thank you for your cooperation and for your public participation.

#### **GENERAL INFORMATION:**

Please turn off cell phones and pagers before entering the Council Chambers.
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The City Council meets regularly on the first and third Tuesday of each month. The Council may also schedule additional special meetings for the purpose of completing unfinished business and/or study session. Regular meetings are held in the Council Chambers, City Hall, 955 School Street.

**NOTE:** Additional written information is available for items on this agenda, and may be obtained or reviewed by visiting the City website at [www.cityofnapa.org](http://www.cityofnapa.org); e-mailing [clerk@cityofnapa.org](mailto:clerk@cityofnapa.org); or contacting the office of the City Clerk at 955 School Street, Napa, CA. 94559 by mail or in person or by telephone at (707) 257-9503.

#### **CITY POLICY TO FACILITATE ACCESS TO PUBLIC MEETINGS:**

Each City entity offers public programs, services, and meetings in a manner that is reasonably accessible to everyone, including individuals with disabilities. Each City entity complies with all applicable requirements of the Americans with Disabilities Act and California law, and does not discriminate against any person with a disability. Wheelchair access to the Council Chambers and speaker's microphone is available to all persons.

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, please contact the City Clerk Department at 257-9503. For TTY/ Speech-to-Speech users, dial 7-1-1 for the California Relay Service, offering free text-to-speech, speech-to-speech, and Spanish-language services 24 hours a day, 7 days a week. You may also contact the City Clerk at [clerk@cityofnapa.org](mailto:clerk@cityofnapa.org) for more information.

In making any request for assistance, advance notice to the City forty-eight hours prior to the meeting will enable the City to make reasonable arrangements.

Se les pide por favor que avise con 48 horas de anticipación cuando haga un pedido para asistencia. Esto les da suficiente tiempo antes de la junta para permitir que la ciudad tome medidas razonables.

### **CHALLENGING DECISIONS OF CITY ENTITIES:**

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by any City Entity (including the City of Napa or the Housing Authority of the City of Napa) 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 any City Entity must be filed no later than the 90<sup>th</sup> day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred.

If a person wishes to challenge the nature of the above actions in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Napa, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.