



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

**Tuesday, February 18, 2020**

**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**

*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. PUBLIC COMMENT:****4. CONSENT CALENDAR:****4.A. [2168-2019](#) Monthly Budget and Investment Statement**

**Recommendation:** Receive and file the Monthly Budget and Investment Statement as of December 31, 2019.

**Attachments:** [ATCH 1 - Dec 2019 Budget and Investment Statement](#)

**4.B. [2227-2019](#) Emergency Repair of Browns Valley Creek Damage to Browns Valley Road at Valley Glen Lane**

**Recommendation:** Determine there is a need to continue the emergency action to execute and implement contracts for the design, permitting and construction of the creek bank and sidewalk repairs adjacent to Browns Valley Creek at Browns Valley Road and Valley Glen Lane, and determine that the actions authorized by this item are exempt from CEQA.

**4.C. [2188-2019](#) Workers' Compensation Insurance for Peace Officers**

**Recommendation:** Adopt a Resolution authorizing the City to accept liability for compensation, under Workers' Compensation and Insurance laws, for an injury sustained by a City police officer ("peace officer") while outside the State of California, who was not at the time acting under the immediate direction of his or her employer, subject to the limits identified in California Labor Code Section 3600.2(b)(4).

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

**4.D. [2232-2019](#) Public Safety Dispatching Services Provided to American Medical Response for Emergency Medical Services**

**Recommendation:** Adopt a resolution authorizing the City Manager to execute a one-year contract amendment for Public Safety Dispatching Services provided to American Medical Response (AMR).

**Attachments:** [ATCH 1 - Resolution](#)  
[ATCH 2 - Amendment 5 AMR Dispatch 2020](#)

**4.E. [18-2020](#)****Senior Activity Center Public Art****Recommendation:**

Approve the installation of a public art sculpture at the Senior Activity Center; authorize the City Manager to execute the agreement on behalf of the City in an amount not to exceed \$15,000, with the artist, Tiimo Mang, for the purchase and installation of the sculpture entitled "Northern Sojourner"; determine that the actions authorized by this item are exempt from CEQA; and approve the transfer of \$15,000 from the Public Art Fund to the Capital Improvement Fund and an increase to the Senior Center Project (FC16PR01) of \$15,000 as documented in Budget Adjustment No. BE2002503.

**Attachments:**

[ATCH 1 - Proposed Site & Artwork](#)  
[ATCH 2 - Draft Services Agreement for Artwork](#)  
[ATCH 3 - Budget Adjustment](#)

**4.F. [2116-2019](#)****North Bay BMX****Recommendation:**

Authorize the City Manager to execute a lease agreement with North Bay BMX for the BMX track at John F. Kennedy Park for a term of 5 years with an option to renew for an additional 5 years at an annual rent of \$5000, increased each year by the percentage increase in the Consumer Price Index and determine that the actions authorized by this item are exempt from CEQA.

**Attachments:**

[ATCH 1 - North Bay BMX Lease](#)

**4.G. [4-2020](#)****Budget Adjustment to Materials Diversion Fund for FY2019/20****Recommendation:**

Approve a revenue budget increase of \$2,504,000 and an expenditure budget increase of \$3,715,000 in the Materials Diversion Fund and an expenditure budget decrease of \$300,000 in the Non-Recurring Materials Diversion Fund, as documented in Budget Adjustment No. BE2002501.

**Attachments:**

[ATCH 1 - Budget Adjustment Form No. BE2002501](#)

**4.H. [2181-2019](#)****Penny Lane Water Main Reimbursement Agreements****Recommendation:**

Authorize the Utilities Director to execute agreements with the property owners of 2137, 2139 and 2159 Penny Lane to reimburse the City for the property owners' fair share proportionate costs associated with a water main extension project to provide City water service to the properties, which were recently annexed into the City of Napa, and determine that the project is exempt from CEQA.

**Attachments:**

[ATCH 1 - Penny Lane Exhibit](#)  
[ATCH 2 - Reimbursement Agreement \(2137 Penny Lane\)](#)  
[ATCH 3 - Reimbursement Agreement \(2139 Penny Lane\)](#)  
[ATCH 4 - Reimbursement Agreement \(2159 Penny Lane\)](#)

- 4.I. [2226-2019](#) **Caltrans Maintenance Agreement for Interchange at SR29 and First Street, the Roundabouts Project**
- Recommendation:** Adopt a resolution authorizing the City Manager to execute a Project Specific Maintenance Agreement with the State of California Department of Transportation for the Interchange at State Route 29 and First Street, the Roundabouts Project, in the City of Napa, and determining that the actions authorized by this resolution were adequately analyzed by a previous CEQA action.
- Attachments:** [ATCH 1 - Resolution](#)  
[ATCH 2 - Maintenance Agreement](#)
- 4.J. [2197-2019](#) **Amended First Time Homebuyer Loan Down Payment Assistance Program Guidelines**
- Recommendation:** Adopt a resolution approving amended First Time Homebuyer Loan Program Guidelines.
- Attachments:** [ATCH 1 - Resolution](#)  
[EX A - Amended Down Payment Assistance Guidelines](#)  
[ATCH 2 - Proposed Changes to Down Payment Assistance Guidelines](#)
- 4.K. [11-2020](#) **Affordable Housing Infill Infrastructure Grant Application for Napa Pipe**
- Recommendation:** Adopt a resolution authorizing the City Manager to jointly submit an application with Napa Redevelopment Partners LLC to California Department of Housing and Community Development for an Infill Infrastructure grant of up to \$15,000,000 for the Napa Pipe Project and determining that the actions authorized by this resolution were adequately analyzed by a previous CEQA action.
- Attachments:** [ATCH 1 - Resolution](#)

**5. COMMENTS BY COUNCIL OR CITY MANAGER:****CITY COUNCIL RECESS****6:30 P.M. EVENING SESSION****6. CALL TO ORDER:****6.A. Roll Call:****7. PLEDGE OF ALLEGIANCE:****8. AGENDA REVIEW AND SUPPLEMENTAL REPORTS:****9. PUBLIC COMMENT:**

**10. PUBLIC HEARINGS/APPEALS:****10.A. [25-2020](#)****Heritage House/Valle Verde Project**

**Recommendation:** Adopt a resolution approving a Use Permit and Design Review Permit to remodel an existing building to create 66 Single Room Occupancy (SROS) units, including 33 units of permanent supportive housing, (Heritage House), and a Design Review Permit for the construction of a 24-unit affordable apartment complex (Valle Verde) and three Density Bonus Concessions (two for Heritage House and one for Valle Verde) on a 2.88 acre property located at 3700, 3710 & 3720 Valle Verde Drive (APNS 038-170-042, 043 & 046), and determining that the actions authorized by this resolution were adequately analyzed by a previous CEQA action.

**Attachments:** [ATCH 1 - Resolution](#)  
[ATCH 2 - Staff Report for 02-04-20](#)  
[ATCH 3 - Final EIR and Draft EIR](#)  
[ATCH 4 - Public Correspondence](#)

**10.B. [2233-2019](#)****Abandonment and quit claim of a portion of Valle Verde Drive to The Peter A. and Vernice H. Gasser Foundation for the Heritage House/Valle Verde Project**

**Recommendation:** Adopt a resolution authorizing the conditional abandonment and quit claim of a portion of Valle Verde Drive to The Peter A. and Vernice H. Gasser Foundation in support of the Heritage House and the Valle Verde Apartments Projects (PL17-0114) located at 3700, 3710 and 3720 Valle Verde Drive, and determining that the actions authorized by this resolution were adequately analyzed by a previous CEQA action.

**Attachments:** [ATCH 1 - Resolution](#)  
[EX A thru EX G - Abandonment Description and Plat Maps](#)

**11. ADMINISTRATIVE REPORTS:****11.A. [10-2020](#)****Heritage House Apartments Loan**

**Recommendation:** Adopt a resolution authorizing the City Manager to negotiate and execute loan documents with Heritage House Partners LP for a 55-year residual receipts loan of up to \$2,200,000, with 3 % interest, from the City of Napa Affordable Housing Impact Fee Fund for the Heritage House Apartments Project, which includes 66 rehabilitated and repurposed units, located at 3700 Valle Verde Drive 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](#)

**12. PUBLIC HEARINGS/APPEALS:****12.A. [19-2020](#)****Westin Hotel Addition****Recommendation:**

Adopt a resolution approving a Use Permit and Design Review Permit for a 32-room expansion of the Westin Hotel on the vacant parcel located at 1274 McKinstry Street adjacent to the existing Westin Hotel and determining that the actions authorized by this resolution are exempt from CEQA.

**Attachments:**

[ATCH 1 - Resolution](#)

[EX A - Letter dated November 21, 2019](#)

[EX B - Letter dated February 7, 2018](#)

[ATCH 2 - CEQA Checklist](#)

[ATCH 3 - PC Report and Communications](#)

[ATCH 4 - Description and Plans](#)

[ATCH 5 - Parking Analysis](#)

**13. COMMENTS BY COUNCIL OR CITY MANAGER:****14. ADJOURNMENT:**

The next regularly scheduled meeting for the City Council of the City of Napa is Tuesday, March 3, 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 Thursday, February 13, 2020 at 5:00 p.m.

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Tiffany Carranza, City Clerk

**MEETING DATES:**

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

**INFORMATION AVAILABLE FOR CITY COUNCIL MEETINGS:**

Information and documents related to items on this agenda are available on the City's website at [www.cityofnapa.org](http://www.cityofnapa.org); you may also contact the City Clerk for information 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 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), 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 advance notice of at least three business days prior to the meeting.

**TRADUCCIONES EN ESPAÑOL / SPANISH-LANGUAGE TRANSLATIONS:**

Esta agenda identifica los asuntos que serán considerados en una junta del poder legislativo. Todas las juntas del poder legislativo están abiertas al público, y se invita a los miembros del público a asistir y dirigirse directamente ante el poder legislativo. Si usted desea recibir una copia de esta agenda o información relacionada en español, por favor póngase en contacto con la Secretaria de la Ciudad al 707-257-9503 o por correo electrónico a [Clerk@cityofnapa.org](mailto:Clerk@cityofnapa.org).

**CONDUCT OF CITY COUNCIL MEETINGS:**

Meetings are conducted 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).

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 City 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 not required if the speaker otherwise makes a clear and timely request to address the Council, but do promote the efficient and orderly progress of the meeting. Information on Speaker Cards is subject to disclosure under the California Public Records Act.

**CONSENT CALENDAR:**

These items are considered routine and may be approved by a single vote. Only the Mayor or a majority of the City

Council may authorize public input after the consent calendar is introduced.

**ADMINISTRATIVE REPORTS**

Only the Mayor or a majority of the City Council may authorize public input after an administrative report item is introduced.

**CONSENT HEARINGS:**

These items 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, 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 hearing. 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-judicative 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-judicative decision made by City Council must be filed no later than the 90th day following the date on which such decision becomes final.