



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

**Tuesday, March 31, 2020**

**3:30 PM Afternoon Session  
No 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:**

**\*\*see provisions on page 4 for providing public comment.**

**4. CONSENT CALENDAR:****4.A. [40-2020](#) Monthly Budget and Investment Statement**

**Recommendation:** Receive and file the Monthly Budget and Investment Statement as of January 31, 2020.

**Attachments:** [ATCH 1 - Jan 2020 Budget and Investment Statement](#)

**4.B. [53-2020](#) Emergency Repair of Browns Valley Creek Damage to Browns Valley Road at Valley Glen Lane**

**Recommendation:** Adopt a resolution determining that: (1) there is no longer a need to take emergency actions for the creek bank and sidewalk repairs adjacent to Browns Valley Creek at Browns Valley Road and Valley Glen Lane, (2) the authorization to perform emergency work is terminated, and (3) the actions authorized by this resolution are exempt from CEQA.

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

**4.C. [2230-2019](#) Park Avenue and Jefferson Street Water Main Replacement**

**Recommendation:** Authorize the Utilities Director to award a construction contract to the lowest and best bidder, Vinciguerra Construction, Inc., for the Park Avenue and Jefferson Street Main Replacement Project in the bid amount of \$1,167,850, and authorize the Utilities Director to execute the contract, contracts amendments and change orders on behalf of the City in an amount not to exceed \$1,400,000; and determine that the actions authorized by this item are exempt from CEQA.

**5. ADMINISTRATIVE REPORTS:****5.A. [87-2020](#) Proclamation of Local Emergency to Respond to the Coronavirus (COVID-19)**

**Recommendation:** Adopt a resolution Continuing the Proclamation of Local Emergency, and Authorizing the City Manager to take actions necessary as the Director of Emergency Services, to Respond to the Coronavirus (COVID-19)

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

5.B. [89-2020](#)**Deferment of Transient Occupancy Tax and Transient Occupancy Special Tax**

**Recommendation:** Adopt a resolution deferring payment of Transient Occupancy Taxes and Transient Occupancy Special Taxes for 61 days, for taxes imposed in the months of February and March 2020.

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

5.C. [12-2020](#)**Online Water Bill Presentment and Payment Update**

**Recommendation:** Receive presentation from the Finance Director on the new Online Water Bill Presentment and Payment Portal.

**6. COMMENTS BY COUNCIL OR CITY MANAGER:****7. CLOSED SESSION:**7.A. [91-2020](#)

**CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION (Government Code Section 54956.9(d)(4)):**  
Potential initiation of litigation in one case.

7.B. [92-2020](#)

**CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION (Government Code Section 54956.9(d)(2)):**  
Significant exposure to litigation in two potential cases.

**Attachments:** [ATCH 1 - 3-25-20 Email to City Council from Scott Rafferty](#)

**8. ADJOURNMENT:**

The next regularly scheduled meeting for the City Council of the City of Napa is April 7, 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, March 27, 2020 at 5:00 p.m.

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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 Order N-29-20, 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 submitting written 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](http://www.cityofnapa.org) (see: <https://napacity.legistar.com/Calendar.aspx>; and click on the "In Progress" button).

**SUBMITTING WRITTEN COMMENTS TO BE READ AT THE MEETING**

Any member of the public may submit 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](mailto: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 – 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. 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.

**SUBMITTING SUPPLEMENTAL WRITTEN COMMENTS**

Any member of the public may submit 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.

**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/APEALS**

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.