



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

****See CORONAVIRUS (COVID-19) - Notice of Meeting Procedures, Page 7.
The Council Chambers will be open to the public for in-person attendance.
All persons in attendance will be required to wear a face mask.**

Tuesday, September 7, 2021

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 Scott Sedgley
Vice Mayor Liz Alessio
Councilmember Mary Luros
Councilmember Bernie Narvaez
Councilmember Beth Painter***

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 page 7 for procedures to provide comments to Council.**

4. CONSENT CALENDAR:**4.A. [338-2021](#) City Council Meeting Minutes**

Recommendation: Approve the August 17, 2021 Regular Meeting Minutes.

Attachments: [ATCH 1 - August 17, 2021 Regular Meeting Minutes](#)

4.B. [310-2021](#) Encouraging Action by Other Governmental Agencies During the League of California Cities (“Cal Cities”) Annual Conference

Recommendation: Authorize the City's voting delegate at the Cal Cities Annual Conference Business Meeting, on September 24, 2021, to vote in favor of two proposed Cal Cities resolutions: (1) call on the State Legislature to pass legislation that provides for a fair and equitable distribution of the Bradley Burns 1% local sales tax from in-state online purchases; and (2) to call on the Governor and the State Legislature to work with Cal Cities to provide adequate regulatory authority and necessary funding to assist cities with railroad right-of-way areas to address illegal dumping, graffiti, and homeless encampments that proliferate along the rail lines and result in public safety issues.

Attachments: [ATCH 1 - 2021 Cal Cities Voting Delegate Letter](#)
[ATCH 2 - Proposed Cal Cities Resolution 1](#)
[ATCH 3 - Proposed Cal Cities Resolution 2](#)
[ATCH 4 - 2021 Cal Cities Annual Conference Resolutions Packet](#)

4.C. [332-2021](#) Parks, Recreation and Trees Advisory Commission Membership

Recommendation: Appoint Quincy D. Frommelt as the High School Student Representative to the Parks, Recreation and Trees Advisory Committee, with a two-year term expiring June 30, 2023 or until the student graduates from High School.

Attachments: [ATCH 1 - Application](#)

- 4.D. [155-2021](#) **City Employee Recognition Program**
- Recommendation:** Adopt a resolution authorizing the City Manager to establish and implement administrative regulations to recognize City employees for their years of service and for their extraordinary contributions to the City.
- Attachments:** [ATCH 1 - Resolution](#)
- 4.E. [325-2021](#) **Amendment to Water Supply Agreement with St. Helena**
- Recommendation:** Authorize the Utilities Director to execute Amendment No. 4 to the Water Supply Agreement between the City of Napa and the City of St. Helena (City of Napa Agreement No. 9381) allowing for 114 acre-feet of undelivered water from fiscal year 2020-21 to be delivered to St. Helena over the next five fiscal years.
- Attachments:** [ATCH 1 - Amendment No. 4 to Agreement No. 9381](#)
[ATCH 2 - Agmt No. 9381 with Amendments 1-3](#)
- 4.F. [322-2021](#) **Edward Barwick Jamieson Canyon Water Treatment Plant Fall Protection Improvements**
- Recommendation:** Adopt a resolution: (1) authorizing the Utilities Director to award a construction contract to, and execute a construction contract with, Performance Mechanical, Inc. for the Edward Barwick Jamieson Canyon Water Treatment Plant (EBCWTP) Fall Protection Improvements Project in the bid amount of \$147,986; (2) authorizing the Utilities Director to execute change orders and charges for project services up to \$39,000 for a total project amount not to exceed \$186,986; (3) approving the transfer of \$57,073 from Water CIP Reserves to EBCWTP Fall Protection Improvements CIP as documented in Budget Adjustment No. BE 2209501 and (4) determining that the actions authorized by this resolution are exempt from CEQA.
- Attachments:** [ATCH1 - Resolution](#)
[EX A - Budget Adjustment No. BE 2209501](#)
- 4.G. [323-2021](#) **Amendment to City-County MOU for Napa County use of City's Materials Diversion Facility**
- Recommendation:** Authorize the Utilities Director to execute Amendment No. 4 to the Memorandum of Understanding (City Agreement No. 8782, County Agreement No. 6430) for continued Napa County use of the City's Materials Diversion Facility (MDF) through December 31, 2030, with an option for five mutually agreed one-year extensions.
- Attachments:** [ATCH 1 - MOU Amendment No 4 City No 8782 County No 6430](#)

- 4.H. [335-2021](#) **Community Development Block Grant (CDBG) Program Consolidated Annual Performance Evaluation Report (CAPER) 2020-2021**
- Recommendation:** Adopt a resolution approving the CDBG Fiscal Year 2020-2021 Consolidated Annual Performance Evaluation Report (CAPER).
- Attachments:** [ATCH 1 - Resolution](#)
[EX A - CAPER](#)
- 4.I. [329-2021](#) **Vehicle Replacement for the Public Works Department**
- Recommendation:** Adopt a resolution authorizing the Public Works Director to execute an agreement for the purchase of a replacement F-450 Stencil Paint Truck in an amount not to exceed \$145,500 for the Public Works Department.
- Attachments:** [ATCH 1 - Resolution](#)
- 4.J. [333-2021](#) **On-Call Structural Engineering Services**
- Recommendation:** Authorize the Public Works Director to execute on behalf of the City an agreement with Biggs Cardosa Associates, Inc., for task-order based on-call structural engineering services in an amount not to exceed \$500,000.
- Attachments:** [ATCH 1 - Agreement with Biggs Cardosa Associates, Inc.](#)
- 5. ADMINISTRATIVE REPORTS:**
- 5.A. [267-2021](#) **Pension Update, September 2021**
- Recommendation:** Receive a presentation from GovInvest on pension funding concepts as the next step in developing a pension funding policy.
- Attachments:** [ATCH 1 - Pension Primer](#)
[ATCH 2 - PowerPoint Presentation](#)
- 5.B. [274-2021](#) **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.
- 5.C. [336-2021](#) **Emergency Replacement of Oak Street Storm Drain**
- Recommendation:** Adopt a resolution determining there is a need to continue the emergency action to execute and implement contracts for the construction to replace the Oak Street Storm Drain from Franklin Street to Brown Street, and determining that the actions authorized by this resolution are exempt from CEQA.
- Attachments:** [ATCH 1 - Resolution](#)
[ATCH 2 - City Manager's Emergency Declaration](#)

6. COMMENTS BY COUNCIL OR CITY MANAGER:**7. CLOSED SESSION:**

- 7.A. [341-2021](#) CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Government Code Section 54956.9(d)(1)): U.S. District Court, Northern District of California, Case No. 19-CV-06898-VC.

CITY COUNCIL RECESS**6:30 P.M. EVENING SESSION****8. CALL TO ORDER:****8.A. Roll Call:****9. PLEDGE OF ALLEGIANCE:****10. AGENDA REVIEW AND SUPPLEMENTAL REPORTS:****11. PUBLIC COMMENT:**

*See page 7 for procedures to provide comments to Council.

12. PUBLIC HEARINGS/APPEALS:

- 12.A. [295-2021](#) **Western Meadows Subdivision -A 12-lot Single-Family Subdivision**

Recommendation: (1) Adopt a resolution adopting a Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program for the Western Meadows Subdivision.
(2) Adopt a resolution approving a Design Review Permit, Use Permit, and Tentative Subdivision Map for the Western Meadows Subdivision, a subdivision of a 7.56-acre project site into 12 single-family lots, located on the north side of an existing private driveway extending east from the north end of Borrette Lane .

Attachments: [ATCH 1 - Resolution \(MND and MMRP\) with ExA](#)
[ATCH 2 - Resolution \(Design Review Permit, Use Permit, and Tent. Map\)](#)
[ATCH 3 - August 5, 2021 PC Hearing Materials](#)
[ATCH 4 - July 1, 2021 PC Hearing Materials](#)

13. REPORT ACTION TAKEN IN CLOSED SESSION:**14. COMMENTS BY COUNCIL OR CITY MANAGER:**

15. ADJOURNMENT:

The next regularly scheduled meeting for the City Council of the City of Napa is September 21, 2021.

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, September 2, 2021 at 5:00 p.m.

Tiffany Carranza, City Clerk

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

In order to slow the spread of the Coronavirus (COVID-19) pandemic, in compliance with the Governor's Executive Orders N-29-20, N-63-20, and N-08-21, any member of Council or City staff may participate in this meeting telephonically or electronically.

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. All persons in attendance will be required to wear a face mask regardless of vaccination status.

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.

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.

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: (a) any matter identified on the agenda; or (b) during the Public Comment portion of the meeting for any matter within the Council's subject matter jurisdiction that is not identified on the agenda. 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:

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 do not require a 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/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 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.