



REGULAR MEETING AGENDA FOR THE CITY COUNCIL

****See CORONAVIRUS (COVID-19) - Notice of Meeting Procedures, Pages 7-8.**
The Council Chambers will be closed to the public.
This Meeting will be conducted as a teleconference via Zoom Webinar.**

Tuesday, February 15, 2022

3:30 PM Afternoon Session

6:30 PM Evening Session

*955 School Street
Napa, CA 94559
www.cityofnapa.org*

CITY COUNCIL

***Mayor Scott Sedgley
Vice Mayor Mary Luros
Councilmember Liz Alessio
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

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3:30 P.M. AFTERNOON SESSION

1. CALL TO ORDER:

1.A. Roll Call:

2. AGENDA REVIEW AND SUPPLEMENTAL REPORTS:

3. PUBLIC COMMENT:

***See pages 7-8 for procedures to provide comments to Council.**

4. CONSENT CALENDAR:

4.A. [41-2022](#)

Requirements for Remote Public Meetings

Recommendation:

(1) Find that the circumstances resulting from the COVID-19 emergency, including governmental requirements and recommendations to promote social distancing, continue to directly impact the ability of the members to meet safely in person; and
(2) Authorize City staff to schedule and implement future City Council of the City of Napa Meetings using teleconferencing procedures in compliance with California Government Code Section 54953(e).

Attachments:

[ATCH 1 - 2/1/2022 CC Staff Report - Proclamation of Local Emergency](#)

4.B. [43-2022](#)

Regulation of False Fire Alarms

Recommendation:

Approve the second reading and final passage, and adopt an ordinance amending Napa Municipal Code Title 9 to repeal section 9.04.040 and add Chapter 9.65 "Regulation of False Fire Alarms" to reduce the occurrence of false alarms.

Attachments:

[ATCH 1 - Ordinance](#)

4.C. [34-2022](#)

Napa Valley Transportation Authority (NVTA) Active Transportation Advisory Committee (ATAC) Membership

Recommendation:

Direct the City Clerk to transmit a letter to the Napa Valley Transportation Authority (NVTA) Board of Directors recommending the nomination of incumbent, Frances Knapczyk to serve a three-year term ending July 31, 2024; and new applicant Jonathan C. Schellin, to serve the unexpired remaining term, plus an additional three-year term ending July 31, 2025, as City of Napa representatives to the NVTA Active Transportation Advisory Committee (ATAC).

Attachments:

[ATCH 1 - Applications](#)

- 4.D. [3-2022](#) **SB 619 Notification of Intent to Comply with Short-lived Climate Pollutants: Organic Waste Reduction Requirements**
- Recommendation:** Adopt a resolution 1) adopting the Notification of Intent to Comply with Short-lived Climate Pollutants: Organic Waste Reduction Requirements; 2) authorizing the Utilities Director to submit the Notification of Intent to Comply to the Department of Resources Recycling and Recovery (CalRecycle); and 3) determining that the actions authorized by this resolution are exempt from CEQA.
- Attachments:** [ATCH 1 - Resolution](#)
[EX A - City of Napa SB 619 NOIC to CalRecycle](#)
- 4.E. [36-2022](#) **Monthly Budget and Investment Statement**
- Recommendation:** Receive the Monthly Budget and Investment Statements as of November 30, 2021, and as of December 31, 2021.
- Attachments:** [ATCH 1 - November 2021 Budget Investment Statement](#)
[ATCH 2 - December 2021 Budget Investment Statement](#)
- 4.F. [32-2022](#) **Salary Schedule for Full-Time Employees**
- Recommendation:** Adopting a resolution documenting the salary schedule for Full-Time Employees.
- Attachments:** [ATCH 1 - Resolution](#)
[EX A - Proposed City of Napa Salary Schedule for FT Employees](#)
- 4.G. [15-2022](#) **Emergency Replacement of Oak Street Storm Drain**
- Recommendation:** Determine there is a need to continue the emergency action to execute and implement construction contracts for the replacement of the Oak Street Storm Drain from Franklin Street to Brown Street, and determine that the actions authorized by this item are exempt from CEQA.
Determine there is a need to continue the emergency action to execute and implement construction contracts for the replacement of the Oak Street Storm Drain from Franklin Street to Brown Street, and determine that the actions authorized by this item are exempt from CEQA.

- 4.H. [20-2022](#) **Milliken Raw Water Pipeline Project**
- Recommendation:** Adopt a resolution 1) authorizing the Utilities Director to submit a revised application to the California Governor's Office of Emergency Services (Cal-OES) for Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program funding in an amount of up to \$3,457,575, with a City matching obligation of up to \$1,152,525 for the Bury Milliken Raw Water Pipeline Project DR4344-PJ0284; 2) approving a budget adjustment in the amount of \$3,457,575 and transfer in the amount of \$1,152,525 from water fund capital reserve account to water nonrecurring capital expenditure budget as documented in budget adjustment no. BE2202501; and 3) determining that the actions authorized by this resolution are exempt from CEQA.
- Attachments:** [ATCH 1 - Resolution](#)
[EX A - Budget Adjustment No. BE2202501](#)
5. ADMINISTRATIVE REPORTS:
- 5.A. [449-2021](#) **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.
- Attachments:** [ATCH 1 - Proclamation P2022-002](#)
- 5.B. [466-2021](#) **Fiscal Year 2021/22 Mid-Year Report**
- Recommendation:** 1. Receive the Mid-Year Report for Fiscal Year 2021/22; and 2. Adopt a resolution amending the City Staffing Plan by adding one Systems Analyst and deleting one Management Analyst I/II in the Finance Department; and approving revenue and expenditure budget adjustments to the FY 2021/22 adopted budget, as documented in Budget Adjustment BE2202503.
- Attachments:** [ATCH 1 - Resolution](#)
[EX A - Budget Adjustment BE2202503](#)
[ATCH 2 - FY22 Mid-Year Report](#)
- 5.C. [23-2022](#) **Enterprise Resource Planning (ERP) Software Implementation**
- Recommendation:** Receive a Project Spotlight report from staff on the status of the Enterprise Resource Planning (ERP) Software Implementation project.
- 5.D. [47-2022](#) **Condition of City-Owned Buildings**
- Recommendation:** Receive a report summarizing the condition of City-owned buildings.

6. CONSENT HEARINGS:**6.A. [4-2022](#) **Recyclable Materials Gate Fees for Materials Diversion Facility****

Recommendation: Adopt a resolution establishing recyclable materials gate fees at the City's Materials Diversion Facility, to become effective March 1, 2022.

Attachments: [ATCH 1 - Resolution](#)
[EX A - MDF Recyclable Materials Gate Fees Effective 3/1/2022](#)
[ATCH 2 - 2022 MDF Recyclable Materials Gate Fee Analysis](#)

7. COMMENTS BY COUNCIL OR CITY MANAGER:**8. CLOSED SESSION:**

8.A. [52-2022](#) **CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Government Code Section 54956.8): Property: an
approximately .21 acre portion of a 3.84 acre parcel located at
1701 D Street Allay (APN 002-071-010). Authority Negotiators:
Steve Potter, Julie Lucido, Sabrina Wolfson, Michael Barrett.
Negotiating Parties: City of Napa, and MB Napa Creek Land
(DE), LLC. Under Negotiation: price and terms of payment.**

8.B. [53-2022](#) **CONFERENCE WITH LABOR NEGOTIATORS (Government
Code Section 54957.6): City designated representatives:
Steve Potter, Liz Habkirk, Heather Ruiz, MJ Tueros, Anne
Cardwell, and Michael Barrett. Employee organizations: Napa
Police Officer's Association; and Napa City Employee's
Association.**

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. PUBLIC COMMENT:**

***See pages 7-8 for procedures to provide comments to Council.**

13. ADMINISTRATIVE REPORTS:**13.A. [7-2022](#) Homeless Services**

Recommendation: Receive a report on homeless services.

14. REPORT ACTION TAKEN IN CLOSED SESSION:**15. COMMENTS BY COUNCIL OR CITY MANAGER:****16. ADJOURNMENT:**

The next regularly scheduled meeting for the City Council of the City of Napa is March 1, 2022.

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 10, 2022 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 California Government Code Section 54953(e), and members of the City Council and City staff will 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 or listening to the meeting live, and providing comments, as described below. If you have any questions regarding how to participate in the meeting, please contact the City Clerk's Department at (707) 257-9503; or clerk@cityofnapa.org.

VIEWING OR LISTENING TO THE MEETING LIVE

All members of the public are invited to view or listen to 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); or
- (c) live-streamed on Zoom at <https://us02web.zoom.us/j/89689020733> (to log into Zoom, you may be prompted for your name and email address, which will be visible online); or
- (d) for audio only, call 669-900 6833; and when prompted, enter meeting ID# 896 8902 0733.

PROCEDURES TO PROVIDE COMMENTS TO 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.

The Mayor may modify (increase or decrease) any time requirement for any speaker, or change the order of items on the agenda, in accordance with the Rules of Order in order to facilitate the efficient and fair conduct of the meeting. (see Council Policy Resolution 19, R2016-6 section 6.1.4).

PROVIDING COMMENTS ELECTRONICALLY VIA ZOOM

If you are viewing the meeting live via Zoom (<https://us02web.zoom.us/j/89689020733>) you may provide comments to the City Council as follows:

- (1) When the Mayor calls for the item on which you wish to speak, raise your hand by clicking on the ‘raise hand’ feature in Zoom.**
- (2) City staff will notify each speaker (using the name or email address in Zoom) when it is their turn to provide comments to the Council.**

Additional instruction for how to participate in a Zoom webinar meeting are available here: <https://support.zoom.us/hc/en-us/articles/201362193-How-Do-I-Join-A-Meeting-> . Please note that the chat and Q&A functions will be disabled for this meeting, and the only way to provide comments in Zoom will be to use the ‘raise hand’ feature as described above.

PROVIDING COMMENTS VIA TELEPHONE

Any member of the public may provide a comment to the City Council via telephone by:

- (a) dial 669-900-6833 ;**
- (b) when prompted, enter meeting ID# 896 8902 0733; and**
- (c) click *9 to raise your hand for the item you wish to comment on. Speakers will be notified shortly before they are called to speak.**

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 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:

During any public hearing (which includes any appeal hearing), 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.