



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

**Tuesday, May 3, 2022**

**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 OF THE CITY OF NAPA**

***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

**3:30 P.M. AFTERNOON SESSION****1. CALL TO ORDER:****1.A. Roll Call:****2. AGENDA REVIEW AND SUPPLEMENTAL REPORTS:****3. SPECIAL PRESENTATIONS:****3.A. [91-2022](#) Historic Preservation Month**

**Recommendation:** Proclaim May as Historic Preservation Month.

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

**3.B. [118-2022](#) Proclaim May 2022 as Jewish American Heritage Month**

**Recommendation:** Proclaim May 2022 as Jewish American Heritage Month.

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

**3.C. [151-2022](#) National Bike Month and Bike to Work and School Day**

**Recommendation:** Proclaim May as National Bike Month and May 20th as Bike to Work and School Day.

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

**4. ADMINISTRATIVE REPORTS:****4.A. [154-2022](#) COVID-19 Financial Update, May 2022**

**Recommendation:** Receive and discuss financial update from Robert Eyler, PhD, regarding impacts of COVID-19 on economic metrics.

**Attachments:** [ATCH 1 - City of Napa EFA Indicators May 2022](#)

**5. PUBLIC COMMENT:**

**\*See page 8 for procedures to provide public comments to Council.**

**6. CONSENT CALENDAR:****6.A. [156-2022](#) City Council Meeting Minutes**

**Recommendation:** Approve the April 19, 2022 Regular Meeting Minutes.

**Attachments:** [ATCH 1 - April 19, 2022 Draft Regular Meeting Minutes](#)

- 6.B. [157-2022](#) **Farmers Market**
- Recommendation:** Approve the second reading and final passage, and adopt an ordinance amending Napa Municipal Code Title 5 to repeal Chapter 5.24 "Farmers' Markets".
- Attachments:** [ATCH 1 - Ordinance](#)
- 6.C. [158-2022](#) **Escheatment of Unclaimed Funds**
- Recommendation:** Adopt a resolution approving the escheatment of unclaimed funds, which results in a transfer of unclaimed funds to the City in the total amount of \$14,490.19, in accordance with California Government Code Sections 50050-50057.
- Attachments:** [ATCH 1 - Resolution](#)  
[EX A - Unclaimed Funds Outstanding Checks Over \\$15.00](#)  
[EX B - Unclaimed Funds Outstanding Checks Under \\$15.00](#)
- 6.D. [143-2022](#) **Valley Lodge Apartments Loan**
- Recommendation:** Adopt a resolution authorizing the City Manager to negotiate and execute loan documents with Burbank Housing Development Corporation for a 55-year residual receipts loan of up to \$3,000,000, with 3 % interest, from the City of Napa Affordable Housing Impact Fee Fund for the Valley Lodge Apartments Project, which includes 55 rehabilitated and repurposed units of permanent supportive housing, located at 200 South Coombs Street and determining that the actions authorized by this resolution are exempt from CEQA.
- Attachments:** [ATCH 1 - Resolution](#)
- 6.E. [161-2022](#) **Blackbird Vineyards LLC - Alcoholic Beverage Control License**
- Recommendation:** Find that the City has no objection to Blackbird Vineyard's petition to modify conditions on their alcoholic beverage license, and direct staff to not file an objection to the Department of Alcoholic Beverage Control.
- Attachments:** [ATCH 1 - Notification from ABC](#)
- 6.F. [165-2022](#) **Emergency Solutions Grant**
- Recommendation:** Adopt a resolution approving an application for funding of a grant agreement and any amendments thereto from the 2021-2022 funding year of the State ESG Program, Balance of State Allocation NOFA and authorizing the City Manager to: (A) submit the application on behalf of the City to the California Department of Housing and Community Development ("HCD") in an amount up to \$200,000 for homeless street outreach; and (B) execute a grant agreement and any amendments thereto with HCD.
- Attachments:** [ATCH 1 - Resolution](#)

**6.G. [146-2022](#)****Emergency Replacement of Oak Street Storm Drain****Recommendation:**

Adopt a resolution determining that: (1) there is no longer a need to take emergency actions for the Oak Street Storm Drain; (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](#)

**6.H. [125-2022](#)****Napa Valley Corporate Park Landscape and Lighting Assessment District, Fiscal Year 2022-2023****Recommendation:**

1. Adopt a resolution to order the City Engineer to prepare and file the Preliminary Engineer's Report describing the improvements to be maintained by the Annual and Supplemental Napa Valley Corporate Park Landscape and Lighting Assessment District for Fiscal Year 2022-2023, and determining that the actions authorized by this resolution are exempt from CEQA.

2. Adopt a resolution of intention to approve the Preliminary Engineer's Report, levy and collect assessments, and give notice of a Public Hearing to consider approval of the Annual and Supplemental Napa Valley Corporate Park Landscape and Lighting Assessment District for Fiscal Year 2022-2023, and determining that the actions authorized by this resolution are exempt from CEQA.

**Attachments:**

[ATCH 1 - Resolution for Engineer's Report Preparation with EX A](#)

[ATCH 2 - Resolution for Public Hearing](#)

[EX A - NVCP Preliminary Engineer's Report](#)

**6.I. [127-2022](#)****Citywide Landscape Maintenance Assessment District, Fiscal Year 2022-2023****Recommendation:**

1. Adopt a resolution to order the City Engineer to prepare and file the Preliminary Engineer's Report describing the improvements to be maintained by the Citywide Landscape Maintenance Assessment District for Fiscal Year 2022-2023 and determining that the actions authorized by this resolution are exempt from CEQA.

2. Adopt a resolution of intention to approve the Preliminary Engineer's Report, levy and collect assessments, and give notice of a Public Hearing to consider approval of the Citywide Landscape Maintenance Assessment District for Fiscal Year 2022-2023, and determining that the actions authorized by this resolution are exempt from CEQA.

**Attachments:**

[ATCH 1 - Resolution for Engineer's Report with EX A](#)

[ATCH 2 - Resolution for Public Hearing](#)

[EX A - Citywide Preliminary Engineer's Report](#)

**6.J. [137-2022](#)****Dwyer Road Pump Station Hazard Mitigation Grant****Recommendation:**

Adopt a resolution 1) authorizing the Utilities Director to submit a grant application to the California Governor's Office of Emergency Services (Cal-OES) and execute all documents necessary to secure Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program funding in the amount of up to \$6,525,000, with a City matching obligation of up to \$2,175,000; 2) authorizing the Utilities Director to execute reimbursement agreements with the cities of St Helena, and Calistoga for the Dwyer Road Pump Station Project DR4344-AP-00916 in the amount of up to \$725,000 each; 3) creating a new CIP Project, Dwyer Road Pump Station (53104-WX22UT06), and approving an increase of revenue and expenditures budgets in the amount of \$8,700,000, and 4) authorizing a transfer of funds in the amount of \$2,175,000 from water fund capital reserve account to water capital expenditure budget as documented in budget adjustment No. BE2205502.

**Attachments:**

[ATCH 1 - RESO Dwyer Rd Pump Station HMGP Match](#)  
[EX A – Budget Adjustment No. BE2205502](#)

**6.K. [138-2022](#)****Transmission Valve Installation Hazard Mitigation Grant****Recommendation:**

Adopt a resolution 1) authorizing the Utilities Director to submit an application to the California Governor's Office of Emergency Services (Cal-OES) and to execute all documents necessary to secure Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program funding in an amount of up to \$1,944,750, with a City matching obligation of up to \$648,250, for the Transmission Valve Installation Project DR4431-AP-00596; 2) amending the budget to add a new CIP Project, Transmission Main Improvements (53104-WX22UT05), and approving an increase of revenue and expenditures budget in the amount of \$2,593,000, and 3) authorizing a transfer of funds in the amount of \$648,250 from water fund capital reserve account to water capital expenditure budget as documented in budget adjustment BE2205501.

**Attachments:**

[ATCH 1 - Resolution](#)  
[EX A - Budget Adjustment No. BE2205501](#)

**6.L. [148-2022](#)****Conn Creek Spillway Alternatives Assessment****Recommendation:**

Authorize the Utilities Director to execute a contract with GEI Consultants, Inc., in an amount not to exceed \$290,480 for the Conn Creek Spillway Alternatives Assessment required by the California Division of Safety of Dams (DSOD), and determine this action is exempt from CEQA.

**Attachments:**

[ATCH 1 - Written Determination Spec Items-Executed](#)

**7. ADMINISTRATIVE REPORTS:**

- 7.A. [76-2022](#) **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.
- 7.B. [489-2021](#) **2022 Water Supplies**  
**Recommendation:** Receive a report on water supplies for 2022 drought year and determine that the action is exempt from CEQA.  
**Attachments:** [ATCH 1 - PowerPoint Presentation](#)
- 7.C. [97-2022](#) **Utilities Department Spotlight**  
**Recommendation:** Receive Utilities Department Spotlight report on Water Conservation and Solid Waste and Recycling activities.
- 7.D. [103-2022](#) **Outdoor Commercial Uses & Parklet Program**  
**Recommendation:** Receive report and provide direction on the Outdoor Commercial Uses & Parklet Program.

**8. COMMENTS BY COUNCIL OR CITY MANAGER:****9. CLOSED SESSION:**

- 9.A. [167-2022](#) **CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION (Government Code Section 54956.9(d)(4)):**  
Initiation of litigation in one case.

**CITY COUNCIL RECESS****6:30 P.M. EVENING SESSION****10. CALL TO ORDER:****10.A. Roll Call:****11. PLEDGE OF ALLEGIANCE:****12. AGENDA REVIEW AND SUPPLEMENTAL REPORTS:****13. PUBLIC COMMENT:**

**\*See page 8 for procedures to provide public comments to Council.**

**14. ADMINISTRATIVE REPORTS:****14.A. [141-2022](#) Red Light Camera Program**

**Recommendation:** Authorize the Police Chief to issue a competitive request for proposals (RFP) to select a vendor to provide a red-light camera enforcement program, and return to City Council at a future meeting to consider approving a contract to implement the program.

**Attachments:** [ATCH 1 - Red Light Camera Enforcement Presentation](#)

**15. REPORT ACTION TAKEN IN CLOSED SESSION:****16. COMMENTS BY COUNCIL OR CITY MANAGER:****17. ADJOURNMENT:**

The next regularly scheduled meeting for the City Council of the City of Napa is May 17, 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, April 28, 2022 at 5:00 p.m.

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Samantha Pascoe, Deputy City Clerk

**\*\* Notice of Meeting Procedures \*\*****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. Face masks are not required for in-person attendance but highly recommended.

**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](mailto: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](http://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](http://www.cityofnapa.org); or by contacting the City Clerk 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 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](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 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](mailto: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.