

DRAFT

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

May 07, 2013

3:30 PM Afternoon Session
6:30 PM Evening Session

City Hall Council Chambers
955 School Street

Note: Agenda Items #1 through #7 are shown on the Housing Authority of the City of Napa Regular Meeting Minutes of May 7, 2013

8. **CALL TO ORDER:** 3:59 p.m.

8.A. **Roll Call**

PRESENT: Councilmembers Inman, Pedroza, Sedgley, Mott,
Techel

ABSENT: None

9. **AGENDA REVIEW AND SUPPLEMENTAL REPORTS:**

The City Clerk announced the following supplemental reports:

Item 11: Written communication from Jarvis Peay.

Item 11: PowerPoint Presentation from Charles Shinnamon on behalf of the Friends of the Napa River.

Item 13A: Award of 2013 Water Main Freeway Crossings Project:

- Staff presentation from Megan Thomas, Associate Civil Engineer.

Item 13B: Napa ARTwalk Status Report and Presentation of Proclamation to People's Choice Winner for 2011-13 Exhibition:

- Staff presentation from Jennifer LaLiberte, Economic Development Manager.

10. **SPECIAL PRESENTATIONS:**

10.A. **CHP 10851 (Theft and Unlawful Taking or Driving of a Vehicle)
Award Presentation**

Chief Melton came forward to introduce Napa Police Corporal Pete Piersig who was awarded the California Highway Patrol (CHP) 10851 (Theft and Unlawful Taking or Driving of a Vehicle) Award for his efforts to locate stolen vehicles and for successfully locating and recovering eleven unoccupied stolen vehicles in 2012. Corporal Piersig came forward and spoke briefly.

10.B. Proclamation "Mental Health Awareness Month"

Mayor Techel and members of Council read a Proclamation designating May 2013 "Mental Health Awareness Month" in the City of Napa; the proclamation was received by James Ferguson with *People Empowering People*.

11. PUBLIC COMMENT:

Charles Shinnaman, on behalf of the Friends of the Napa River spoke about the importance of assuring public access to the public trail between Lincoln Avenue and Trancas Street. Council directed staff to report back on the item at a later meeting date.

12. CONSENT CALENDAR:

ACTION: Moved, seconded and carried (Sedgley/Pedroza) to approve the Consent Calendar as presented.

AYES: Sedgley, Pedroza, Inman, Mott, Techel

NOES: None

12.A. Approve the Regular Meeting Minutes, the Special Joint Meeting Minutes, and Special Meeting Minutes

ACTION: Approved City Council Minutes Regular Meeting of April 16, 2013, City Council and Parks and Recreation Advisory Commission Special Joint Meeting Minutes of April 10, 2013, and Special Meeting Minutes of April 30, 2013.

12.B. Appoint a member of the Senior Advisory Commission as a "senior area agency representative"

ACTION: Appointed current commission member Betty Rhodes as a designated "senior area agency representative" to the Napa Senior Advisory Commission.

12.C. Health Reimbursement Arrangement Trust – Replacement of Administrator and Termination of Trustee Agreement

ACTION: Adopted **Resolution R2013-24** approving replacement of Wage Works (formerly Fringe Benefits Management Company) with International City Management Association Retirement Corporation as administrator and replacement of Wilmington Trust Company with City of Napa as trustee for the Health Reimbursement Arrangement Plan and Trust.

12.D. Award of Construction Contract for Parking Garage Painting Project – Clay Street and Pearl Street Garages

ACTION: Adopted **Resolution R2013-25** authorizing the Public Works Director to award and execute the construction contract to A.J. Fistes Corporation for the Clay Street and Pearl Street Parking Garage Painting Project.

12.E. Oak Leaf Ranch II - Final Map

ACTION: Adopted **Resolution R2013-26** approving the Final Map of Oak Leaf Ranch II Subdivision located at 1126 Terrace Drive, and authorized the Mayor to sign the Final Map.

12.F. Amendment to Communications Site Lease Agreement

ACTION: Authorized the City Manager to execute Amendment No. 1 to Agreement No. 8318 with New Cingular Wireless PCS, LLC, to modify the lease of a portion of the City of Napa Corporation Yard located at 770 Jackson Street, Napa, California, for use as a telecommunications facility.

12.G. Approve Revisions to the City Executive Staff Compensation Resolution

ACTION: Adopted **Resolution R2013-27** approving “clean up” revisions to the City Executive Staff compensation resolution to address benefit cost sharing methodology; to include retirement benefit plans for the Police and Fire Chiefs; to include 1959 Survivor Benefit index levels for the Police Chief; and revise fiscal emergency language consistent with the MOU language for all City bargaining groups.

13. ADMINISTRATIVE REPORTS:

13.A. Award of 2013 Water Main Freeway Crossings Project

Michael Hether, Associate Civil Engineer, provided an overview of the project.

ACTION: Moved, seconded and carried (Inman/Mott) to adopt **Resolution R2013-28** authorizing the Public Works Director to award the construction contract for the 2013 Water Main Freeway Crossings project to Mountain Cascade, Inc. for \$2,728,900 and execute the contract and contract change orders to a total amount not to exceed \$3,300,000, and authorizing budget transfers within the Water Fund for the project.

AYES: Inman, Mott, Pedroza, Sedgley, Techel

NOES: None

13.B. Napa ARTwalk Status Report and Presentation of Proclamation to People’s Choice Winner for 2011-13 Exhibition

Council received a status report on Napa ARTwalk from Jennifer LaLiberte, Economic Development Manager.

13.C. BottleRock Update

Captain Potter provided an update to City Council on the upcoming BottleRock event scheduled to be held at the Napa Valley Exposition property between May 8-12, 2013.

14. COMMENTS BY COUNCIL OR CITY MANAGER: None.

15. **CLOSED SESSION:**

City Attorney announced the following Closed Session items.

15.A. Conference with Real Property Negotiators (Government Code Section 54956.8) Property 920 and 930 Third Street, APN 006-133-022, commonly known as the Borreo Building. City Negotiators: Mike Parness, Jennifer LaLiberte, Jeff Freitas, Michael Barrett, Negotiating Parties: City of Napa, Land Trust of Napa County, and Michael Holcomb. Under Negotiation: price and terms of payment.

15.B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: Initiation of litigation in one case, pursuant to Government Code Section 54956.9(d)(4).

5:00 P.M. to 6:30 P.M. CITY COUNCIL RECESS

CITY COUNCIL MEETING: EVENING SESSION 6:30 P.M.

16. **CALL TO ORDER:**

16.A. Roll Call

PRESENT: Councilmembers Inman, Pedroza, Sedgley, Mott, Techel

ABSENT: None

17. **PLEDGE OF ALLEGIANCE:**

18. **AGENDA REVIEW AND SUPPLEMENTAL REPORTS:**

City Clerk Roberts announced the following supplemental reports:

25. PUBLIC HEARINGS/APPEALS:

Item 25A: Cottage Food Operations Zoning Amendment:

- PowerPoint presentation prepared by city staff.

Item 23A: Report on the City-County negotiations regarding Napa Pipe:

- PowerPoint presentation prepared by city staff.

19. **COMMISSION INTERVIEWS AND APPOINTMENTS:**

19.A. Interview and Appointment to the Planning Commission

Mayor Techel and Council members interviewed Mr. Michael Kelly for the vacant seat on the Planning Commission.

ACTION: Moved, seconded and carried (Inman/Pedroza) to appoint Mr. Michael Kelly to the Planning Commission as the second "design professional" for the unexpired term plus an additional two year term effective May 7, 2013 through December 31, 2015.

AYES: Inman, Pedroza, Mott, Sedgley, Techel

NOES: None

20. REPORT ACTION TAKEN IN CLOSED SESSION:

City Attorney Barrett reported there was no reportable action from Closed Session.

21. SPECIAL PRESENTATIONS:

21.A. Proclamation "Bike to Work Day" and "National Bike Month"

Mayor Techel and members of City Council read Proclamation designating May 9, 2013, "Bike to Work Day" in the City of Napa and acknowledging May 2013 as "National Bike Month". Joel King, Chair of the Bicycle Advisory Commission accepted the Proclamation.

22. PUBLIC COMMENT:

Dorothy Glaros spoke about the Saratoga Extension and the effects the project has had on her property.

23. ADMINISTRATIVE REPORTS:

23.A. Report on the City-County negotiations regarding Napa Pipe.

Mayor Techel acknowledged Napa County supervisors Dodd and Caldwell who were present to hear the report.

Community Development Director Tooker provided a report on the discussions with the County of Napa regarding the Napa Pipe project.

Mayor Techel called for public comment, the following individuals came forward:

Harold Kelly (comments regarding city's involvement - see letter provided by Mr. Kelly).

Tom Andrews (suggested that the Council not "overthink" the Environmental Impact Report).

Speaker (name inaudible; happy to see progress between the City and County);

Unidentified speaker, (Napa Pipe will provide affordable housing)

Lucy White, (supports the Napa Pipe project);

Nancy Welty (supports the project and the proposed Costco).

Not identified, (spoke in support of the Napa Pipe project).

Mary Camerada (spoke in support of the Napa Pipe project).

Sandy Ellis, speaking for the Napa County Farm Bureau, spoke in support of the Napa Pipe project and stressed the Farm Bureau's interest in safeguarding the agricultural preserve.

Dalton Vale (spoke in support of Napa Pipe project)

Jerry Birch, (spoke in support of Napa Pipe project)

There being no more speakers, Mayor Techel closed the public comment period.

The Mayor and Councilmembers then commented on the issue.

Councilmember Pedroza commented on the positive progress so far.

Councilmember Inman provided information about some of the issues that have been discussed over the past several months.

Councilmember Sedgley stated this property was not included in the Rural Urban Limit line (RUL) many years ago because it was previously Kaiser Steel; however, it is appropriate to include this property in the RUL now to be developed in an urban setting.

Councilmember Mott voiced his appreciation of the beauty of the valley and stressed the importance in keeping the agricultural preserve. He stated there is still much work to do.

Mayor Techel stated that once the discussion on affordable housing and Regional Housing Needs Assessment (RHNA) process began between the City and the County, the process moved more smoothly and the city and county were able to focus on shared agreements.

24. **CONSENT HEARINGS:**

24.A. **Ordinance Designating Seventh Street as a One-Way Street**

Mayor Techel called for public comment; no one came forward.
Mayor Techel called for a vote.

ACTION: Moved, seconded and carried (Mott/Pedroza) to approve the first reading and introduction of an Ordinance amending Section 10.24.010 of the Napa Municipal Code to designate Seventh Street as a one-way street.

AYES: Mott, Pedroza, Inman, Sedgley, Techel

NOES: None

25. **PUBLIC HEARINGS/APPEALS:**

25.A. **Cottage Food Operations Zoning Amendment**

Karlo Felix, Assistant Planner provided an overview of the ordinance.

There were no comments from the public.

ACTION: Moved, seconded and carried (Sedgley/Inman) to adopt a **Resolution R2013-29** to approve a Negative Declaration for the Cottage Food Industries Zoning Amendment and approve the first reading and introduction of an ordinance to add a new subsection and make appropriate amendments to the Napa Municipal Code to define and create standards for cottage food operations.

AYES: Sedgley, Inman, Mott, Pedroza, Techel

NOES: None

25.B. Community Development Block Grant (CDBG) Program Annual Plan and Budget

Councilmember Pedroza recused due to a conflict and explained he is a board member on Community Action Napa Valley and his wife is employed by Napa Emergency Women's Shelter, both entities receive CDBG funding. Councilmember Pedroza left the room.

Joseph Wiencek, Housing Rehabilitation Program Supervisor provided an overview of the item.

Mayor Techel opened the public testimony portion of the meeting.

Drene Johnson, Executive Director of CANV came forward and spoke positively about the program and funding levels.

ACTION: Moved, seconded and carried (Mott/Sedgley) moved to close the public testimony. Motion carried.

AYES: Mott, Sedgley, Inman, Techel

NOES: None

ABSENT: Pedroza

ACTION: Moved, seconded and carried (Inman/Mott) to approve the **Resolution R2013-30** adopting the Community Development Block Grant (CDBG) Program 2013-2014 Annual Plan and Program Budget; approving program certifications; and authorizing the City Manager to execute all documents required for the submittal of the Annual Plan to HUD.

AYES: Inman, Mott, Sedgley, Techel

NOES: None

ABSENT: Pedroza

26. COMMENTS BY COUNCIL OR CITY MANAGER:

Mayor Techel announced upcoming City of Napa Board and Commission recruitments.

27. ADJOURNMENT: 8:05 p.m.

The next regularly scheduled meeting of the City of Napa City Council would be May 21, 2013.

Dorothy Roberts, City Clerk