



CITY OF NAPA

MEETING MINUTES - Draft

CITY COUNCIL

Mayor Jill Techel
Vice Mayor Scott Sedgley
Councilmember Liz Alessio
Councilmember Doris Gentry
Councilmember Mary Luros

Tuesday, August 6, 2019

3:30 PM

City Hall Council Chambers

3:30 PM Afternoon Session

6:30 PM Evening Session

3:30 P.M. AFTERNOON SESSION

1. CALL TO ORDER: 3:30 P.M.

1.A. Roll Call:

Present: 5 - Councilmember Alessio, Councilmember Gentry, Councilmember Luros, Vice Mayor Sedgley, and Mayor Techel

2. AGENDA REVIEW AND SUPPLEMENTAL REPORTS:

City Clerk Carranza announced the following supplemental items:

- Item 3: Email dated July 22, 2019 from Lin Marie deVincent regarding 5G tower at Pueblo St.
- Item 5.A.: PowerPoint presentation by City staff.

3. PUBLIC COMMENT:

Sisters Ruby and Talulah Finkelstein shared details regarding the 3rd annual Be Kind event to be held at Veterans Memorial Park in Yountville on Saturday, August 17th, at 9:30 a.m., and invited the Council and residents to attend.

David Spieth, resident - spoke in opposition of the Heritage House and Valle Verde project.

Clark Brandt, resident - asked what the occasion was that warranted the flags to be hung at half-staff that day at City Hall, and spoke in regard to the intersection of Kansas St. and Terrace Dr. He suggested that a bridge be built across Tulocay Creek to connect Terrace all the way through, and that a 4-way stop at Kansas St. and Terrace Dr. be installed.

Rosemarie Vertullo & Earle Craigie, residents - spoke in opposition of the

Heritage House and Valle Verde project.

Lin Marie deVincent, Napa Neighborhood Association for Safe Technology
- spoke in regard to 5G cell tower installations, and voiced health concerns.

Valerie Wolf, resident- announced an event, Keeping Safer in a Wireless World, to be held on August 18th at 2:00 p.m. at the Napa Valley Unitarian Church, 1625 Salvador Ave., with guest speaker Dafna Tachover, and encouraged the Council and residents to attend.

James Hinton, resident - voiced frustration that local businesses had called the police department and reported him for collecting signatures for a ballot initiative, and stated that he felt the calls were wasting public safety resources, and compromising public safety. He also spoke in regard to recreational cannabis, and encouraged City Council to support it.

4. CONSENT CALENDAR:

Approval of the Consent Agenda

A motion was made by Vice Mayor Sedgley, seconded by Councilmember Luros, to approve the Consent Agenda with items 4.A., 4.E., 4.F. and 4.J pulled for discussion. The motion carried by the following vote:

Aye: 5 - Alessio, Gentry, Luros, Sedgley, and Techel

4.A. [1982-2019](#) City Council Meeting Minutes

James Hinton, resident, pulled the item from consent for discussion. He reminded Council of his comments, and conversations had, on June 18, 2019, and encouraged Council to look further at cannabis and "magic mushrooms" to heal mental illness.

A motion was made by Vice Mayor Sedgley, seconded by Councilmember Luros, to approve the Meeting Minutes for the June 18, 2019 City Council Regular Meeting. The motion carried by the following vote:

Aye: 5 - Alessio, Gentry, Luros, Sedgley, and Techel

4.B. [1973-2019](#) Monthly Budget and Investment Statement

Received and filed the Monthly Budget and Investment Statement as of May 31, 2019.

4.C. [1972-2019](#) Building and Fire Code Board of Appeals and Disability Access Board of Appeals Membership

1.Reappointed three incumbents, Stanley R. Blough, Gina Biter-Mundt, and John McBroom, to the Building and Fire Code Board of Appeals, with a two-year term expiring September 30, 2021; and appointed two new applicants, Ben Neuman

and Sophia Johnson to the Building and Fire Code Board of Appeals, with a three-year term expiring September 30, 2022; and

2.Reappointed three incumbents, Doug A. Weir, serving as a Disability Community member, Gina Biter-Mundt, and John McBroom to the Disability Access Board and of Appeals, with a two-year term expiring September 30, 2021; and appointed two new applicants, James R. Krider, serving as a Disability Community member, and Ben Neuman, to the Disability Access Board of Appeals, with a three-year term expiring September 30, 2022.

4.D. [1971-2019](#) Napa Public Access Cable TV Board Membership

Reappointed incumbents, Ralph DeAmicis and Tom Brown, to the Napa Public Access Cable TV Board, with a two-year term expiring June 30, 2121.

4.E. [1977-2019](#) Processes for Encouraging Action by Other Governmental Agencies (Supporting or Opposing Legislation, Regulations, Adjudication, or Ballot Measures)

James Hinton, resident, pulled the item for discussion and encouraged the Council to form a committee to work closely with the community in regard to supporting state and federal laws.

Vice Mayor Sedgley thanked staff for their work on the revised policy.

A motion was made by Vice Mayor Sedgley, seconded by Councilmember Alessio, to adopt Resolution R2019-083 establishing processes for encouraging action by other governmental agencies (supporting or opposing legislation, regulations, adjudication, or ballot measures). The motion carried by the following vote:

Aye: 5 - Alessio, Gentry, Luros, Sedgley, and Techel

Enactment No: R2019-083

4.F. [1980-2019](#) Proposed Federal Legislation to Overturn Restrictions on Local Control over Installation of Small Cell Wireless Facilities

Marla Tofle, resident - encouraged Council to approve the item and continue to exercise their power, good judgment, and conscience, in regard to 5G, to protect neighborhoods and to follow other Bay Area cities leadership and change the municipal code to regulate 5G.

James Hinton, resident - spoke in support and encouraged Council to attend the public meeting, Keeping Safer in a Wireless World, on the 18th of August at 2pm at the Napa Valley Unitarian Church.

Vice Mayor Sedgley voiced his support, and stated that he agreed with local control in regard to 5G.

A motion was made by Vice Mayor Sedgley, seconded by Councilmember Luros, to authorize the Mayor to sign a Letter of Support to Congresswoman Anna Eshoo regarding H.R. 530 - Accelerating Broadband Development by Empowering Local

Communities Act of 2019. The motion carried by the following vote:

Aye: 5 - Alessio, Gentry, Luros, Sedgley, and Techel

- 4.G.** [1920-2019](#) Gann Appropriation Limits for Fiscal Year 2019/20
- Adopted Resolution R2019-084 establishing the Gann appropriations limit for Fiscal Year 2019/20.**
- Enactment No: R2019-084
- 4.H.** [1976-2019](#) Budget Staffing Plan for the Parks and Recreation Services Department
- Adopted Resolution R2019-085 authorizing the City Manager to amend the Budget Staffing Plan for the Parks and Recreation Services Department to add one Senior Office Assistant position, and delete one Office Assistant II position, and approve a FY 2019/20 budget adjustment between the General Services and the Parks and Recreation Services Departments.**
- Enactment No: R2019-085
- 4.I.** [1943-2019](#) Public Safety Dispatching Services Provided to American Medical Response for Emergency Medical Services
- Adopted Resolution R2019-086 authorizing the City Manager to execute a one-year contract amendment for Public Safety Dispatching Services provided to American Medical Response (AMR).**
- Enactment No: R2019-086
- 4.J.** [1872-2019](#) Trower Avenue Rehabilitation Phase 2 - Dry Creek Road to Linda Vista Avenue, Jefferson Street to City Limits (Measure T)
- Vice Mayor Sedgely pulled the item for discussion. He stated that he was glad to see Measure T money going towards good work. He did note that he had questions for staff regarding the higher costs, but understood the need to for the outside consultants, and supported the item.
- Brief discussion ensued regarding staffing and John Ferons, Senior Civil Engineer, provided clarification.
- A motion was made by Councilmember Alessio, seconded by Vice Mayor Sedgely, to adopt Resolution R2019-087 authorizing the Public Works Director to award and execute a construction contract to Granite Construction Company for the Trower Avenue Rehabilitation Phase 2 - Dry Creek Road to Linda Vista Avenue, Jefferson Street to City Limits (ST20PW06) in the bid amount of \$1,289,455.85; authorizing the Public Works Director to approve contract amendments and charges for project services up to a total amount not to exceed \$1,780,240.66; and determining that the actions authorized by this resolution are exempt from CEQA. The motion carried by the following vote:**
- Aye:** 5 - Alessio, Gentry, Luros, Sedgely, and Techel
- Enactment No: R2019-087

4.K. [1692-2018](#) Replacement of the Hillcrest and Silverado Water Pump Stations

Adopted Resolution R2019-088 authorizing the Utilities Director to negotiate and execute a Design-Build Agreement with Myers and Sons Construction, LLC in an amount not to exceed \$3,273,600, for design and construction services for replacement of the Hillcrest and Silverado pump stations; approving the transfer of appropriations from water fund capital improvements reserve to fund the project and temporary operations; and determining that the actions authorized by this resolution are exempt from CEQA.

Enactment No: R2019-088

4.L. [1981-2019](#) Solid Waste Rates Low-Income Assistance Program

Adopted Resolution R2019-089 adjusting solid waste and recycling collection rate revenue and establishing a new program to provide financial assistance to low-income residential solid waste and recycling customers.

Enactment No: R2019-089

5. ADMINISTRATIVE REPORTS:**5.A. [1960-2019](#) Emergency Repair of Browns Valley Creek Damage to Browns Valley Road at Valley Glen Lane**

John Ferons, Senior Civil Engineer, provided the staff report which included an overview of the project, update on progress and next steps.

Brief Council comments and questions ensued.

A motion was made by Councilmember Gentry, seconded by Councilmember Alessio to determine there was a need to continue the emergency action to execute and implement contracts for the design, permitting and construction of the creek bank and sidewalk repairs adjacent to Browns Valley Creek at Browns Valley Road and Valley Glen Lane, and to determine that the actions authorized by this item are exempt from CEQA.

5.B. [1933-2019](#) League of California Cities Voting Delegate

Mayor Techel suggested that Vice Mayor Sedgley be appointed Delegate; he voiced his willingness to serve.

Councilmember Alessio supported the appointment of Vice Mayor Sedgley as Delegate and she offered to be appointed as the alternate.

A motion was made by Councilmember Luros, seconded by Councilmember Gentry, to appoint Vice Mayor Sedgley as the Voting Delegate, and Councilmember Alessio as alternate to the League of California Cities Annual Business Meeting. The motion carried by the following vote:

Aye: 5 - Alessio, Gentry, Luros, Sedgley, and Techel

6. PUBLIC HEARINGS/APPEALS:

- 6.A.** [1975-2019](#) Bond Financing for the Development of Manzanita Family Apartments, a Proposed 51-Unit Affordable Rental Project Located at 2951 Soscol Avenue

Housing Manager Lark Ferrell provided the staff report.

Mayor Techel opened public testimony; there were no requests to speak.

Brief Council comments ensued.

A motion was made by Councilmember Alessio, seconded by Vice Mayor Sedgley, to adopt Resolution R2019-090 approving the issuance of revenue bonds in an aggregate principal amount not to exceed \$35,000,000 by the California Municipal Finance Authority for the benefit Manzanita, L.P. (or an affiliate thereof) to finance an affordable rental housing project (a 51-unit apartment project located at 2951 Soscol Avenue) and certain other matters relating thereto and determining that the actions authorized by the resolution are exempt from CEQA. The motion carried by the following vote:

Aye: 5 - Alessio, Gentry, Lueros, Sedgley, and Techel

Enactment No: R2019-090

7. COMMENTS BY COUNCIL OR CITY MANAGER:

Mayor Techel reported that she recently attended the Annual U.S. Mayors Conference, the U.S. Water Council Meeting, and was also invited to speak at a Natural Hazards Research and Application Workshop. She shared the topics of discussion and lessons learned from each.

Councilmember Alessio read aloud a thank you letter that Operation With Love, From Home received in response to summer care packages that were received. She thanked residents for their support of the program.

8. CLOSED SESSION:

City Attorney Barrett announced the closed session item.

- 8.A.** [1995-2019](#) Conference with Real Property Negotiators (Government Code section 54956.8): Property: APN 033-010-030: a 14.2 acre parcel located on Atlas Peak Road located directly across from 3183 and 3189 Atlas Peak Road. City Negotiators: Steve Potter, Fran Robustelli, Phil Brun, Joy Eldredge, Jeff Freitas, Michael Barrett. Negotiating Parties: City of Napa and Sandia Corning Pearson. Under Negotiation: price and terms of payment.

CITY COUNCIL RECESS: 4:38 P.M.

6:30 P.M. EVENING SESSION

9. CALL TO ORDER: 6:30 P.M.**9.A. Roll Call:**

Present: 5 - Councilmember Alessio, Councilmember Gentry, Councilmember Luros, Vice Mayor Sedgley, and Mayor Techel

10. PLEDGE OF ALLEGIANCE:**11. AGENDA REVIEW AND SUPPLEMENTAL REPORTS:**

City Clerk Carranza announced the following supplemental items:

Item 14.A:

- PowerPoint presentation by City staff.
- Email dated August 5, 2019 from Sonja Trauss, Co-Executive Director, California Renters Legal Advocacy and Education Fund.
- Email dated August 6, 2019 from Charles Shinnamon with support letter attached.

Item 14.B.:

- PowerPoint presentation by City staff.
- Email dated August 5, 2019 from Sonja Trauss, Co-Executive Director, California Renters Legal Advocacy and Education Fund.
- Email dated August 6, 2019 from Charles Shinnamon with support letter attached

Item 14.C:

- PowerPoint presentation by City staff.

12. REPORT ACTION TAKEN IN CLOSED SESSION:

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

13. PUBLIC COMMENT:

Cris Villegas, Community Outreach for Verizon Wireless - shared the results of a recent text message campaign that surveyed Verizon customers in Napa to see if they were interested in improved coverage in the area. He stated that 93% of the 785 customers that responded were in support. He also shared that Verizon launched a website specific to small cell wireless facilities in the City of Napa. He provided council a copy of the webpage and a letter that shared the results of the text survey.

Tom Harnett, resident and President of Newport North Homeowners Association - spoke in support of improved Verizon coverage.

Philip White, resident - spoke in opposition of the Heritage House and Valle Verde project and noted public safety concerns.

Bruce Fowler, resident - spoke in opposition of the Heritage House and Valley Verde project valle verde and noted quality of life and safety concerns.

Robert Tillinghast, resident - spoke in regard to global climate problems, reviewed previous comments he had made in regard to climate change, and suggested improvements to reduce greenhouse emissions.

James Hinton, resident - spoke in regard to Verizon wireless coverage, his first amendment rights to address the Government, and rent control.

14. PUBLIC HEARINGS/APPEALS:

14.A. [1821-2019](#) First Street Apartments II Project - New 50-unit Apartment Complex on 1.7 Acres at 2611 and 2617 First Street

Senior Planner Michael Allen provided the staff report which included a review of the project and outcomes of the April 18, 2019 and the June 20, 2019 Planning Commission meetings.

Mayor Techel asked for disclosures; there were none.

Jim Reilly, applicant, and President of JRCi, shared his desire to create workforce housing. He stated that an onsite rental office would be maintained full time. He also reviewed other projects in the company's portfolio. He noted that they have competitive rent rates and their business model was to keep the units full.

Mayor Techel opened public testimony; there were no requests to speak.

A motion was made by Vice Mayor Sedgley, seconded by Councilmember Lueros, to close the public testimony. the motion carried unanimously.

The discussion was brought back to Council.

Brief Council comments ensued. Vice Mayor Sedgley voiced his support. Councilmember Alessio supported the density. She also appreciated the outdoor amenities offered and the competitive pricing. Councilmember Lueros stated she looked forward to more housing and was pleased that her concerns regarding traffic were addressed at the Planning Commission level.

Mayor Techel asked how the applicant would determine the rates. Mr.

Reilly responded that they had not yet completed their pro forma, but acknowledged that lower rates would keep the homes full.

A motion was made by Councilmember Alessio, seconded by Councilmember Luros, to adopt Resolution R2019-091 approving a Design Review Permit for the First Street Apartments II at 2611 and 2617 First Street (APNs: 004-081-002 & 004-081-003) (PL18-0111) and determining that the potential environmental effects of the actions authorized by this Resolution were adequately analyzed by a previous CEQA action. The motion carried by the following vote:

Aye: 5 - Alessio, Gentry, Luros, Sedgley, and Techel

Enactment No: R2019-091

14.B. [1874-2019](#) Foster Road Townhomes Project - New 14-unit residential condominium development on a 0.72-acre parcel at 1124 Foster Road

Senior Planner Michael Allen provided the staff report and reviewed the project in detail.

The applicant's representative, Jeff Prose, Managing Principal with Ian Birchall + Associates Architects, introduced himself and noted that he was available for questions.

Mayor Techel opened public testimony.

Eve Ryser, resident - voiced concerns with the project to include an inadequate amount of parking and potential risks of building on a fault line.

Mayor Techel asked staff for clarification regarding the fault line; Mr. Allen responded. He explained that a small portion of the fault line touched the corner of the site, which required the applicant to have a fault analysis completed. The report was reviewed and concluded that no geological impacts were on the site. They found no fault traces and no mitigation was required. It complied with all requirements of State Law and California Building Code.

Mr. Prose discussed the applicants approach with regard to the site plan of the property.

Mayor Techel asked for disclosures; there were none.

A motion was made by Vice Mayor Sedgley, seconded by Councilmember Luros, to close the public testimony. The motion carried unanimously.

Mayor Techel brought the discussion back to Council.

Councilmember Gentry noted that the property was built on a slope, so the height of the condos would not look too much higher than the homes located across the street. The applicant confirmed that yes, the project would maintain a smaller profile with a drop in grade and the proposed roof shape. Councilmember Gentry noted concern that parking was already impacted on Foster Road and asked where guests would park. Mr. Allen responded that the four spaces on property were compliant and noted an additional seven were available on the street in front of the property.

Mayor Techel asked if the units would go for sale right away. Mr. Prose responded that yes, the intent was to have them go for sale. He noted that should it become not feasible for the owner to sell the units, they would go to rent. Mayor Techel asked if it were to become a condominium project, would CC&R's be attached and would parking be a part of the agreement. Mr. Prose responded affirmatively.

Councilmember Luros supported the project stating it was compatible with the neighborhood and an efficient use of space. She appreciated the work done by staff and the Planning Commission and felt that they had adequately addressed the concerns made by neighbors.

Councilmember Alessio supported the project, but wanted to confirm that the four onsite parking spaces would remain. Mr. Allen assured her that they would move forward with the four onsite spaces.

Vice Mayor Sedgley supported the project. He asked if the homes could be marketed to Napa residents first, as a courtesy. Mr. Prose responded that the Project Sponsor would likely agree to holding a local notification first, upon the opening of a model unit.

A motion was made by Councilmember Gentry, seconded by Councilmember Alessio, to adopt Resolution R2019-092 approving a Use Permit, Design Review Permit and Tentative Subdivision Map for condominium purposes for the Foster Road Townhomes located at 1124 Foster Road and determining that the actions authorized by this resolution are exempt from CEQA. The motion carried by the following vote:

Aye: 5 - Alessio, Gentry, Luros, Sedgley, and Techel

Enactment No: R2019-092

14.C. [1963-2019](#) Napa Pipe Project Second Phase Annexation

Senior Planner Michael Allen provided the staff report.

Mayor Techel asked for disclosures; there were none.

Brief Council comments ensued.

Mayor Techel opened public testimony; there were no requests to speak.

A motion was made by Councilmember Gentry, seconded by Councilmember Alessio, to adopt Resolution R2019-093 approving submittal of an application on behalf of the City of Napa to the Local Agency Formation Commission of Napa County to Initiate Proceedings for the Annexation of the Second Phase of the Napa Pipe Property into the City of Napa and determining that the actions authorized by this resolution were adequately analyzed by a previous CEQA action. The motion carried by the following vote:

Aye: 5 - Alessio, Gentry, Lueros, Sedgley, and Techel

Enactment No: R2019-093

15. COMMENTS BY COUNCIL OR CITY MANAGER: None.

16. ADJOURNMENT: 7:38 P.M.

Submitted by:

Tiffany Carranza, City Clerk