



CITY OF NAPA

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

MEETING MINUTES - Final

CITY COUNCIL

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

Tuesday, December 4, 2018

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: 3:33 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 Roberts announced the following supplemental items: PowerPoint presentations for Items 6C and 6D.

3. SPECIAL PRESENTATIONS:

3.A. Recognition of Dorothy Roberts, City Clerk

Mayor Techel and members of City Council presented a Proclamation to Dorothy Roberts City Clerk, on the occasion of her retirement.

4. PUBLIC COMMENT:

James Hinton, resident, urged City Council to allow recreational cannabis in the City of Napa.

5. CONSENT CALENDAR:

Councilmembers Elect Luros and Alessio both abstained from Item 5A; they were not yet installed to the City Council when the item was introduced and did not participate in the detailed presentation and discussion of the report.

Approval of the Consent Agenda

A motion was made to approve the Consent Agenda with Councilmembers Luros and Alessio abstaining from Item 5A. The motion carried by the following vote:

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

5.A. Franklin Station Hotel and Parking Garage Project, located at 1351 Second Street, 1251 Second Street, and 819 Randolph Street

Attachments: [ATCH 1 - Ordinance with EXS A1 and A2 - Rezoning](#)
[ATCH 2 - Ordinance with EXS A and B - Planned Development Overlay](#)
[ATCH 2 - EX C - Draft Project Specific Design Guidelines](#)
[ATCH 3 - Ordinance - Development Agreement](#)
[ATCH 3 - EX A with EXS A-E Franklin Station DA - FINAL](#)
[ATCH 3 - EX E1 - DA Citywide-User-Fees](#)

Councilmembers Luros and Alessio abstained from the vote on 5A.

1) Approved the second reading and final passage, and adopted Ordinance O2018-013 amending the zoning map established under Section 17.04.050 of the Napa Municipal Code pertaining to the rezoning of the property located at 1351 Second Street from DP, Downtown Public District to DMU, Downtown Mixed-Use District and determining that the actions authorized by this ordinance were adequately analyzed by a previous CEQA action;

2) Approved the second reading and final passage, and adopted Ordinance O2018-014 approving a Planned Development Overlay District (PD-37) to establish use provisions and development standards for the Franklin Station hotel and parking garage located at 1251 and 1351 Second Street and 819 Randolph Street (APNs: 003-208-001, 002 & 003-212-001) (PL17-0090) and determining that the actions authorized by this ordinance were adequately analyzed by a previous CEQA action; and

3) Approve the second reading and final passage, and adopted Ordinance O2018-015 a Development Agreement pursuant to Government Code Sections 65864 et seq., by and between the City of Napa and James F. Keller and 1351 Second Street LLC, directing its execution and recordation and determining that the actions authorized by this ordinance were adequately analyzed by a previous CEQA action.

5.B. Napa County Mosquito Abatement District Board Membership

Attachments: [ATCH 1 - Letter of Recommendation](#)
[ATCH 2 - Application](#)

Appointed incumbent, Charles Carbone, to the Napa County Mosquito Abatement District Board for a term effective immediately and ending on December 31, 2021.

5.C. Designation of Certifying Officer for the National Environmental Policy Act

Attachments: [ATCH 1 - Resolution](#)

Adopted Resolution R2018-139 designating the Community Development Director as the "Certifying Officer" as defined in 24 C.F.R. Part 58 for the City of Napa for purposes of compliance with the National Environmental Policy Act

5.D. Monthly Budget and Investment Statement

Attachments: [ATCH 1 - Monthly Budget and Investment Stmt as of September 30, 2018](#)

Received and filed the Monthly Budget and Investment Statement as of September 30, 2018.

5.E. Emergency Storm Drain Repair of Minahen Street, Locust Street and Solano Avenue

Determined there is a need to continue the emergency action to perform the Emergency Storm Drain Repair of Minahen Street, Locust Street and Solano Avenue, and determine that the actions authorized by this item are exempt from CEQA.

6. ADMINISTRATIVE REPORTS:

6.A. Appointment of City Clerk

Attachments: [ATCH 1 - Resolution](#)

[EX A - Executive Staff Compensation and Benefit Summary](#)

Interim City Manager Potter reported that on October 30th, the City Council interviewed and selected Tiffany Carranza, current Deputy City Clerk, for the position of City Clerk effective December 29, 2018. Since the selection, he and Mayor Techel negotiated the terms for employment with her as provided in the report. He added that City Clerk Roberts, retiring at the end of the month, fully supported Ms. Carranza's appointment.

Councilmember Gentry stated she enjoyed working with Ms. Carranza and supported the action.

Councilmember Luros stated she also supported the appointment and asked for clarification on the City's recruitment processes.

City Attorney Barrett explained there were three main categories of city employees. First, there are the City Council appointments of the City Manager, City Attorney and City Clerk. City Council has full discretion as to how to appoint those positions. Second, there are the employees that the City Manager hires; generally, all the department heads and the employees in the offices of the City Manager and City Attorney. The third and largest category are classified employees, subject to classified service and all the protections of civil service, including open recruitment.

Councilmember Gentry moved, seconded by Councilmember Luros, to adopt Resolution R2018-140 appointing Tiffany Carranza as City Clerk effective December 29, 2018. The motion carried by the following vote:

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

6.B. Vice Mayor Selection

Attachments: [ATCH 1 - Section 59A-City Charter](#)

City Clerk Roberts provided a brief explanation regarding the appointment of Vice Mayor and the annual rotation in accordance with City Charter Section 59A. She stated that if using the criterion of longevity, the rotation would move to Councilmember Sedgley.

Councilmember Gentry moved, seconded by Councilmember Luros, to appoint Councilmember Sedgley to serve as Vice Mayor for a term ending December 17, 2019. The motion was carried by the following vote:

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

6.C. General Plan Advisory Committee Membership and Update

Attachments: [ATCH 1 - GPAC Applications](#)
[ATCH 2 - GPAC Membership](#)

Mayor Techel invited Mr. Narvaez and Mr. Hurtado, the two members to be appointed, to come forward if they wished to speak. Mr. Narvaez and Mr. Hurtado came forward individually and made brief comments, and thanked Councilmembers for the appointment.

Planning Manager Erin Morris stated the appointments would take the Committee to fifteen members.

Brief discussion ensued.

Vice Mayor Sedgley moved, seconded by Councilmember Alessio, to appoint Bernardo Narvaez and Ricardo Hurtado to the newly established General Plan Advisory Committee. The motion carried by the following vote:

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

6.D. Fiscal Year 2018/19 First Quarter Report

Attachments: [ATCH 1 - Resolution with EX A](#)
[ATCH 2 - First Quarter Report, Fiscal Year 2018/19](#)

Finance Director Cochran provided the financial status and updates on investments. Brief questions and discussion ensued.

Desiree Brun, Deputy City Manager, provided the update on priority projects, capital improvements and citizen relationship management status report.

Questions concerning the status of the temporary parking lot on 3rd Street and the Linda Vista Avenue bridge extension were briefly discussed. Eric Whan, Interim Public Works Director, responded to a question about sidewalks, stating Public Works was developing a program to address sidewalk gaps. The focus will be to fix existing sidewalks and address gaps when possible.

Councilmember Luros moved, seconded by Vice Mayor Sedgley, to receive and file the First Quarter Report for Fiscal Year 2018/19 and adopt Resolution R2018-141 approving Amendments to the Adopted Budget for the 2018/19 Fiscal Year. The motion carried by the following vote:

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

7. CONSENT HEARINGS:

Councilmember Sedgley commented on both items and asked for more information regarding the request for exemption on the home on Vallejo Street. Brief discussion ensued.

Approval of the Consent Agenda

A motion was made by Vice Mayor Sedgley, seconded by Councilmember Gentry, to approve the Consent Agenda. The motion carried by the following vote:

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

7.A. Preservation of Qualified Historical Property at 1043 Vallejo Street

Attachments: [ATCH 1 - Mills Act Contract 1043 Vallejo Street](#)

[EX A - Property Description](#)

[EX B - Site Plan](#)

[EX C - Preservation Plan](#)

[ATCH 2 - Plans and Supporting Documents](#)

[ATCH 3 - Table 1-Est Prop Tax Reduction](#)

Authorized the City Manager, on behalf of the City, to execute the Mills Act Historic Preservation Agreement for the Joseph Schuppert House (Shay Residence) at 1043 Vallejo Street.

7.B. Preservation of Qualified Historical Property at 492 Randolph Street

Attachments: [ATCH 1: Draft Mills Act Contract for 492 Randolph Street](#)

[EX A - Property Description](#)

[EX B - Site Plan](#)

[EX C - Preservation Plan](#)

[ATCH 2 - Plans and Supporting Documents](#)

[ATCH 3 - Table 1-Est Prop Tax Reduction](#)

Authorized the City Manager, on behalf of the City, to execute the Mills Act Historic Preservation Agreement for the George E. Goodman, Jr. House (Theodorides Residence) at 492 Randolph Street.

8. COMMENTS BY COUNCIL OR CITY MANAGER:

Mayor Techel stated at the City Selection Committee meeting held this date, she nominated Councilmember Alessio to serve on the Area Agency on Aging.

9. CLOSED SESSION:

City Attorney Barrett announced the Closed Session items.

Councilmember Alessio stated she must recuse from Item 9A under Closed Session, due to the fact that her residence is within 500 feet of the subject property.

9.A.

Conference with the City's Real Property Negotiators (Steve Potter, Eric Whan, Jeff Freitas, John Ferons, Michael Barrett), pursuant to Government Code Section 54956.8, to discuss price and terms of payment under discussion for the following four properties:

9.B.

Conference with Labor Negotiators (Government Code Section 54957.6): City designated representatives: Steve Potter, Michael Barrett, Desiree Brun and Charles Sakai, Sloan Sakai Yeung & Wong. Employee organizations: Police Management Unit (PMU) and Napa City Employees Association (NCEA).

9.C.

Public Employment Performance Evaluation, Title: Interim City Manager (California Government Code section 54957); and Conference with Labor Negotiators, City's designated representatives are the Mayor and the City Attorney, and unrepresented employee position is the Interim City Manager (Government Code section 54957.6).

CITY COUNCIL RECESS: 4:40 P.M.**6:30 P.M. EVENING SESSION****10. CALL TO ORDER: 6:30 P.M.****10.A. Roll Call:**

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

11. PLEDGE OF ALLEGIANCE:

12. AGENDA REVIEW AND SUPPLEMENTAL REPORTS:

City Clerk Roberts announced the following supplemental reports and communication:

15.A. Napa Pipe Project Update.

- PowerPoint presentation by city staff.

16.A. Vista Grove Subdivision, a Proposed 27 Lot Residential Subdivision on a 4.9 Acre Property Located at 4455 Linda Vista Avenue.

- PowerPoint presentation by city staff.
- Memo dated February 3, 2018 from Tim Wood, Sr. Civil Engineer regarding an email from Bruce Bowman.
- Written communication dated November 27, 2018 from Grania Lindberg.
- Written communication dated October 6, 2018 from Don and Cathy Chase.

13. REPORT ACTION TAKEN IN CLOSED SESSION:

No reportable action.

14. PUBLIC COMMENT:

Lin Marie deVincent, resident, provided information regarding the request from U.S. Senator Blumenthal (Connecticut) to the FCC requesting information regarding the safety of 5G wireless.

Bill Chadwick, resident, urged City Council to increase the affordable housing stock.

Thomas Hodge, local Licensed Civil Engineer, invited Councilmembers to participate in observing how projects move through the City's Community Development Department.

15. ADMINISTRATIVE REPORTS:

15.A. Napa Pipe Project Update

Erin Morris, Planning Manager, provided information regarding the recent discussions between the City and County of Napa concerning the mutual interest in providing an affordable housing development as part of the first phase of the project. She stated there were limitations in state law at this time that limit the opportunity for the City and County to receive credit for Regional Housing Needs Allocations (RHNA).

Molly Rattigan, Deputy County of Napa Executive Officer, stated the RHNA law was complicated, and County and City staff have identified the need for state legislation to assist with the efforts to develop affordable housing in the near term.

Vice Mayor Sedgley stated he had no concerns about earlier annexations, but some other changes proposed by the Developer concerned him, such as dedicating certain unfractured and public space to the City after it is constructed, and proposing a permanent funding source in the future. He stated he didn't want the city to take ownership of land that could have potential problems in the future.

Ms. Morris responded that staff would have discussions with county staff on those issues at a later date.

Mayor Techel stated she would be willing to go to Sacramento to support the change in legislation in order to find the proper locations for the homes and provide the necessary RHNA credit.

16. PUBLIC HEARINGS/APPEALS:

16.A. Vista Grove Subdivision, a Proposed 27 Lot Residential Subdivision on a 4.9 Acre Property Located at 4455 Linda Vista Avenue

Attachments: [ATCH 1 -Draft Resolution](#)

[ATCH 2 - PC staff report dte 10.4.18 neighbor corres & draft min excerpts](#)

[ATCH 3 - Project Description and Plans](#)

[ATCH 4 - Communication Received Oct 23, 2018.pdf](#)

Mayor Techel announced the item, explained the Public Hearing process, and asked City Councilmembers to announce any applicable disclosures. All members of the Council provided specifics on their communications on the subject prior to the meeting.

Erin Morris, Planning Manager, provided a broad overview of the site, and explained the unique requirements of the site as an Affordable Housing Overlay designation, including the General Plan requirement that Wine Country Avenue be extended to Linda Vista Avenue.

Mike Allen, Associate Planner, provided the staff report and reviewed staff's PowerPoint presentation.

Katherine Philippakis, Attorney representing the Applicant, provided brief comments, and introduced the other members of the Team, including Kirk Geyer, Designer; Jeremy Sill, Project Engineer; and Randy Gularte.

Designer Kirk Geyer talked in depth about the project, followed by Jeremy Sill, Project Engineer.

Mayor Techel called for public comment. The following individuals came forward to speak:

Brian Bowman, resident, stated the street configuration appeared to violate the safety provision of the General Plan with the minimum spacing of intersecting streets on a collector street. He provided Page 3-6 of Table 3-2 of the current City's General Plan.

Joelle Gallagher, with Napa Housing Coalition, stated that the Affordable Housing Overlay should consider density as well as number of units.

Don Chase, resident, urged City Council to not allow the Accessory Dwelling Units (ADUs) to become vacation rentals or bed and breakfasts.

Jaime Gongora, resident, noted the top concerns from the neighborhood included safety and infill of cars, and expressed concern regarding the extension of Wine Country Avenue.

Sharon Macklin, Napa Housing Coalition member, urged creating a committee, which would include some members of Council, housing advocates, and other interested individuals in order to draft a new ordinance to address the issue of impact fees.

Mike Cleaver, resident, stated opening up Winedale would create a small u-turn and would not provide connectivity to the neighborhood.

Michael Baldini, resident, and Chair of Citizens Advisory Committee of the Napa County Transportation Authority, voiced concerns about traffic.

Sarah Kramer, resident, also voiced concerns regarding traffic and suggested that consideration be given to repositioning the homes and styles to ensure more privacy.

Heidi Grapes, resident, asked if anyone had done a traffic study to determine the increased number of cars on Wine Country.

Bob Massaro, member of the Napa Housing Coalition, emphasized that the policies and codes needed to be changed. He stated the affordable housing overlay affects density, not affordability, and urged changing the current paradigm.

Lisa Cleaver, resident, expressed concern regarding traffic and safety concerns.

A motion was made by Vice Mayor Sedgley to close the Public Hearing, seconded by Councilmember Alessio. The motion was carried unanimously.

Mayor Techel allowed the applicant to come forward for a rebuttal to the comments.

Katherine Philippakis, Attorney representing the Applicant, addressed various concerns expressed by the public. She stated ADUs were not allowed to be used for vacation rentals. She added that the statement that the overlay had more to do with density than affordability was somewhat true, but the project would provide a diversity in housing and price ranges, and the ADUs could assist with workforce housing by providing rental income for the property owner.

Randy Gularte addressed the issues of stop signs, four-way intersections, the calming bulb and traffic issues.

Mayor Techel asked staff if they had analyzed the number of cars that would occur after the development. Tim Wood, Senior Civil Engineer, stated traffic generation was reviewed, estimating approximately 250 trips per day, which did not meet the requirement for a traffic study.

Mayor Techel invited the Councilmembers to speak.

Councilmember Alessio expressed concern regarding the safety of streets and the lack of affordable housing. She recommended that a traffic study be conducted.

Councilmember Gentry stated she liked the design and the layout of the project, and appreciated what Mr. Massaro suggested in terms of creating a different model in order to address affordability.

Councilmember Luros stated that the applicant had worked with staff, density was maximized, and there was no request for exceptions or variances. She agreed that the current requirements should be updated.

Vice Mayor Sedgley stated infill projects were always difficult, particularly when an established neighborhood will be impacted. Adding housing without traffic would be impossible. He suggested that speed bumps should be considered, as they can be built so that emergency vehicles are not impacted. He also agreed that the model needed to be changed, but likely public subsidies would be needed.

Mayor Techel asked about deed restrictions and whether something could be added regarding vacation rentals.

City Attorney Barrett responded that there was currently a clear prohibition in the City's Municipal Code regarding the prohibition of ADUs becoming vacation rentals, and adding a deed restriction could potentially create a disconnect between a property restriction and the City's Municipal Code.

Further discussion ensued regarding a potential traffic study, the status of the inclusionary housing ordinance.

A motion was made by Councilmember Gentry, seconded by Councilmember Sedgley, to adopt Resolution R2018-142 approving a Use Permit, Design Review Permit and Tentative Map for the Vista Grove Subdivision, a subdivision of a 4.9-acre project site into 27 single family lots, located at 4455 Linda Vista Avenue and determining that the actions authorized by this resolution are exempt from CEQA. The motion carried by the following vote:

Aye: 3 - Techel, Gentry, and Sedgley

No: 2 - Alessio, and Luros

17. COMMENTS BY COUNCIL OR CITY MANAGER:

Councilmember Luros thanked staff and Councilmembers for the Swearing-In Ceremony held the day before, and added that she and Councilmember Alessio felt very welcome.

Councilmember Gentry stated she attended the Bill Dodd fundraiser last night where they raised funds for education.

Councilmember Alessio reminded everyone of the "Operation of Love from Home" event.

City Manager Potter again congratulated City Clerk Roberts on her final meeting.

18. ADJOURNMENT: 8:15 P.M.

Submitted by,

Dorothy Roberts, City Clerk