



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, July 23, 2019

3:30 PM

City Hall Council Chambers

SPECIAL MEETING

3:30 PM Afternoon Session

6:30 PM Evening Session

A Special Meeting for the City Council of the City of Napa was called on Tuesday, July 23, 2019 at 3:30 p.m. to be held at City Hall Council Chambers, 955 School Street, Napa, California, for the purpose identified on this Agenda. This Special Meeting was called in accordance with California Government Code Section 54956.

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 4.A.

- PowerPoint Presentation by City staff.
- Email dated July 23, 2019 with a letter dated November 7, 2017, from Michelle Dahme.

Item 4.B.

- PowerPoint Presentation by City staff.
- Email dated July 23, 2019 from John Salmon.
- Email dated July 23, 2019 from Aaron Medina.

3. PUBLIC COMMENT:

James Hinton, resident - voiced frustration that public comment during Special City Council Meetings could be limited to only items on the agenda. He also voiced frustration that there was no evening session held

on July 16, 2019. In addition, he noted that several speakers spoke in support of recreational cannabis at the July 16, 2019 meeting, and requested that it be agendaized at a future meeting and acknowledged by councilmembers.

4. ADMINISTRATIVE REPORTS:

4.A. [1946-2019](#) Imola Avenue Gateway Enhancement Project

Senior Civil Engineer John Ferons, and Junior Engineer Brent Lund, provided the staff report.

Mr. Ferons opened the report and reviewed all current Gateway Projects to include the Imola Avenue gateway enhancement, California Avenue roundabouts, Soscol Avenue Medians at Gasser Development and the non-profit "welcome to Napa signs. He further reviewed the background of the Imola Avenue gateway enhancement's project purpose, overview and scope, and financial impacts. Noting that the project bids exceeded the budget, Mr. Ferons reviewed alternative courses of actions and stated that it was staff's recommendation to reject the bids and incorporate the project work into the NVTAs Imola Corridor Project.

Mayor Techel called for public comment.

Curtis Sawyer, resident - voiced concerns regarding the project process and referenced actions taken at the November 17, 2017 City Council Meeting. Specifically, Mr. Sawyer was concerned with the removal of six mature trees along Imola and stated that no mitigation or replanting of the trees had occurred since.

Colin Petheram, resident - spoke in support of alternative option #3.

Julie Baldia, resident - spoke in support of alternative option #3.

Patrick Band of the Napa County Bicycle Coalition - spoke in support of alternative option #3.

Mayor Techel responded to public speaker Sawyer that his concerns were a separate matter, and informed him that staff would be in touch to answer his questions.

Mayor Techel brought the discussion back to City Council; brief discussion ensued with Vice Mayor Sedgley and Councilmembers Gentry, Luros and Alessio voicing support of staff's recommendation.

A motion was made by Councilmember Alessio, seconded by Councilmember Luros, to reject the bids and direct staff to work with the Napa Valley Transportation Authority (NVTAs) to explore an approach that would allow these

improvements to be incorporated into the scope of work for the NVTA Imola Corridor Complete Streets Improvement Plan which will consider design improvements within the entire right of way of Imola Avenue for its entire length from Foster Road to Skyline Park. The motion carried by the following vote:

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

4.B. [1845-2019](#) Public Safety and City Hall Facilities Project, Including Buildings for City Offices, Meeting Spaces, and Related Facilities for Public Safety, General Government Administration, Fire Station No. 1, and Public Parking

City Manager Potter introduced the participants and consultants and provided background information.

Nancy Weiss, Executive Project Manager, opened the report. She shared the results of the program and site analysis phase and reviewed the Council action items.

Heather Maloney, Administrative Services Manager, reviewed the outreach and communication efforts and further reviewed the updated program overview.

Bob Hunt, Managing Director with JLL, and the City's consultant for the project, reviewed the site alternatives.

Ms. Weiss further reviewed the project's next steps.

Mayor Techel called for public comment.

Aaron Medina, Secretary for the Napa Police Officers Association, on behalf of their President, Ryan Cole, thanked Council for taking a second look at the project. He noted that their concerns with the site location, amount of space, parking and cost remained. They would like to see a separate police building with secure parking for staff, ample room to grow, and at a reasonable cost. He noted the Executive Board met with Vice Mayor Sedgley and Councilmember Luros, and stated that the board unanimously preferred site C.

Amanda Steiner, SEIU Field Representative, representing the NCEA members in the City - commended the City for slowing down and taking another look at the project. She stated that members supported site A and would like to see costs come down from previous estimates. Members remained concerned regarding parking and noted they would like see secure parking made available to staff. She noted they did not support one, consolidated building, or any decrease in staffing. They supported the extension of the agreement with Plenary, and would support a project labor agreement. She also noted that they recommend phasing the project if there was more than one project site.

Stuart Marks of Plenary Group, representing Plenary Properties Napa - stated his appreciation for the process and thanked the City team for keeping Plenary updated on progress periodically. He stated that they supported the proposed ENA amendment and shared that in June, Plenary helped open the administration building for the City of Long Beach and Port of Long Beach, which was delivered on time, and on budget.

Ryan Gregory, Chair of the Napa County Board of Supervisors - clarified the County's position and provided background as to why the County was not interested in pursuing a joint project. Supervisor Gregory noted that the County was looking at possible future growth in South County, not expansion downtown.

James Hinton, resident - voiced concern that he was told a local artist was contracted to do artwork for the project without going through a formal bid process; he would like to see many local artists highlighted, not just one. He also stated that he supported site C, however, also voiced concern that if site B was not utilized, the site would sit unused for many years into the future.

Mayor Techel responded to Mr. Hinton that the City had not entered into any contract for artwork at the new City Hall.

Public comment was closed, and the discussion was brought back to Council.

Councilmember Alessio asked for clarification on why the design components were being addressed before the budget was finalized and asked staff to confirm that the square footage provided that evening did not include parking. Ms. Weiss and Ms. Maloney responded.

Councilmember Alessio continued and voiced her support of site A, which would allow for phasing.

Councilmember Gentry stated that she appreciated Vice Mayor Sedgley and Councilmember Luros's participation on the subcommittee and was proud of the additional community and employee outreach and engagement that had taken place. She voiced her support of staff's recommendation of site A, and the extension of the ENA, but noted concerns with the potential need for swing space.

Mr. Hunt noted that with a phased build, there could be an option to not have swing space and that with Council's guidance on a site, it would allow for the team to thoroughly review all possible scenarios.

Councilmember Luross thanked staff, the project delivery team, the advisory group, the technical working group, and the employee groups for their participation. She acknowledged that each site had issues and that each one could be mitigated with either money, time or both, and that the Council needed to weigh all pros and cons. She stated that site B was too much of a risk, thanked Supervisory Gregory for confirming that site D would not be a viable option and that she would like to look further at both sites A and C as an option. Her concerns with site A included the need for swing space and potential accessibility issues for public safety emergency response. In regard to Site C, she stated she was not overly concerned with flood issues, or the mitigation of the pump station, she liked the location and that it was a vacant piece of land, not requiring swing space. She acknowledged concerns regarding lack of parking and shared some possible solutions. She stated that she preferred to have separate buildings for City Hall, and the Police Station, and suggested a phased build of City Hall, followed by a New Police Station, and then a possible renovation of the current Fire Station #1.

Vice Mayor Sedgley stated that he agreed with phasing as the project moved forward. He agreed that site B was not viable as it would be too much of a risk to assume the liability of the property. He stated that site C had a lot of potential and was a beautiful site, but he was concerned with the removal of the underground facilities on the Napa San site, and potential project delays that any mitigation could cause. He stated that he favored site A as the City already owned it, it allowed for the option to refurbish or rebuild, and it had plenty of room for parking. He also voiced his support of the extension to the ENA.

Mayor Techel thanked staff for providing a manageable report, and that she appreciated staff's involvement in the new process. She stated that she was supportive of site A, however would like to have some questions answered regarding the mitigation costs of site C as it related to flood control and would also like analysis regarding the traffic patterns of the use of site C compared to site A, noting that site A was closer to the freeway.

Councilmember Alessio stated that she was open to exploring site C further, but expressed concern that the site was in the flood zone and felt that there would be more flexibility and more cost efficiencies with the use of site A. She also thanked staff and voiced her support of the extension to the ENA.

Councilmember Gentry stated that if there were options to mitigate the flood control issues, she could support site C and would be open to looking at both sites as potential options.

Discussion ensued regarding the possibility of looking at both sites A and C with Vice Mayor Sedgley voicing concern that the project timeline would be pushed back if additional analysis was completed on both sites.

Further discussion ensued.

A motion was made by Councilmember Gentry, seconded by Councilmember Alessio, to:

(1) Direct staff to further evaluate sites A and C and to come back to Council with more detailed analysis on each site, and;

(2) Authorize the City Manager to execute the First Amendment to the Exclusive Negotiation Agreement (“ENA”) for the Civic Center and Downtown West End Gateway Project with Plenary Properties Napa, LLC; to suspend deadlines for performance under the ENA, during the evaluation of alternative Project configurations, through January 31, 2020. The motion carried by the following vote:

Aye: 4 - Alessio, Gentry, Lueros, and Techel

No: 1 - Sedgley

5. COMMENTS BY COUNCIL OR CITY MANAGER:

Councilmember Alessio asked if it was proper meeting protocol to allow public speakers to address the Council on behalf of another person if that person was not in attendance to defend the statements made. City Attorney Barrett responded that there were no rules of evidence for public comment, and that speakers had first amendment rights to speak their mind during public comment. It would then be within the Council's discretion to determine the accuracy of any comments or to direct staff to look in to the factual accuracy of any comment made.

Vice Mayor Sedgley asked if Council would support his request to dedicate a piece of the Riverwalk, near the Napa River Inn, in memory of Harry Price. Mayor Techel, Vice Mayor Sedgley, and Councilmembers Alessio and Lueros supported the request and asked the City Manager to work with staff to come back with a full report.

Councilmember Alessio, with the understanding that any renovations to Dwight Murray Plaza were on hold, requested that the City Manager work with the Parks and Recreation Department to determine possible interim enhancements that could be made to Dwight Murray Plaza. She suggested additional lighting or umbrellas. Mayor Techel and Councilmember Gentry supported the request and asked that staff come back with an update on the project and possible interim solutions.

6. CLOSED SESSION:

City Attorney Barrett announced the closed session item.

- 6.A.** [1969-2019](#) CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6): City designated representatives: Steve Potter, Michael Barrett, Desiree Brun, Robert Plummer, Brian Cochran, Fran Robustelli, and Charles Sakai, Sloan Sakai Yeung & Wong. Employee organization: Napa Police Officers' Association (NPOA).

There was no reportable action.

CITY COUNCIL RECESS

6:30 P.M. EVENING SESSION

7. CALL TO ORDER: 6:30 P.M.

7.A. Roll Call:

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

8. PLEDGE OF ALLEGIANCE:

9. AGENDA REVIEW AND SUPPLEMENTAL REPORTS:

10. REPORT ACTION TAKEN IN CLOSED SESSION:

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

11. PUBLIC COMMENT:

James Hinton, resident - suggested that on future special City Council meeting agendas public comment be moved toward the end of the agenda so that the special agenda item(s) could be heard first, yet still allow the public adequate time to address the Council on other matters outside of the agenda . He also asked that Council agendaize recreational cannabis use on a future agenda.

Amy Martenson, resident - encouraged council to send in a letter of support to H.R. 530 to help restore local control over 5G.

12. PUBLIC HEARINGS/APPEALS:

- 12.A.** [1843-2019](#) Solid Waste and Recycling Collection Rates

Kevin Miller, Materials Diversion Administrator, provided a staff report regarding the setting of solid waste and recycling collection rates.

Mayor Techel asked for disclosures; there were none.

Before Mayor Techel opened the Public Testimony portion of the Hearing, she explained that if any member of the public would like to speak during Public Testimony, they could see the Deputy City Clerk in the back of the Council Chambers to obtain a speaker card. She further explained that while City Council would carefully consider the public comments provided, under the requirements of the California Constitution and Proposition 218, the City may not implement the proposed updated solid waste and recycling rates if written protests are submitted from a majority of the parcels that receive water service from the City. She instructed the public to submit written protests to the City Clerk prior to the close of public testimony, and that prior to the closing of the public testimony portion of the hearing, she would ask for a final call for written protests. She reiterated that if the number of written protests was fifty percent or less than the number of parcels that receive water service from the City, the Council would deliberate and vote on the staff's recommendation to approve the water rates.

Mayor Techel then opened the public testimony portion of the Public Hearing. The following individuals spoke:

Robert Tillinghast, resident - spoke in opposition of the rate increase - voiced concern that plastic was polluting the ocean.

Mayen Shueh, resident - spoke in opposition of the rate increase - unfair burden to apartment owners; suggested more education to the rate payers to help reduce costs.

Amy Martenson, resident - spoke in opposition of the rate increase - concerned with the impact on working families, suggested that Napa raise the minimum wage to keep up with the increased costs of living; upset that the City sells recyclables to China; suggested that this was an opportunity to change the way that Napa recycles and look at opportunities to reduce waste and improve the system.

Valerie Wolff, resident - spoke in opposition of the rate increase - suggested that the City look at opportunities to reduce the actual amount of waste that is generated in the City.

James Hinton, resident - spoke in opposition of the rate increase - suggested more education and new legislation that encouraged responsible recycling.

Angelene Warnock, resident - spoke in support of the rate increase - encouraged residents to reduce garbage use and educate themselves on how to reduce waste and properly recycle.

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

Mayor Techel asked the City Clerk to provide the total number of written protest letters received, and to identify the total number of parcels that received solid waste and recycling collections services from the City. Clerk Carranza announced that 24,270 parcels received collection services and at least 12,136 protests were required to constitute a majority protest of more than 50% of the number of parcels. Clerk Carranza stated that as of close of business that date, a total of 412 protest letters were received. During the hearing, an additional 14 protest letters were received, resulting in a total of 426 protest letters received; therefore, a majority of protests did not exist.

Discussion ensued and questions that were posed by members of the public were addressed.

Further Councilmember comments and discussion ensued to include education efforts and opportunities for the community, cost of service compared to other cities and programs available to residents.

A motion was made by Councilmember Lueros, seconded by Councilmember Alessio, to adopt resolution R2019-082 establishing rates for collection of municipal solid waste, recyclable materials and compostables, with effective dates on August 1, 2019, January 1, 2020, January 1, 2021, and January 1, 2022. The motion carried by the following vote:

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

Enactment No: R2019-082

13. COMMENTS BY COUNCIL OR CITY MANAGER: None.

14. ADJOURNMENT: 7:52 P.M.

Submitted by:

Tiffany Carranza, City Clerk