



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, November 19, 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 5.F.: Revised Attachment 1 which noted a correction of the misspelled word "Actions" in the header of the Resolution.

Item 6.A.: PowerPoint Presentation by City Staff.

Item 6.B.: PowerPoint Presentation by City staff.

Item 7.A.: Memo dated November 19, 2019 from City Staff outlining revisions to Exhibit A of Attachment 1 to include local amendments to the California Electrical Code.

3. SPECIAL PRESENTATIONS:

3.A. [2103-2019](#) Recognition of Dave Perazzo, Parks and Urban Forestry Manager

Mayor Techel and members of City Council presented a Proclamation to Dave Perazzo, Parks and Urban Forestry Manager, on the occasion of his retirement.

4. PUBLIC COMMENT:

Susan Blake, resident - shared a letter written to Senator Dodd voicing her opposition to the Heritage House and Valle Verde Project.

Anne Sutkowi-Hemstreet, Community Programs Manager, First 5 Napa, and member of the Coalition for a Tobacco Free Napa - encouraged Council to adopt a Smoke Free Multi-Unit Housing Ordinance to reduce the effects of second hand smoke.

Pablo Zatarain, Executive Director of Fair Housing Napa Valley - spoke in support of a Smoke Free Multi-Unit Housing Ordinance.

James Hinton, resident - voiced frustrations regarding previous City council action taken in regard to the installation of Small Technology Equipment.

5. CONSENT CALENDAR:**Approval of the Consent Agenda**

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

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

- 5.A.** [2126-2019](#) City Council Meeting Minutes
- Approved the October 15, 2019 Regular City Council Meeting Minutes and the October 28, 2019 Special City Council Meeting Minutes.
- 5.B.** [2105-2019](#) Emergency Repair of Browns Valley Creek Damage to Browns Valley Road at Valley Glen Lane
- Determined 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 determine that the actions authorized by this item are exempt from CEQA.
- 5.C.** [2114-2019](#) Monthly Budget and Investment Statement
- Received and filed the Monthly Budget and Investment Statement as of September 30, 2019.
- 5.D.** [2077-2019](#) Budget Staffing Plan for the Public Works Department - Downtown Maintenance Program
- Adopted Resolution R2019-126 authorizing the City Manager to amend the Budget Staffing Plan to add one Street Maintenance Worker I/II position and delete one Maintenance Laborer position, and approve a FY 2019/20 budget adjustment in Public Works Maintenance.

Enactment No: R2019-126

- 5.E.** [2089-2019](#) Memorandum of Understanding Between the City of Napa and the Napa Police Officers' Association

Approved the Memorandum of Understanding ("MOU") between the City of Napa and the Napa Police Officers' Association ("NPOA") for the term August 7, 2019 through August 31, 2022, and authorize the City Manager to execute the MOU.

- 5.F.** [2121-2019](#) 2019/20 CalRecycle Organics Grant Program

Adopted Resolution R2019-127 authorizing the Utilities Director to submit an application for, and execute all necessary documents to implement, a CalRecycle organics grant in the amount of approximately \$1.5 million for a shredder, conveyor, rock screener, air classifier and grant eligible labor at the City's Material Diversion Facility; and determining that the actions authorized by this resolution were adequately analyzed by a previous CEQA action.

Enactment No: R2019-127

6. ADMINISTRATIVE REPORTS:

- 6.A.** [1945-2019](#) Lake Hennessey and Milliken Reservoir Watershed Water Quality Monitoring

Joy Eldredge, Deputy Utilities Director, provided the staff report.

Ms. Eldredge also confirmed that the Napa County Board of Supervisors approved the MOU at their Board Meeting that was held earlier the same day.

Mayor Techel and Vice Mayor Sedgley commended staff and voiced their support of the item.

A motion was made by Vice Mayor Sedgley, seconded by Councilmember Luros, to Authorize the Utilities Director to execute a Memorandum of Understanding with Napa County for Water Quality Monitoring of the Lake Hennessey and Milliken Reservoir Watersheds. The motion carried by the following vote:

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

6.B. [2094-2019](#) Downtown Utility Box Temporary Art Program to Install Temporary Public Art on City-Owned Utility Boxes in Downtown Napa

Katrina Gregory, Recreation and Public Art Manager, provided the staff report which included project background, proposed sites, a review of the program goals, policies and guidelines, and the financial impact.

Councilmember Gentry asked for clarification regarding the guidelines of the proposed art installations, and how the City would ensure that the art would remain family friendly and appropriate for the entire community. Ms. Gregory and City Attorney Barrett responded and clarified that it was within the City's discretion as to whether or not any proposed art would meet the established criteria.

Councilmember Alessio voiced her support.

Mayor Techel called for public comment.

James Hinton, resident - asked why the installations were limited to Downtown Napa and stated his desire to see them located throughout the entire City and in more neighborhoods.

Mayor Techel asked Craig Smith, Executive Director of the Napa Downtown Association, to share his proposal regarding the funding.

Mr. Smith spoke in regard to the Association's partnership on the program and reiterated that funds from the Downtown Napa Property and Business Improvement District (DNPBID) were required, by law, to only be spent within the PBID boundaries, which would limit the installations to the Downtown Area.

A motion was made by Councilmember Alessio, seconded by Councilmember Lueros, to adopt Resolution R2019-128 approving the Downtown Utility Box Temporary Art Program Policies and Guidelines; and determining that the actions authorized by this resolution are exempt from CEQA. The motion carried by the following vote:

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

Enactment No: R2019-128

6.C. [2125-2019](#) Potential Advisory Ballot Measure for March 3, 2020 Election

City Manager Potter provided the staff report.

Mayor Techel called for public comment.

Valerie Wolf, resident - shared an article regarding small cell tower installations, and voiced her concerns.

Neil Watter, resident - suggested verbiage for the proposed ballot measure.

Amy Martenson, resident - spoke in opposition of the proposed ballot measure, voiced concerns regarding small cell tower installation, and suggested alternative actions to delay the permits and allow for Municipal Code updates.

James Hinton, resident - voiced various concerns regarding small cell tower installations.

Sharon Parham, resident - read a letter regarding a recent FCC court case.

Nancy McCoy-Blotzke, resident - spoke in opposition of the proposed ballot measure, voiced concerns regarding small cell tower installations and suggested changes to the Accommodation Agreement.

Eve Ryser, resident - voiced concerns regarding small cell tower installations, shared health concerns and spoke in opposition of the proposed ballot measure.

Mayor Techel brought the discussion back to Council.

Councilmember Gentry posed questions regarding the language, timeline and associated costs. City Attorney Barrett and City Manager Potter responded.

Mayor Techel reviewed the actions previously taken by Council in regard to the Accommodation Agreement. She noted her opposition to the ballot initiative and stated that she would like to review any results from the pilot program before moving forward.

Vice Mayor Sedgley shared his thoughts and stated that if he looked at the substance of a measure, and what would take place, procedurally, he did not feel like a ballot measure would be realistic. He felt a March deadline

was unreasonable and may not prove to be what he was initially looking for; therefore, he would not support a ballot measure.

A motion was made by Councilmember Gentry, seconded by Councilmember Alessio, to provide direction to staff to not proceed with a potential advisory ballot measure related to the regulation of small cell telecommunication facilities. The motion carried by the following vote:

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

7. CONSENT HEARINGS:

Approval of the Consent Agenda

Mayor Techel announced the consent hearing. There were no requests to speak; the hearing was opened and closed without comment.

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

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

7.A. [2096-2019](#) Adoption of the 2019 Building Codes

Approved the first reading and introduction of Ordinance O2019-007 amending Napa Municipal Code Chapter 15.04, adopting by reference the 2019 edition of the California Building Standards Code (California Code of Regulations Title 24, Parts 1, 2, 2.5, 3, 4, 5, 6, 8, 9, 10, 11, and 12, including appendices identified herein), including adoption of local amendments to the California Building Standards Code and determining that the actions authorized by this ordinance are exempt from CEQA.

Enactment No: O2019-007

8. COMMENTS BY COUNCIL OR CITY MANAGER:

Mayor Techel acknowledged the students that were in attendance, and asked that each introduce themselves and share which school they attended.

Councilmember Alessio asked that the Council support a request to have staff look at a smoke free multi-housing ordinance and report back in 2020. Mayor Techel supported the request for information, and asked that the future report discuss the enforcement of such an ordinance. Vice Mayor Sedgley questioned how the City would balance private property rights and would be interested in learning more.

9. CLOSED SESSION:

City Attorney Barrett announced the Closed Session items.

- 9.A.** [2136-2019](#) CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
(Government Code Section 54956.9(d)(1)): US District Court, Northern
District of California, Case No. 3:19-cv-06898 VC.
- 9.B.** [2134-2019](#) CONFERENCE WITH LABOR NEGOTIATORS (Government Code
Section 54957.6): City designated representatives: Steve Potter, Fran
Robustelli, Michael Barrett, and Desiree Brun. Employee organizations:
Administrative, Managerial and Professional Employees (AMP).
- 9.C.** [2135-2019](#) CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION
(Government Code Section 54956.9(d)(2)): Significant exposure to
litigation in five potential cases.

CITY COUNCIL RECESS: 4:55 P.M.

6:30 P.M. EVENING SESSION

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

10.A. Roll Call:

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

11. PLEDGE OF ALLEGIANCE:

12. AGENDA REVIEW AND SUPPLEMENTAL REPORTS:

City Clerk Carranza announced the following supplemental items:

Item 15.A.: PowerPoint Presentation by City staff.

Item 15.B.: PowerPoint Presentation by City staff.

13. REPORT ACTION TAKEN IN CLOSED SESSION:

City Attorney Barrett announced there was no reportable action taken in
Closed Session.

14. PUBLIC COMMENT:

Valerie Wolf, resident - read an excerpt from the book titled "Invisible Rainbow," by Arthur Firstenberg.

James Hinton, resident - addressed Council regarding various concerns over small cell tower installations.

Rosemarie Vertullo, resident, on behalf of the Southeast Vintage Neighborhood Association - spoke in opposition of the Heritage House & Valle Verde project.

Earle Craigie, resident and member of the Southeast Vintage Neighborhood Association - spoke in opposition of the Heritage House & Valle Verde project.

Philip White, resident - spoke in opposition of the Heritage House & Valle Verde project.

Maggie Schaefer, resident - posed questions regarding the easements at the lower section of Alta Heights, know as the Meek's Subdivision, and voiced public safety concerns regarding the property condition in a high fire prone zone.

Bill McGuire, resident - spoke in opposition of the Heritage House & Valle Verde project.

Lisa Reifers, resident - spoke in opposition of the Heritage House & Valle Verde project.

Sharon Macklin, Puertas Abiertas Board President, introduced Blanca Huijan, the new Executive Director. She stated that the Board looked forward to working closely with the City Council on the 2020 Census Count, and introduced all Puertas Abiertas Board Members.

Blanca Huijan, Puertas Abiertas Executive Director - introduced herself and provided background on Puertas Abiertas.

15. ADMINISTRATIVE REPORTS:**15.A. [2073-2019](#)** 2020 Long Term Financial Forecast

City Manager Potter introduced the item.

Bret Prebula, Finance Director, and Jessie Gooch, Finance Analyst, provided the staff report which included a Fiscal Year 2019 to Fiscal Year 2020 Comparison, and preliminary long-term findings.

Vice Mayor Sedgley posed a question regarding a potential statewide split-role initiative, and asked if it were successful, could it potentially improve the forecast. Finance Director Prebula responded that any change would most likely be net positive, however, it was too early to tell what impact it may have on the forecast.

Mayor Techel called for public comment; there were no requests to speak.

- 15.B. [2042-2019](#) 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 item.

Nancy Weiss, Executive Project Manager, opened the report and introduced the project team.

Laura Blake, Architect, reviewed the current Facility Conditions Assessment and reviewed a total of five project alternatives identified as Alternatives A, B, C, D, and E.

James Birkey, Vice President of JLL, and the City's consultant, provided cost comparison of the project alternatives.

Ms. Weiss reviewed potential project funding options and next steps.

Heather Maloney, Administrative Services Manager, shared the project communication strategy.

Mayor Techel called a break at 8:09 P.M.

The meeting reconvened at 8:18 P.M.

Mayor Techel called for public comment.

John Salmon, resident - shared his experience with regard to similar projects, suggested that Council reject all alternatives, voiced concerns with proposed locations, offered alternate site locations, and voiced additional concerns to include costs.

Danny Bernardini, resident and Business Manager of the Napa-Solano Building Trades and on behalf of the Napa Working Families Coalition - supported the proposed alternatives, hoped that City employees were involved in the decision making process, and stated that he would like to see a project labor agreement associated with the project.

James Hinton, resident - voiced concerns regarding the costs of the project and asked for the total amount that had been paid to Plenary to date.

Mayor Techel brought the discussion back to Council and asked Ms. Weiss to clarify the current relationship between the City and Plenary. Ms. Weiss responded, and provided clarification that the City entered into a negotiating agreement with Plenary that had been put on hold while the alternatives analysis was being conducted.

Lengthy discussion and individual comments ensued regarding the Alternatives that were presented by staff.

It was generally agreed that Alternatives A & B could be removed from further consideration.

Councilmember Luros suggested that Council narrow the focus to two to three Alternatives to allow staff to present a more detailed Alternative to the community to allow more engagement.

Councilmember Gentry noted concerns with the financial impacts of the proposed Alternatives and stated that she would be opposed to any additional tax generation, but could support the sale of surplus property to help fund the project.

Vice Mayor Sedgley stated that, in an effort to consolidate, he favored Alternatives D and E.

Councilmember Luros suggested a phased approach to Alternative E in which Fire Station 1 would remain, the Police Station would be built first, and then the demolition of existing Police Station and build of City Administration would occur.

Councilmember Alessio stated she could also support narrowing the focus to Alternatives D and E.

Councilmember Luros stated that she would like to see Alternative D, without the Fire Station, as a one phased approach with the Police Station and Administration building built at the same time, and, alternatively, would look to see Alternative E, without a fire station, as a phased approach, to compare costs.

Councilmember Alessio asked for staff's feedback. Ms. Blake provided observations on the differences between Alternatives D and E, potential for swing space, and improvements to Fire Station 1.

Discussion ensued regarding community and employee outreach and feedback with Ms. Maloney providing clarification on the process.

Further council discussion ensued regarding the Alternatives, potential options related to Fire Station #1, and potential phasing of the project.

(1) A motion was made by Councilmember Alessio, seconded by Councilmember Luros, to proceed with Alternatives D, E, and a hybrid of E that explored potential phasing and alternate options related to Fire Station No. 1, and to work with the Ad-Hoc Committee to further evaluate and to propose finalized alternatives for

Council consideration in January of 2020. The motion carried by the following vote:

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

(2) A motion was made by Councilmember Alessio, seconded by Vice Mayor Sedgley, to authorize the City Manager to execute Amendment No. 2 to Agreement No. C2018-044 with Laura Blake Architect for project design services in the increased amount of \$15,000 for a total agreement of \$265,000. The motion carried by the following vote:

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

16. COMMENTS BY COUNCIL OR CITY MANAGER:

Mayor Techel asked Public Works Director Julie Lucido for an update on the round-a-bout project. Ms. Lucido provided the update and stated that detailed information was also available on the City's website.

17. ADJOURNMENT: 9:10 P.M.

Submitted by:

Tiffany Carranza, City Clerk