

MINUTES

CITY OF NAPA CITY COUNCIL REVISED ** March 17, 2009

City Hall Council Chambers
955 School Street

1. ROLL CALL: 3:43 p.m.

Present: Van Gorder, Mott, Krider and Techel. Absent: Inman.

2. AGENDA REVIEW

- 3. PUBLIC COMMENT:** Speakers: Rick Esser spoke regarding permits issued by the Sanitation District. Eileen Todd spoke regarding sidewalk repair in front of her house. Craig Payne spoke against the passage of Proposition 8 and requested the City Council hold evening meetings. Nick Noren presented a low to moderate income housing project proposal. Speaker spoke inquiring on the City Council's role addressing certain community concerns.

1

4. CONSENT CALENDAR:

Moved, seconded, carried (Mott/Krider): a motion to adopt all items on the Consent Calendar as indicated below. Ayes: Van Gorder, Mott, Krider, Techel. Absent – Inman.

**** A. Vacation Rental Ordinance First Reading and Resolution adopting a Mitigated Negative Declaration to authorize the issuance of vacation rental permits**

First reading and introduction of ordinance amending City of Napa Municipal Code (NMC) Section 17.52.515 authorizing the issuance of Vacation Rental Permits.

Action: Approved first reading and introduction of Ordinance O2009 6 (amending City of Napa Municipal Code Section 17.52.515 authorizing the issuance of Vacation Rental Permits) as amended. Vote: Ayes: van Gorder, Mott, Krider and Techel. Noes: None. Absent: Inman. Final reading April 7, 2009.

**** Action: Adopted Resolution R2009 99 adopting a Mitigated Negative Declaration for an Amendment to Napa Municipal Code Section 17.52.515 to authorize the issuance of vacation rental permits.**

¹ See asterisks** and underlined text for revision insertions to correct the record

B. On-call Water Modeling Support Contract Amendment

Amendment No. 1 to Agreement No. 9358 with Yost & Associates for additional on-call modeling support funds in the amount of \$50,000 (water main at 221/29 Highway Interchange).

Action: Approved Amendment No. 1 to Agreement 9358.

C. Traffic Signal and Railroad Crossing Panels Appropriations

Adopt a Resolution increasing the appropriation of Gas Tax Funds in the amount of \$23,606 and \$108,432 to pay the final invoice for the Silverado Trail at Hagen Road Traffic Signal Project and construction of railroad crossings (at Third Street, First Street and North Soscol) as part of the U.S. Army Corps of Engineers (USACE) Railroad Relocation Project.

Action: Adopted Resolution R2009 34 (increasing the appropriation of Gas Tax Funds in the amount of \$23,606 and \$108,432 to pay the final invoice for the Silverado Trail at Hagen Road Traffic Signal Project and construction of railroad crossings (at Third Street, First Street and North Soscol) as part of the U.S. Army Corps of Engineers (USACE) Railroad Relocation Project.) – Inman absent.

D. Commuter Bike Path Contract Amendment

Approve Amendment No. 4 to Agreement No. 7748 with Chaudhary & Associates, Inc. for additional design, surveying and construction support services for the Commuter Bicycle Path.

Action: Approved Amendment No. 4 to Agreement 7748 – Mott recused.

E. Public Works Operations Staffing and Position Changes

Approve conceptual reorganization of existing class specifications and positions within the Public Works Department.

Action: Approved conceptual reorganization within the Public Works Department.

F. Fifth Street Parking Garage

Approve Operations and Use Agreement between the City, County of Napa, and Private Partners for operations and use of the Fifth Street Parking Garage in accordance with the Parking Garage Cooperative Agreement dated December 7, 2004.

Action: Approved Operations and Use Agreement.

G. Replacement of Copper Wire at Kennedy Park Ball Fields

Adopt a Resolution approving a \$25,300 appropriation of General Fund Reserves for expenses related to the Kennedy Park Ball Fields electrical system.

Action: Adopted Resolution R2009 35 (approving a \$25,300 appropriation of General Fund Reserves for expenses related to the Kennedy Park Ball Fields electrical system) – Inman absent.

H. Naming Trancas Crossing Park and Hidden Glen Park

Adopt a Resolution officially naming Hidden Glen Park and adopt a Resolution officially naming Trancas Crossing Park.

Action: Adopted Resolution R2009 36 officially naming Hidden Glen Park, and Resolution R2009 37 officially naming Trancas Crossing Park – Inman absent.

I. Civil Service Rules Revision

Adopt a Resolution approving revision to Civil Service Rule 10 regarding addition of Firefighters Procedural Bill of Rights to conform to State law.

Action: Adopted Resolution R2009 38 (approving revision to Civil Service Rule 10 regarding Firefighters Procedural Bill of Rights) – Inman absent.

J. Deed for Property Related to the Maxwell Bridge Project

Adopt a Resolution accepting Deed from the State of California for remnant property located within the alignment of the Maxwell Bridge Project and conveyance to the Napa County Flood Control and Water Conservation District.

Action: Adopted Resolution R2009 39 (accepting Deed from the State of California for remnant property located within the alignment of the Maxwell Bridge Project and conveyance to the Napa County Flood Control and Water Conservation District) – Inman absent.

K. Commission Interviews

Interviews for openings on the Planning Commission, Tree Commission, and Community Development Block Grant Committee.

Action: Scheduled interviews for Wednesday, April 1, 2009 at 6:00 p.m.

5. ADMINISTRATIVE REPORTS:

A. City-Owned Property and Facilities Asset Analysis and Financing Strategy

Discussion and direction regarding Napa Consolidated City Hall and Asset Analysis Study concepts.

Action: Economic Director Cass Walker introduced the item. Bruce Race, consultant, stated that this study will analyze and identify opportunities related to utilizing city owned properties with respect to administrative services, efficiency and functionality, economic development and civic gatherings. Motion, second, carried (Mott/Krider) directed staff to pursue concepts and incorporate City Hall and Asset Analysis Study concepts into Downtown Specific Plan.

B. Equality for Families

Councilmember VanGorder introduced the resolution in support of equality for families. Speakers: John Speck, Jeannette O'Gallagher, Lisa, Carol Wichard, Laura on behalf of Louisa Heyman, Phyllis Boysen, unidentified man, Georgia Buck, Eric Osterly, Reverend Beth Wheeler, Tracy Krumpin, Judy Niemo, Antonio Landless, Justine Downham, unidentified man, Renee Fanon, Kristin, unidentified woman, Ann Defrane, Haley Rigdahl, William Curtis, Susan Rushing-Hart, Harry Martin, Bob Massaro, unidentified woman spoke in support of Council adoption of the resolution. Motion by VanGorder to adopt the resolution. Motion failed for lack of second.

Action: No action taken.

6. BRIEF COMMENTS BY COUNCIL OR CITY MANAGER

7. CLOSED SESSIONS – 5:55 – 6:30 p.m.

A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: Significant exposure to litigation in one potential case, pursuant to Government Code Section 54956.9(b).

Action: No reportable action.

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

Action: No reportable action.

C. CONFERENCE WITH LABOR NEGOTIATORS - Government Code Section 54957.6. City designated representatives: Mike Parness, Nancy Weiss, and Michael Barrett. Employee organizations: Napa City Firefighters' Association (NCFCA); and Association of Administrative, Managerial and Professional Employees (AMP).

Action: No reportable action.

6: 32 PM CITY COUNCIL REGULAR MEETING – Continued (Evening Session)

8. ROLL CALL

9. COMMISSION INTERVIEWS AND APPOINTMENTS - None.

10. PLEDGE OF ALLEGIANCE led by Bill O'Bryne

11. REPORT ACTION TAKEN IN CLOSED SESSION: (Refer to Item 7 above)

12. SPECIAL PRESENTATIONS:

A. American Red Cross Proclamation

Proclamation declaring March 2009 as American Red Cross Month.

B. Earth Hour Proclamation

Proclamation declaring the last Saturday in March from 8:30 - 9:30 p.m. as "Earth Hour" throughout the State of California.

13. PUBLIC COMMENT: Speakers: Rick Esser spoke regarding plumbing and sewer issues at his home. Deborah Bradley spoke regarding the Vacation Rental Ordinance. Mr. Ray spoke regarding the Vacation Rental Ordinance. Speaker: spoke regarding the Vacation Rental Ordinance. Kris Butler spoke regarding the Vacation Rental Ordinance. Chris Butler spoke regarding the Vacation Rental. Debbie Dornaus spoke regarding the Vacation Rental Ordinance. Muriel Fagiani requested public introduction of new City Clerk.

14. ADMINISTRATIVE REPORTS:

A. 2009 Long-Term Financial Plan (LTFP)

Receive and review the 2009 Long Term Financial Plan.

Action: City Manager Mike Parness indicated that this is an annual review of the City's long term approach to Napa's fiscal issues and policies. The most significant issue is the state of the economy and with that recommended that the current formula in the City's budget for compensated absence be revised to 100% of the prior year payment. He reviewed the six year forecast for property tax and sales tax revenues, and TOT vs. salary growth, fringe benefit costs, etc. An operating deficit is projected in the six year forecast which will affect fund balances; staff is looking at alternatives to reduce costs and increase revenue. Council directed staff to pursue recommended strategies to change the fiscal policy.

15. CONSENT HEARINGS - None.

16. PUBLIC HEARINGS/APPEALS:

A. Community Development Block Grant Program Funding Recommendation

Discussion and direction regarding proposed recommendations for Funding of the 2009/2010 Community Development Block Grant Program (CDBG). Community Development Director Tambri Heyden and Housing Manager Jan Maurer-Watkins reviewed the CDBG Committee recommendations indicating that the Committee considered Council guidelines, but ultimately decided to make exceptions to reduce funding for the Homeless Shelter to provide more funding for NEWS, reduce funding for City CDBG Administration to provide more funding for Fair Housing Napa Valley, and recommended supplemental funding sources for CDBG Administration and the Homeless Shelter. Staff recommended full funding of Administration, a reduction in Fair Housing, Los Robles Sidewalk Repair Program, Community Action Napa Valley and Napa Emergency Women's Services. Mayor Techel opened the public hearing. Speakers: Angela Peatman, Puertas Abiertas, stated that the procedure has many faults and that they were led to believe that they would be a good candidate for funding. Ava Gonsalves Maras, Puertas Abiertas, spoke in support of their application. Tracy Lamb, Executive Director, NEWS, spoke in support of the bilingual case manager position for the Domestic Violence Shelter. Suzanne Shiff, Executive Director, Napa Valley Coalition of Non Profit Agencies, concurred with the need for a transparent process. Dan Ward, Fair Housing of Napa Valley Board, spoke in support of the committee's recommendation for fair housing funding. Steve Cosswell, Associate Director, Fair Housing of Napa Valley, spoke in support of their funding request. Connie Nelson, Fair Housing of Napa Valley, spoke in support of their funding request. Maria Esparza, Fair Housing of Napa Valley, spoke in support of their funding request. Kathryn Winter, asked that the \$22,000 not be cut as recommended as they will be unable to sustain services. Marcey Herzog, Fair Housing of Napa Valley Board, spoke on behalf of their funding request. Unidentified woman stated the public service category took a

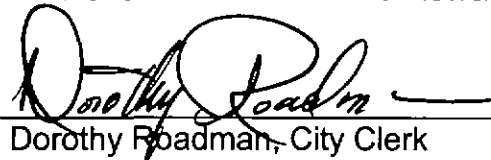
major hit this year which in turn hurts the agencies like NEWS. Debra Furrowait, Puertas Abiertas, requested that the community resource center be funded to insure that they are involved in providing services. Tracy Krupton, CDBG Committee, explained the committee's recommendations indicating that all agencies received a reduction in funding rather than just targeting one agency. Ira Sallaton, CDBG Committee, stated that there are constraints that limit flexibility, and stated that the City may be in conflict as it is an applicant as well as administrator of the program. Markita Markey, CDBG Committee, stated that one of the HUD requirements is to further fair housing goals and supported the committee's recommendations. Bill O'Byrne, CDBG Committee, spoke in support of the committee's recommendations. John Wiggin, CDBG Committee Chair, spoke on behalf of the committee recommendations reiterating that there is no flexibility in funding.

Action: Closed public hearing. Council expressed concern about the reduction in funding for NEWS and Fair Housing, and asked about the committee process for reviewing operating expenses within the applications submitted. City Manager Mike Parness advised that the CDBG Committee recommendation for CDBG Administration funds would require consideration by the City of other funding sources. Motion, seconded, carried (VanGorger/Krider) directed staff to pursue the CDBG Committee funding recommendations and continued the hearing to May 5, 2009.

17. BRIEF COMMENTS BY COUNCIL OR CITY MANAGER

City Manager Mike Parness indicated that in recognition of the current economic climate, the City executive staff voted to forego any wage adjustments at this time.

18. ADJOURNED at 9:39 p.m. to Wednesday, April 1, 2009, 6:00 p.m., Council Chambers for Commission interviews/appointments.


Dorothy Roadman, City Clerk