



## **REGULAR MEETING AGENDA FOR THE CITY COUNCIL OF THE CITY OF NAPA**

**Tuesday, April 21, 2020**

**3:30 PM Afternoon Session**

**6:30 PM Evening Session**

**\*See CORONARIVUS (COVID-19) - Notice of Meeting Procedures, On pages 8-9\*\***

**The Council Chambers will be closed to the public.  
This meeting will be conducted as a Teleconference.**

### **City Hall Council Chambers**

*955 School Street  
Napa, CA 94559  
[www.cityofnapa.org](http://www.cityofnapa.org)*

### **CITY COUNCIL**

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

See last pages of agenda for information regarding meeting procedures  
Vea las últimas páginas de esta agenda para información sobre juntas del poder legislativo

**3:30 P.M. AFTERNOON SESSION****1. CALL TO ORDER:****1.A. Roll Call:****2. AGENDA REVIEW AND SUPPLEMENTAL REPORTS:****3. SPECIAL PRESENTATIONS:**

- 3.A. [127-2020](#) COVID-19 Update From Napa County Health Officer Dr. Karen Relucio

**4. PUBLIC COMMENT:**

**\*\*See provisions on pages 8-9 for providing public comment.**

**5. CONSENT CALENDAR:**

- 5.A. [94-2020](#) Monthly Budget and Investment Statement

**Recommendation:** Receive and file the Monthly Budget and Investment Statement as of February 29, 2020.

**Attachments:** [ATCH 1 - Monthly Budget and Investment Statement as of Feb 29, 2020](#)

- 5.B. [118-2020](#) Amended 2020 City Council Calendar

**Recommendation:** Adopt a resolution establishing the amended 2020 City Council Calendar by approving the addition of the regular meeting of the City Council on April 28, 2020.

**Attachments:** [ATCH 1 - Resolution](#)  
[EX A - 2020 Proposed Amended Calendar](#)  
[ATCH 2 - Hyperlink to online Napa Municipal Code Chapter 2.04.050](#)

- 5.C. [115-2020](#) Accessory Dwelling Unit (ADU) Ordinance Amendment

**Recommendation:** Approve the second reading and final passage, and adopt an ordinance amending Napa Municipal Code Section 17.06.30 "Definitions", and repealing existing Section 17.52.015 "Accessory Dwelling Units (ADU)" in its entirety and replacing it with a new Section 17.52.015 "Accessory Dwelling Units (ADU)" and determining that the actions authorized by this ordinance are exempt from CEQA.

**Attachments:** [ATCH 1- Ordinance](#)

- 5.D. [116-2020](#) **Elder and Dependent Adult Protection Ordinance Update**
- Recommendation:** Approve the second reading and final passage, and adopt an ordinance repealing Napa Municipal Code Chapter 5.22 (Elder Caregiver Permits) and replacing it with a new Chapter 5.22 (Elder and Dependent Adult Protection).
- Attachments:** [ATCH 1 - Ordinance with EX A](#)
- 5.E. [105-2020](#) **Summary Abandonment of a portion of a Storm Drainage Easement affecting a portion of property located at 535 Coombsville Road (APN 046-011-021) for the Napa Courtyards Project**
- Recommendation:** Adopt a resolution authorizing the summary abandonment of a portion of a Storm Drainage Easement superseded by relocation affecting a portion of property located at 535 Coombsville Road (APN 046-011-021) for the Napa Courtyards Project (Project No. ENG18-0001), and determining that the actions authorized by this resolution are exempt from CEQA.
- Attachments:** [ATCH 1 - Resolution](#)  
[EX A - Legal Description of Easement](#)
- 5.F. [2179-2019](#) **Storm Drain Infrastructure Condition Assessment**
- Recommendation:** (1) Authorize the Public Works Director to execute a Professional Services Agreement with National Plant Services, Inc. to conduct a Storm Drain Infrastructure Condition Assessment in an amount not to exceed \$400,000; and  
(2) Approve a transfer of \$300,000 from the General Fund to the Non-Recurring General Fund and an increase to the Non-Recurring General Fund expenditure budget of \$300,000 for a one-time Storm Drain Condition Assessment, as documented in Budget Adjustment No. BE2004501.
- Attachments:** [ATCH 1 - Agreement](#)  
[ATCH 2 - Budget Adjustment Form](#)
- 5.G. [122-2020](#) **Families First Coronavirus Response Act (FFCRA)**
- Recommendation:** Adopt a resolution authorizing the City Manager to implement the Federal Families First Coronavirus Response Act (FFCRA) Program, in order to expand protected leave benefits to City employees in response to the COVID-19 pandemic, including the Emergency Family and Medical Leave Expansion Act (EFMLEA) and Emergency Paid Sick Leave Act (EPSL).
- Attachments:** [ATCH 1 - Resolution](#)  
[EX A - FFCRA Program](#)

**6. ADMINISTRATIVE REPORTS:**

- 6.A. [102-2020](#) Proclamation of Local Emergency to Respond to the Coronavirus (COVID-19)**
- Recommendation:** Continue the Proclamation of Local Emergency; and authorize the City Manager to take actions necessary as the Director of Emergency Services, to respond to the Coronavirus (COVID-19).
- 6.B. [119-2020](#) HOME Funds for Tenant Based Rental Assistance**
- Recommendation:** (1) Adopt a resolution authorizing the Community Development Director to submit an amended 2018 application to the California State Department of Housing and Community Development for a grant of up to \$1,000,000 under the HOME Investment Partnership Program and to execute all documents necessary to accept the grant and approving the increase in both revenue and expenditure budgets in the HOME Fund by \$1,000,000 as documented in Budget Adjustment No. BE2004503; and (2) adopt a resolution authorizing the use of HOME Program Income to be used for Tenant Based Rental Assistance and approving Tenant Based Rental Assistance Program Guidelines.
- Attachments:** [ATCH 1 - Resolution](#)  
[EX A - Budget Adjustment No. BE2004503](#)  
[ATCH 2 - Resolution](#)  
[EX A - HOME TBRA Guidelines](#)
- 6.C. [2202-2019](#) 2019 Housing Element Annual Progress Report**
- Recommendation:** Accept the 2019 Housing Element Annual Progress Report and direct Staff to file the report with the California Department of Housing and Community Development ("HCD") and the Governor's Office of Planning and Research ("OPR").
- Attachments:** [ATCH 1 - HE Progress Report](#)
- 6.D. [124-2020](#) City Manager's Employment Agreement**
- Recommendation:** Adopt a resolution amending the employment agreement with City Manager Steve Potter that reduces his overall compensation in response to the fiscal emergency caused by COVID-19.
- Attachments:** [ATCH 1 - Resolution with EX A](#)

**7. CONSENT HEARINGS:****7.A. [2204-2019](#) Embassy Suites Addition**

**Recommendation:** (1) Approve the first reading and introduction of an ordinance approving a Planned Development Overlay district (PD-38) establishing the development standards for the Embassy Suites Addition located at 1075 California Boulevard and 2420 First Street and determining that the actions authorized by this ordinance are exempt from the requirements of CEQA (APN: 002-200-001 & 002-141-002); and (2) adopt a resolution approving a Use Permit and Design Review Permit for the Embassy Suites Addition and determining that the actions authorized by this resolution are exempt from the requirements of CEQA.

**Attachments:** [ATCH 1 - Ordinance with EXS A & B](#)  
[ATCH 2 - Resolution](#)  
[EX A - NapaSan Letter dated July 6, 2018](#)  
[ATCH 3 - Planning Comm Staff Report, Communications & Mins Excerpts](#)  
[ATCH 4 - Project Plans](#)  
[ATCH 5 - Traffic and Parking Analysis](#)

**7.B. [81-2020](#) Recyclable Materials Gate Fees for Materials Diversion Facility**

**Recommendation:** Adopt a resolution establishing Recyclable Materials Gate Fees at the City's Materials Diversion Facility to become effective July 1, 2020.

**Attachments:** [ATCH 1 - Resolution](#)  
[ATCH 2 - MDF Recyclable Materials Gate Fee Analysis](#)

**8. PUBLIC HEARINGS/APPEALS:****8.A. [93-2020](#) Declaration of Fiscal Emergency**

**Recommendation:** Adopt a resolution declaring a local fiscal emergency in response to the Coronavirus (COVID-19) pandemic.

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

**9. COMMENTS BY COUNCIL OR CITY MANAGER:****10. CLOSED SESSION:****10.A. [128-2020](#) CONFERENCE WITH LABOR NEGOTIATORS (Government Code section 54957.6): City designated representatives: Steve Potter, Fran Robustelli, and Michael Barrett. Employee organizations: Napa City Firefighters Association; Napa Police Officer's Association; Napa City Employee's Association; Napa City Part-Time Temporary Employees Unit; Napa Chief Fire Officers; Mid-Management Unit of the Napa Police Officer's Association; and Administrative, Managerial and Professional Employees.**

**CITY COUNCIL RECESS****6:30 P.M. EVENING SESSION****11. CALL TO ORDER:****11.A. Roll Call:****12. PLEDGE OF ALLEGIANCE:****13. AGENDA REVIEW AND SUPPLEMENTAL REPORTS:****14. REPORT ACTION TAKEN IN CLOSED SESSION:****15. PUBLIC COMMENT:**

**\*\*See provisions on pages 8-9 for providing public comment.**

**16. PUBLIC HEARINGS/APPEALS:****16.A. [21-2020](#)****Transition to District-Based Elections for Councilmembers****Recommendation:**

- (1) After receiving a presentation from City staff and the City's consulting demographer, invite public input regarding draft district boundary maps, the proposed sequence of elections of Councilmembers, and an ordinance to establish district-based elections for Councilmembers.
- (2) Provide direction to staff to finalize the district boundary map.
- (3) Provide direction to staff to finalize the sequence of elections of Councilmembers.
- (4) Introduce an ordinance establishing district-based elections for Councilmembers by amending Napa Municipal Code Title 1 to add a new Chapter 1.10 ("District-Based Elections"), and approving the district boundary map and sequence of elections for Councilmembers, to be brought back to City Council for additional public input at a public hearing on April 28, 2020, and consideration of final adoption at a public hearing on May 5, 2020.

**Attachments:**

- [ATCH 1 - Plan A Draft Map](#)
- [ATCH 2 - Plan B Draft Map](#)
- [ATCH 3 - Plan C Draft Map](#)
- [ATCH 4 - Plan D Draft Map](#)
- [ATCH 5 - Ordinance with EX A](#)
- [ATCH 6 - Public Correspondence, Draft Map Submissions & COIs](#)

**17. COMMENTS BY COUNCIL OR CITY MANAGER:****18. ADJOURNMENT:**

The next regularly scheduled meeting for the City Council of the City of Napa is May 5, 2020.

I hereby certify that the agenda for the above stated meeting was posted at a location freely accessible to members of the public at City Hall, 955 School Street, on Friday, April 17, 2020 by 5:00 p.m.

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Tiffany Carranza, City Clerk

**\*\* CORONAVIRUS (COVID-19) - Notice of Meeting Procedures \*\*****TELECONFERENCE MEETING**

In order to slow the spread of the Coronavirus (COVID-19) pandemic, the City will conduct this meeting as a teleconference in compliance with the Governor's Executive Order N-29-20, and members of the City Council or City staff may participate in this meeting telephonically or electronically. The City Council Chambers will be closed to the public, and members of the public may participate in the meeting by viewing the meeting live, and submitting comments, as described below.

**VIEWING THE MEETING LIVE**

All members of the public are invited to view the meeting live on: (a) local cable TV Channel 28; or (b) live-streamed on the City of Napa's website at [www.cityofnapa.org](http://www.cityofnapa.org) (see: <https://napacity.legistar.com/Calendar.aspx>; and click on the "In Progress" button).

**SUBMITTING WRITTEN COMMENTS TO BE READ AT THE MEETING**

Any member of the public may submit a written comment to the City Council before or during the meeting by sending it to the City Clerk via email at: [clerk@cityofnapa.org](mailto:clerk@cityofnapa.org). If you are commenting on a particular item on the agenda, please identify the agenda item number and letter. Any comment of 500 words or less (per person, per item) will be read into the record if: (1) the subject line includes "COMMENT TO COUNCIL FOR APRIL 21, 2020 MEETING – PLEASE READ"; and (2) it is received by the City Clerk prior to the time for public comment during the meeting for that agenda item. Please be aware that any public comments received that do not specify a particular agenda item number will be read aloud during the general public comment portion of the agenda. Due to potential technological delays in transmission, the public is encouraged to submit any comments to the City Clerk early, in order to ensure they are received in time to be read into the record.

**SUBMITTING SUPPLEMENTAL WRITTEN COMMENTS**

Any member of the public may submit supplemental written comments to the City Council before or during the meeting, beyond the 500 word limit for comments read into the record, and those supplemental written comments will be made a part of the written record in accordance with the Council's Rules of Order and Procedures (R2016-6).

**SUBMITTING COMMENTS VIA TELEPHONE**

If you would like to provide comments via telephone during the Council meeting, you must submit a request to the City Clerk by no later than 1:00 p.m. on Tuesday, April 21, 2020. The request may be submitted to the City Clerk by emailing [clerk@cityofnapa.org](mailto:clerk@cityofnapa.org), or by calling (707) 257-9503. When submitting the request,



please identify your name, your telephone number (including the area code first), and the agenda item number and letter you would like to comment on. On the day of the Council meeting, a representative from the City Clerk's Office will call you to connect you to the Council meeting to allow you to provide your comments to the Council via telephone.

#### **VIEWING ARCHIVED WEBCASTS OF PAST MEETINGS**

Members of the public may access past City meetings at any time by going to <https://napacity.legistar.com/Calendar.aspx>; which includes an indexed listing of past meetings, including supporting documents, minutes, and video.

The City of Napa thanks you in advance for taking all precautions to prevent spreading the COVID-19 virus.

**MEETING DATES:**

The City Council meets regularly on the first and third Tuesday of each month; additional meetings may be scheduled as needed.

**INFORMATION AVAILABLE FOR CITY COUNCIL MEETINGS:**

Information and documents related to items on this agenda are available on the City's website at [www.cityofnapa.org](http://www.cityofnapa.org); you may also contact the City Clerk for information by email at [clerk@cityofnapa.org](mailto:clerk@cityofnapa.org); by calling (707) 257-9503; or in person at 955 School Street, Napa. Any documents related to an agenda item that are provided to a majority of the City Council after distribution of the agenda packet are reported by the City Clerk at the meeting under "Supplemental Reports and Communications," and are available for public inspection.

**CITY POLICY TO FACILITATE ACCESS TO PUBLIC MEETINGS:**

The City of Napa complies with all applicable requirements of the Americans with Disabilities Act and California law, and does not discriminate against any person with a disability. If any person has a disability and requires information or materials in an appropriate alternative format (or any other reasonable accommodation), contact the City Clerk at (707) 257-9503 or email at [clerk@cityofnapa.org](mailto:clerk@cityofnapa.org). For TTY/ Speech-to-Speech users, dial 7-1-1 for the California Relay Service, for text-to-speech, speech-to-speech, and Spanish-language services 24 hours a day, 7 days a week.

In making any request to the City for assistance, please provide advance notice of at least three business days prior to the meeting.

**TRADUCCIONES EN ESPAÑOL / SPANISH-LANGUAGE TRANSLATIONS:**

Esta agenda identifica los asuntos que serán considerados en una junta del poder legislativo. Todas las juntas del poder legislativo están abiertas al público, y se invita a los miembros del público a asistir y dirigirse directamente ante el poder legislativo. Si usted desea recibir una copia de esta agenda o información relacionada en español, por favor póngase en contacto con la Secretaria de la Ciudad al 707-257-9503 o por correo electrónico a [Clerk@cityofnapa.org](mailto:Clerk@cityofnapa.org).

**CONDUCT OF CITY COUNCIL MEETINGS:**

Meetings are conducted in accordance with the requirements of state law (the "Ralph M. Brown Act," California Government Code Sections 54950, et seq.) and the City's Rules of Order (Council Policy Resolution 19).

Members of the public may address the Council at designated times and are expected to conduct themselves with courtesy and respect. Speakers should direct comments to the Mayor and City Councilmembers, not the audience. Speakers are expected to yield the floor when the time limit is identified and comply with the City's Rules of Order. Speaking times are limited to no more than three minutes per person, with the exception of certain hearings and appeals, or at the discretion of the Mayor or City Council.

**PUBLIC COMMENT (INCLUDING CONSENT CALENDAR AND ADMINISTRATIVE REPORTS):**

The public may directly address the City Council on any subject within the Council's subject matter jurisdiction, including any matter that is not on the agenda. Speaking time is limited to no more than three (3) minutes per person, unless modified at the discretion of the Mayor or City Council.

If the matter is not on the agenda, or if the matter is on the Consent Calendar, or is an Administrative Report, submit a speaker card or request to speak during the Public Comment portion of the meeting.

Speaker cards are not required if the speaker otherwise makes a clear and timely request to address the Council, but do promote the efficient and orderly progress of the meeting. Information on Speaker Cards is subject to disclosure under the California Public Records Act.

**CONSENT CALENDAR:**

These items are considered routine and may be approved by a single vote. Only the Mayor or a majority of the City

Council may authorize public input after the consent calendar is introduced.

**ADMINISTRATIVE REPORTS**

Only the Mayor or a majority of the City Council may authorize public input after an administrative report item is introduced.

**CONSENT HEARINGS:**

These items are considered routine and may be approved by a single vote; however, any member of the public or City Council may remove an item for consideration during the public hearing portion of the agenda.

**PUBLIC HEARINGS/APPEALS**

During any public hearing or appeal, any person may directly address the City Council. Applicants (or appellants) are allowed 10 minutes to present testimony at the beginning of the public hearing, and if needed, 5 minutes to present rebuttal at the end of the public hearing. All other speakers will be limited to 3 minutes.

**CLOSED SESSION**

The City Council is authorized to meet in closed session, without attendance by the public, on limited confidential topics such as pending litigation, real property negotiations, or personnel or labor matters.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT:**

The California Environmental Quality Act ("CEQA") is the state law that requires the City to evaluate and document the potential environmental consequences of discretionary decision. (See, California Public Resources Code Sections 21000 - 21189.3; and the "CEQA Guidelines" at California Code of Regulations Title 14, Division 6, Chapter 3, Sections 15000 - 15387). For each item that requires a CEQA determination by City Council, there is a reference to that determination on this agenda, and more information regarding the CEQA analysis is included in the documents that accompany this Agenda. To the extent that City staff determines that particular items are not subject to CEQA, there will be no indication of a CEQA action on this Agenda.

**CHALLENGES TO DECISIONS MADE BY THE CITY COUNCIL:**

If a person wishes to file a legal challenge to any decision made by the City Council, you may be limited to raising only those issues which you or someone else raised during the meeting, or in a written communication received by the City Clerk prior to or during the meeting. In addition, a legal challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies. The time limit to commence any legal challenge may be subject to strict timing requirements, and failure to comply with applicable timing requirements may result in a legal challenge being barred. Any lawsuit or legal challenge to any quasi-judicative decision made by the City Council is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-judicative decision made by City Council must be filed no later than the 90th day following the date on which such decision becomes final.