



**UPDATED LOCATION**  
**City of St. Helena**  
**Active Transportation and Sustainability**  
**Committee**  
**Regular Meeting**  
**1088 College Avenue, St. Helena**  
**Wednesday, May 3, 2023 @ 5:00 PM**

**PLEASE NOTE:** Any person who wishes to speak regarding an item on the agenda or make a comment under the "Oral Communication" portion of the agenda may do so, but please observe the time limit of four minutes. Members of the public and other parties are welcome to email their comments to the Staff Liaison Preya Nixon at [pnixon@cityofstheleena.org](mailto:pnixon@cityofstheleena.org)

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1. CALL TO ORDER
  - 1.1. Oath of office for Amy Beaudine and Anthony Micheli administered by Cindy Tzaopoulos, City Clerk
2. ROLL CALL

Chair: Leslie Stanton  
Vice Chair: Jeff Farmer  
Members: Glenn Smith, Madelyn Chandler, John Zimmerman  
Alternate Members: Vacant and Vacant  
City Council Member Liaison: Paul Dohring, Mayor  
Staff Liaison: Erika Opp, Administrative Analyst
3. PUBLIC FORUM:

An opportunity for the public to directly address the Committee on items of interest to the public that are not listed on the agenda. Any person addressing the Committee should provide his or her name and address, and limit comments to three minutes. **Because of restrictions imposed by the Brown Act, the Committee may not engage in substantive discussion, nor take action on matters not described on the agenda.**
4. REPORTS BY STAFF AND COMMITTEE:

Reports by staff and/or committee on items of general interest. ***Brief questions for clarification may be posed and answered, and Committee may request that items be placed on a future agenda. Except under certain circumstances, the Brown Act prohibits any other discussion or action by the Active Transportation & Sustainability Committee.***
5. CONSENT CALENDAR:

Members of the Active Transportation Committee or the public may ask that any items be considered individually for purposes of considering alternative action, for extended discussion, or for public comment. Unless that is done, on motion may be used to adopt all recommendation actions.

  - 5.1. Active Transportation and Sustainability Committee Meeting Minutes of February 1, 2023  
[Minutes - Active Transportation and Sustainability Committee - 01 Feb 2023](#)

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6. SCHEDULED MATTERS:

- 6.1. Oath of office for Amy Beaudine and Anthony Micheli by Cindy Tzaopoulos, City Clerk
- 6.2. Brown Act training by Cindy Tzaopoulos, City Clerk
- 6.3. Grayson and Crane Avenue Pavement Update by Mario Traverso, Asst. Engineer
- 6.4. CIP Update by Mario Traverso, Asst. Engineer
- 6.5. This item will not be heard.

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~~NVTA Transportation Accessibility Survey by David Banuelos, Sr. Community Engagement Specialist~~

7. FUTURE AGENDA ITEMS:

- 7.1.
  - 1. Napa Countywide Greenhouse Gas Emission Inventory Presentation by David Morrison, Interim County Executive Officer
  - 2. Presentation from Fire Chief John Sorensen regarding vehicular speeding and potential traffic mitigation
  - 3. Active Transportation Plan Phase II
  - 4. Potential Reusable Foodware and Waste Reduction Ordinance
  - 5. Main Street crossing study/Urban Land Use Institute presentation

8. ADJOURNMENT

The next regular Active Transportation Committee meeting is scheduled for June 7, 2023 at 5:00 pm, St. Helena City Hall, 1088 College Avenue, St. Helena.

This agenda was posted at City Hall, 1088 College Avenue, St. Helena on April 27, 2023.

Erika Opp, Administrative Analyst

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in the meeting, please contact City Hall at (707) 967-2792. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.102-35.104 ADA Title II). However, City staff will attempt to assist at any time with accessibility.



**Minutes  
City of St. Helena  
Active Transportation and Sustainability  
Committee  
Regular Meeting  
February 1, 2023  
Carnegie Building Second Floor, 1360 Oak  
Avenue**

**PLEASE NOTE:** Any person who wishes to speak regarding an item on the agenda or make a comment under the "Oral Communication" portion of the agenda may do so, but please observe the time limit of four minutes. Members of the public and other parties are welcome to email their comments to the City Clerk at [publiccomment@cityofstheleena.org](mailto:publiccomment@cityofstheleena.org)

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2. ROLL CALL

Chair: Leslie Stanton

Vice Chair: Jeff Farmer

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Alternate Members: Vacant and Vacant

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Staff Liaison: Joe Leach, Director of Public Works

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No public comment was received.

# - #

4. REPORTS BY STAFF AND COMMITTEE:

Reports by staff and/or committee on items of general interest. **Brief questions for clarification may be posed and answered, and Committee may request that items be placed on a future agenda. Except under certain circumstances, the Brown Act prohibits any other discussion or action by the Active Transportation & Sustainability Committee.**

Reports by staff and Committee was made.

5. CONSENT CALENDAR:

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- 5.1. Active Transportation and Sustainability Committee Meeting Minutes of January 4, 2023.

# - #

Committee Member John Zimmerman made a motion to adopt the minutes. The motion was seconded and carried by Chair Leslie Stanton.

6. SCHEDULED MATTERS:

- 6.1. Presentation from Napa County on SB1383 Implementation and Resources from Amanda Griffis (Napa County) # - #

Amanda Griffis reported on this item and provided a presentation.

No public comment was received.

- 6.2. Update on the Downtown Streetscape Project from the Director of Public Works Joe Leach (Verbal update, no staff report)

Director of Public Works Joe Leach provided an update.

7. FUTURE AGENDA ITEMS

- 7.1.
- Review and approval of Committee governing language
  - Presentation from Fire Chief John Sorensen regarding vehicular speeding and potential traffic mitigation
  - Active Transportation Plan Phase II
  - Potential Reusable Foodware and Waste Reduction Ordinance
  - Napa Countywide Greenhouse Gas Emission Inventory Presentation

8. ADJOURNMENT

Chair Stanton adjourned the meeting at 6:04 p.m.

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
Leslie Stanton, Chair

\_\_\_\_\_  
Cindy Tzaopoulos, City Clerk





# BROWN ACT TRAINING

PRESENTED BY  
CINDY TZAFPOPOULOS, CITY CLERK

# Basic Rule of the Brown Act

- All meetings of the legislative body (elected and appointed) of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in [the Brown Act].” § 54950
- All meetings of the legislative body of a local agency must be open and public. § 54951
  - Cities are “local agencies”



## **“Ad-Hoc” Advisory Committee Exception**

- All committees established by a legislative body must comply with the Brown Act, UNLESS it:
  - Is ADVISORY, not decision-making; AND
  - Includes ONLY Board Members; AND
  - Includes LESS than a quorum; AND
  - Does NOT have continuing subject matter jurisdiction; AND
  - Is NOT meeting on a fixed schedule set by the Board.

# MEETINGS



- A “**meeting**” includes any gathering of a **majority** of the **members** of a legislative body at the **same time and location** to **hear, discuss, deliberate or take action** upon any item which is within its **subject matter jurisdiction**.



# Types of Meetings

- **Formal Meetings**
  - Regular meetings
  - Special meetings
- **Informal Meetings**
  - Daisy Chain
  - Hub and Spoke
  - E-mail/Social Media/Technology

# Special Meetings

- The presiding officer or a majority of the legislative body may call a special meeting at any time.
- Written notice must be delivered at least 24-hours before the time of the meeting to each legislative body member (unless waived in writing) and to each local newspaper of general circulation, radio and TV station which has requested such notice in writing.
- Only the business set forth in the notice may be considered at the meeting.

§ 54956



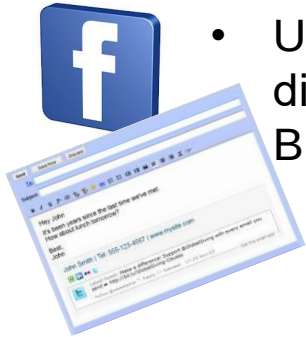
# Serial Meetings



- Daisy Chain: If Member A contacts Member B, and Member B contacts Member C, and so on, until a quorum has been involved, this type of “serial meeting” may result in a violation of the Brown Act.



- Hub and spoke: An intermediary -- such as a staff member or even a developer or applicant -- contacts at least a quorum of the members to develop a collective concurrence on action to be taken by the legislative body.



- Use of e-mail or other technology/media by a majority of a legislative body to discuss, deliberate, or take action on items within the body’s jurisdiction violates the Brown Act.

# Recommendations for E-mail

- Avoid sending e-mails to the whole legislative body.
  - If necessary, provide information only.
  - Do not solicit a response.
- Be careful replying to e-mails.
  - Do not communicate your position or make a commitment on a pending matter.
  - Do not direct a reply to a majority of the legislative body.
- Think carefully before sending any e-mail.
  - Remember, your e-mail can be forwarded by others to a majority of the legislative body.

# Non-Meetings

- An employee or official of a local agency may engage in “**separate conversations or communications**” outside of a meeting in order to “**answer questions or provide information**” so long as that person “**does not communicate to members of the legislative body the comments or positions of any other member or members.**”

§ 54952.2(b)(2).

- Attendance by a majority of members at:
  - A **conference** that is related to the business of the agency that is **open to the public**;

*Provided that* a majority of the members do not discuss amongst themselves business “of a specific nature” that is within the subject matter jurisdiction of the agency.

§ 54952.2 (c)(2)

- Attendance by a majority of members at:
  - An **open and publicized meeting** organized to address a topic of local community concern by **a person or organization other than the local agency**;

*Provided that* a majority of the members do not discuss amongst themselves business “of a specific nature” that is within the subject matter jurisdiction of the agency.

§ 54952.2(c)(3)



# Non-Meetings

- Attendance by a majority of members at:
  - A **purely social or ceremonial occasion**,  
*Provided that* a majority of the members do not discuss amongst themselves business “of a specific nature” that is within the subject matter jurisdiction of the agency.
- 54952.2
- Attendance by a majority of members at:
  - An **open and noticed meeting of a standing committee** of that body,  
*Provided that* the members of the legislative body who are not members of the standing committee **attend only as observers.**
- § 54952.2(c)(6)





# AGENDA REQUIREMENTS AND DESCRIPTION

- Agenda Posting Requirements
- Agenda Description
- Public Comment
- Non-Agendized Items
- Adding Items to an Agenda



- Each item of business to be “*transacted or discussed*,” including items to be discussed in closed session, must be the subject of a “***brief general description***” which generally need not exceed 20 words.  
§ 54954.2(a)(1)

# Non-Agendized Items

- Action or discussion on any item not appearing on the posted agenda is generally prohibited.
- Members may only:
  - Briefly respond to public statements or questions,
  - Ask a question for clarification,
  - Make a brief announcement,
  - Make a brief report on his or her activities,
  - Provide a reference to staff or other sources for factual information, or
  - Request staff to report back to the legislative body in a subsequent meeting.
- The legislative body may direct staff to place the matter on a future agenda. § 54954.2(a)(2)

# Meeting Documents

- The public has the **right to review** agendas and other writings distributed to a majority of the legislative body (except for privileged documents). A fee or deposit may be charged for a copy of a public record.

§ 54957.5(a) and (c)

- Writings must be made public:
  - **at the time distributed** to a majority of the legislative body (before or at a meeting) if prepared by the agency or a member of its legislative body, or
  - **after the meeting** if prepared by some other person.

§ 54957.5(b) and (c)

# Recording of Meetings



- The public is allowed to use audio or video tape recorders or still or motion picture cameras at an open meeting, absent a reasonable finding by the legislative body that such recording, if continued, would persistently disrupt the proceedings due to noise, illumination, or obstruction of view. § 54953.5

# Public Participation

- A regular meeting agenda must allow an opportunity for members of the public to speak **on any item of interest**, so long as the item is **within the subject matter jurisdiction** of the legislative body.
- The public must be allowed to speak on a **specific item** of business **before** or **during** the legislative body's consideration of it.
- Public comments at **special meetings** can be **limited to agenda items only**.

§ 54954.3 (a)



- Public comment is four minutes.



# Limits on Public Participation

- The legislative body may **remove persons** from a meeting who willfully interrupt proceedings. If order still cannot be restored, the meeting room may be **cleared**.
- Members of the **news media** who have not participated in the disturbance must be allowed to continue to attend the meeting.

§ 54957.9

- The legislative body **cannot prohibit public criticism** of policies, procedures, programs, or services of the agency or the omissions of the legislative body itself.



# Voting Disclosure

- Legislative bodies must publicly report:
  - any action taken; and
  - the vote or abstention on each action taken by each member present for the action at a meeting.

§ 54953(c)(2)



Where action is taken other than by a roll-call vote:

- The names of each member present who dissented, abstained, or otherwise did not participate should be stated so that there is a clear record of how the entire body voted.
- This information should be included in the minutes of the meeting, along with accurate records of each member's attendance at the meeting.



# Questions?