



**City of St. Helena
Water Advisory Board
Regular Meeting**

**Wednesday, May 26, 2021 @ 10:00 AM
Published: Thursday, May 20, 2021 6:39 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.

In accordance with Executive Order N-29-20, and guidance from the California Department of Public Health on gatherings, remote public participation is allowed. We will address the Order in the following ways: Members of the public may not physically attend meetings. The Water Advisory Board meeting will be live-streamed on the City's website, barring technical difficulties. Those members of the public wishing to participate must do so remotely via Zoom electronic meetings in the following ways; by either logging onto the Zoom link located on the meeting agenda (please download the app to your computer or mobile device) and enter the meeting ID or by calling a listed number and enter the meeting ID. Public comment for Water Advisory Board meetings will be accepted via email to publiccomment@cityofsthelena.org. All public comments must be emailed by 4:00 PM prior to the meeting. Emailed public comments will not be read out loud but will be publicly available and attached to the on-line Water Advisory Board agenda.

In the event a quorum of the Water Advisory Board loses electrical power or suffers an internet connection outage that is not corrected within 10 minutes, the meeting will automatically be adjourned. Any items noticed as public hearings will be continued to the next regularly scheduled evening meeting of the Water Advisory Board. Any other items on the agenda that the Board has not taken action on will be placed on a future agenda.

Please see the end of the agenda for detailed PUBLIC PARTICIPATION instructions.

Please click the link below to join the meeting:

<https://us02web.zoom.us/j/89565227074>

Or One tap mobile :

US: +16699006833,,89565227074# or +12532158782,,89565227074#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 929 205 6099 or +1 301 715 8592 or +1 312 626 6799

Meeting ID: 895 6522 7074

International numbers available: <https://us02web.zoom.us/j/89565227074>

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1. CALL TO ORDER
2. ROLL CALL
Chair: Brent Randol

Vice Chair: Dianna Ortiz
Board Member: George Schisler
City Council Representative: Anna Chouteau
Planning Commission Representative: Daniel Hale

3. PUBLIC FORUM:

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

4. REPORTS BY STAFF AND BOARD

Reports by staff and/or board on items of general interest. Brief questions for clarification may be posed and answered, and board 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 Water Advisory Board.**

5. CONSENT CALENDAR:

Members of the Water Advisory Board 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. Water Advisory Board Meeting Minutes of April 30, 2021
[04-30-21 Water Advisory Board - Minutes](#)

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6. STAFF BRIEFING

- 6.1. City of St. Helena Exemption Process
Prepared By: April Mitts, Finance Director
Recommendation:
Receive and file.

7. NEW BUSINESS:

- 7.1. Consideration of water exemption request from Tom Belt
Prepared By: April Mitts, Finance Director
Recommendation:
Discuss and provide direction for water exception request.
[STAFF REPORT - Water Advisory Exception Request - Belt, T.](#)
[Attachment 1 - Belt, T. Water Exception Application](#)

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8. ADJOURNMENT

The next regular Water Advisory Board meeting is scheduled for June 4, 2021 or June 18, 2021 at 10:00 am.

I do hereby certify that a copy of the foregoing agenda was posted on the City website on May 20, 2021.



Cindy Tzaferopoulos, City Clerk

In Compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please call the City Clerk's Office (707) 968-2742. Notification 72 hours prior to the meeting as required by Section 202 of the Americans with Disabilities Act will enable the City to make reasonable arrangements to ensure accessibility to this meeting.



**Minutes
City of St. Helena
Water Advisory Board
Regular Meeting
Friday, April 30, 2021 @ 10:00 AM**

-
1. CALL TO ORDER
 2. ROLL CALL

PRESENT: City Council Representative: Anna Chouteau
Planning Commission Representative: Daniel Hale
Board Members: Brent Randol and George Schisler

ABSENT: Board Members: Dianna Ortiz

3. PUBLIC FORUM:

No public comment was received.

4. NEW BUSINESS:

- 4.1. Orientation – Overview of Brown Act and Review of Handbook for Committees, Commissions and Boards
Prepared By: Cindy Tzafoopoulos, City Clerk

Cindy Tzafoopoulos, City Clerk reported on this item.

No public comment was received.

It was the consensus of the Water Advisory Board to move item 4.2 after item 4.6.

- 4.2. ~~Selection of Chair/Vice Chair~~
~~Prepared By: Cindy Tzafoopoulos, City Clerk~~

- 4.3. Review of the Role of the Water Advisory Board
Prepared By: April Mitts, Finance Director

April Mitts, Finance Director reported on this item and provided a presentation.

No public comment was received.

- 4.4. Update on City Water Emergency
Prepared By: John Wanger, Interim City Engineer

Mark Prestwich, City Manager reported on this item and provided a presentation.

No public comment was received.

4.5. Review and approval of Application and Use of Exception Permits – Water Emergencies

Prepared By: April Mitts, Finance Director

April Mitts, Finance Director reported on this item.

It was the consensus of the Water Advisory Board to approve the Standard Operating Procedure for the Application and Use of Exception Permits – Water Regulations.

No public comment was received.

4.6. Setting regular meeting dates (currently the 2nd and 4th Friday of each month). Required to meet at least 1x per month

April Mitts, Finance Director reported on this item.

It was the consensus of the Water Advisory Board to set the regular meeting for the third Friday of each month and a second meeting held on the first Friday of the month as needed.

Tom Belt addressed the Water Advisory Board.

4.2. Selection of Chair/Vice Chair

Prepared By: Cindy Tzaopoulos, City Clerk

Cindy Tzaopoulos, City Clerk reported on this item.

Water Advisory Board Member Schisler made a motion to nominate Board Member Randol as Chair of the Board. Board Member Hale seconded the motion, and all were in favor.

Water Advisory Board Member Schisler made a motion to nominate Board Member Ortiz as the Vice Chair of the Board. Board Member Chouteau seconded the motion, and all were in favor.

5. ADJOURNMENT

Chair Randol adjourned the meeting at 11:17 a.m.

APPROVED:

ATTEST:

Brent Randol, Chair

Cindy Tzaopoulos, City Clerk



Report to the City Council
Water Advisory Board - 26 May 2021

Agenda Section: **NEW BUSINESS**

Subject: **Consideration of Water Allocation Exception – Belt, T.**

CEQA **Not a CEQA project**
Determination:

Prepared By: Martin Beltran, Management Analyst

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

On October 27, 2020, the City Council established Phase II Water Regulations and, in accordance with the St. Helena Municipal Code (SHMC), established the Water Advisory Board consisting of one City Council member, one Planning Commissioner, one winery customer, and two public members, one of whom shall solely be a residential customer.

The Water Advisory Board shall have access to all records in the possession of the water enterprise necessary in its judgement to perform its duties, including customer records. The Board shall maintain confidentiality of individual customer records unless the Board determines by resolution that release of such information is necessary in the pursuit of its duties.

The Water Advisory Board shall meet at least monthly and may grant permits for uses of water, for exceptions to water conservation measures, or for water connections otherwise prohibited. The Water Advisory Board shall prescribe necessary procedures for application for and use of exception permits pursuant to SHMC Section 13.04.280.

On April 30, 2021, the Water Advisory Board approved SOP-FI-0021 *Application and Use of Exception Permits Water Emergency* and the applicable *Exception Form*.

DISCUSSION

On March 8, 2021, the City received an application for an exception by Tom Belt (Attachment 1). The applicant is requesting the following exception:

1. An additional 130 gallons per day
2. Requesting variance to save as many mature trees and shrubs as possible during the drought.
3. Current landscaping consists of several dogwood, redwood, and maple trees along with about 50 intersectional sybrid, tree, and herbaceous pheonies, 40 mature azaleas, roses, rhododendrons and camelias.
4. For the last several years during the spring and summer months the customer has irrigated their landscaping utilizing non-potable water from the City's non-potable water source; however, due to the drought and required levels the City is unable to provide this as a water source.

The current allotment for this property based on a 30-day month from April through October is as follows:

	Gallons	HCF
2 Person Household	3,900	
Summer Landscape	2,500	
Additional Landscape based on lot size (per SHMC)	860	
Total Current Allocation	7,260	9.71
Additional Allotment Request	3,900	
TOTAL ALLOTMENT IF GRANTED	11,160	14.92

FISCAL IMPACT

Not Applicable.

RECOMMENDED ACTION

Discuss and provide direction for water exception request.

ATTACHMENTS

Attachment 1 - Exception Application – Belt, T.



Water Exception Permit Form

DATE SUBMITTED: _____
RECEIVED BY: _____

PROPERTY & BILLING INFORMATION			
Date Applying		Customer or Company Name	
Account Number		Phone Number	Email Address
Mailing Address		City	State Zip Code
TYPE OF EXCEPTION REQUEST – CHECK ALL THAT APPLY			
☐	<u>Allocation based on previous water use</u> - it can be demonstrated that water conservation measures beyond those required in Chapter 13.12 were in place prior to the preceding nonshortage year. An additional quantity of water may be allocated to recognize the higher efficiency in place prior to the water emergency condition.		
☐	<u>Allocation based on previous winter water use</u> - it can be demonstrated that efficient and essential water uses are not represented in average winter water use.		
☐	<u>Irrigation</u> – Non-residential customers with irrigation and domestic use provided by the same water meter may receive an additional landscape allocation of up to 70 gallons (Phase II) per day per 1,000 square feet of landscaped area during April through October by documenting the landscaped square footage served by city water.		
☐	<u>Single-family residential</u> - parcels exceeding seven thousand (7,000) square feet in area, the quantity of up to twenty (20) gallons per day for each one thousand (1,000) square feet that the property area exceeds seven thousand (7,000) square feet for the purpose of maintaining mature landscape or orchard plants.		
☐	For medical conditions of a resident, a quantity as required to maintain health standards.		
Additional Amount Requested (if known):		Check One: ____ HCF -or- ____ Gallons	
Additional supporting information/considerations (please attach any additional supporting documentation):			

Updated 04/05/2021

PLEASE READ AND SIGN THE FOLLOWING STATEMENTS AS ACKNOWLEDGED AND REQUIRED BY THIS AGREEMENT			
If this condition is granted, I agree to: • Submit a request in writing to the Director of Public Works; • Adhere to all specific requirements contained within the exception; and • Any other specified conditions as determined by the City of St. Helena or Water Advisory Board			
Name:		Signature	
		Date	
PLEASE SUBMIT APPLICATIONS TO:		QUESTIONS?	
City of St. Helena: Public Works 1572 Railroad Avenue St. Helena, CA 95404		Email: mbeltran@cityofstheleena.org Website: www.cityofstheleena.org/Phaseii Phone: 707-967-2746	
STAFF USE ONLY			
Water use exception is hereby: ☐ Approved ☐ Denied			
Details of exception granted, including additional allocation:			
If denied, reason for denial:			
Approved by (check one):		☐ Public Works Director	☐ Water Advisory Board

March 8, 2021

Dear Mr. Church,

Acting City of St. Helena Public Works Director,

Pursuant to Ms. April Mitts direction, I am writing this to request approval from the city to extend an additional 130 gallons of water/day to 1520 Hillview Place during this year's water emergency in St. Helena.

My wife and I purchased our home in 1977. During the last 44 years, as water has become more limited and expensive, we have reduced our lawn size three times. Originally, my landscaping consisted of over 3500 square feet of lawn on an 8400 square foot lot. Today, my total lawn size is less than 800 square feet.

But I am not requesting this variance to save my lawns. I am requesting it to save as many of my mature trees and shrubs as possible during this drought. My current landscaping consists of several dogwood, redwood, and maple trees along with about 50 intersectional hybrid, tree, and herbaceous peonies, 40 mature azaleas, roses, rhododendrons and camelias. Many of these plants are over 35 years old and their replacement value would exceed tens of thousands of dollars not including the labor to remove and replace the plants. At 73 years of age, I just do not have the energy or ability to replace this landscaping. (Please see the three recent copies of photographs of my front and backyard Landscaping.)

The other reason why I am asking for the variance is because for the last seven years, during spring and summer months, I have irrigated my entire landscaping with non-potable water hauled from the RLS non-potable water station. This can be confirmed by all the quarterly non-potable water permits I have purchased from the city. By doing this, I estimate I have saved close to 300,000 gallons of potable water for other St. Helena water customers. I would be hauling this water again this year, but the city has discontinued the use of non-potable water from the RLS station.

The variance I am requesting adds up to about 23,000 gallons of additional water this year. In deciding whether to grant my request for variance, I hope the city will take into consideration that we have always been conservative of the water we have used in St. Helena.

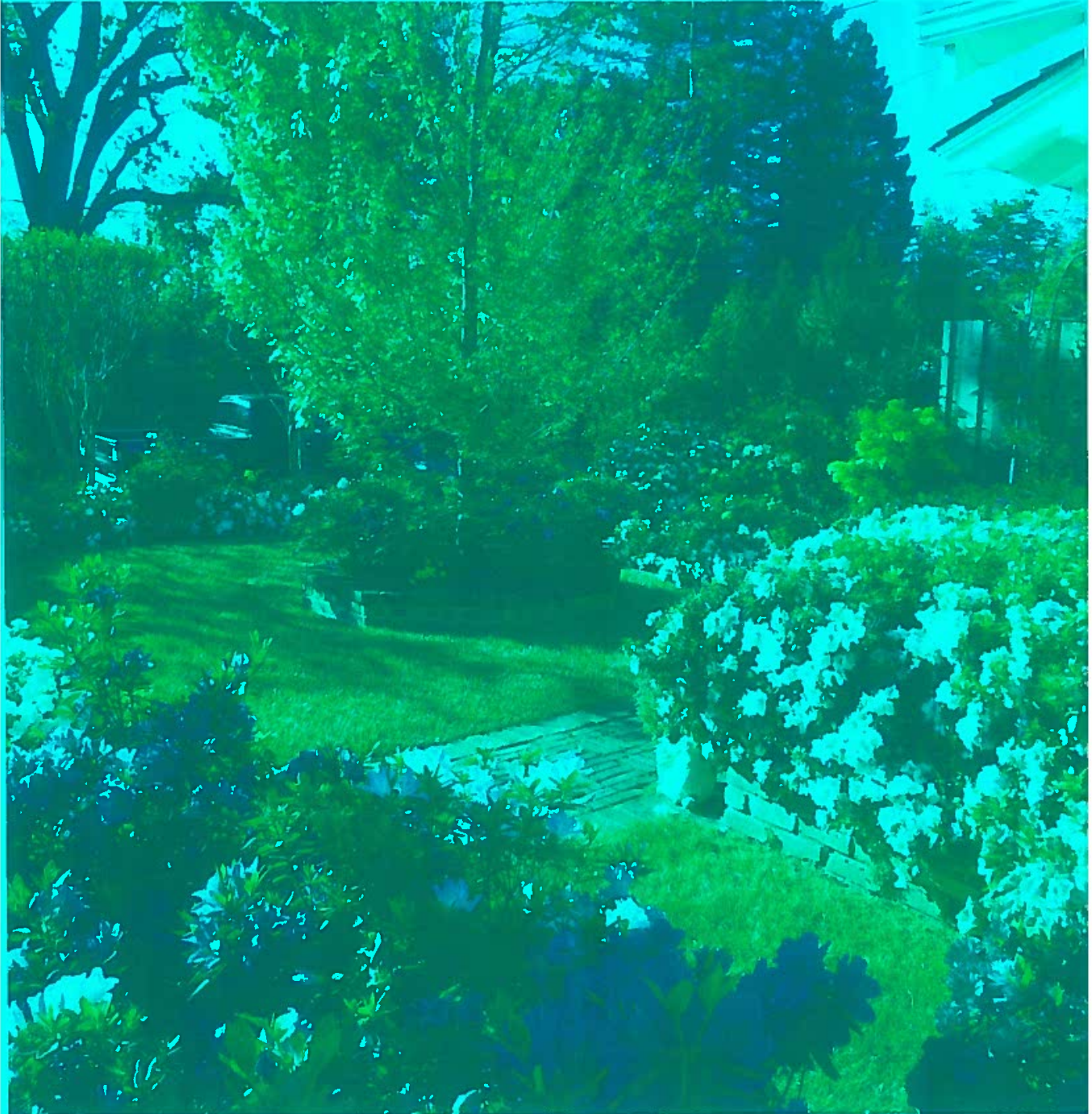
Respectfully submitted,



Tom and Margot Belt

(707) 963-5662

Attachments







From: [TOM BELT](#)
To: [April Mitts](#)
Subject: RE: [External] May 21st Water Committee Meeting
Date: Wednesday, May 19, 2021 4:39:36 PM
Attachments: [image001.png](#)

Hello April,

Per your reply on Monday, I was thinking you may get back to me about your meeting with the public works director to internally approve exceptions for water allotments.

I have read the city's ordinance and I'm aware of the prescribed exemption categories. I'm also aware my justification doesn't easily fit into the exemption authorization categories. Nevertheless, will there be any room for discretion on the part of the water advisory committee to veer from the justifications under the code? I have maintained my landscaping myself for 44 years. Unlike the vast majority of home owners in St. Helena, I have never had a Gardner. The peonies, azaleas, roses and trees are close to being family to me. My 50+ foot redwood trees were 4 feet tall when I planted them 40 years ago.

This month I misread my water meter by placing the decimal point after the first three digits when I should have placed it behind the fourth digit. Stupid me as I thought I would be okay with 7000 gallons/month. That just won't suffice as our temperatures grow into the high 90's and 100's this summer. The extra 130 gallons/day will allow me to water my shrubs two times a week. I've let the small lawn I have in my back yard die and I'm fine with letting the 300 square foot front lawn go as well.

I look forward to hearing back from you before Friday.

Thank you,

Tom

On 05/17/2021 5:11 PM April Mitts <amitts@cityofsthelelena.org> wrote:

Hi Tom,

Yes, the next meeting is this Friday at 10:00 a.m. and via zoom. I am meeting with the Public Works department tomorrow to discuss the exceptions and see what can be approved internally via the Public Works Director and what will need to go to the committee. I will keep you posted. Thanks for reaching out.

April Mitts

Finance Director

1572 Railroad Avenue

St. Helena, CA 94574

707.968.2751

amitts@cityofsthelelena.org



Wash your Hands | Wear a Mask | Watch your Distance

Lávese sus manos | Use mascarilla | Mantenga su distancia

From: TOM BELT <tmbelt@comcast.net>
Sent: Monday, May 17, 2021 3:36 PM
To: April Mitts <AMitts@cityofsthelena.org>
Subject: [External] May 21st Water Committee Meeting

Hi April,

Can you please tell me if the water advisory board will be approving exception permits on May 21st and will the meeting be on Zoom?

Thank you,

Tom



Wash your Hands | Wear a Mask | Watch your Distance

Lávese sus manos | Use mascarilla | Mantenga su distancia

From: TOM BELT <ymbelt@comcast.net>
Sent: Friday, April 9, 2021 3:31 PM
To: April Mitts <AMitts@cityofsthelena.org>
Subject: [External] Date for April Water Meter Reading

Hi April,

Can you tell me when the city will be reading April's water use? It seems in the past the meters are read in the middle of the month but according to Phase 2 water restrictions, residents are allotted an extra 2500 gallons/month after the April meter reading date.

Thank you and enjoy your weekend,

Tom