



Mayor: Del Britton
Vice-Mayor: Eric Sklar
City Council: Bonnie Schoch
Catarina M. Sanchez
Sharon Crull

**AGENDA
REGULAR MEETING
ST. HELENA CITY COUNCIL
VINTAGE HALL BOARD ROOM – SECOND FLOOR
465 MAIN STREET, ST. HELENA
AUGUST 24, 2010
7:00 P.M. REGULAR MEETING**

Prior to the meeting the public may review available information at City Hall or at the George and Elsie Wood Public Library.

I. Appeal. A person who is dissatisfied with a decision of the City Council may have the right to a review of the decision by a Court. California Code of Civil Procedure Sections 1094.5 and 1094.6 generally limit the time within which a decision of the City Council may be judicially challenged. If a person challenges a decision in Court, he or she may be limited to raising only those issues that were raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the Public Hearing.

Special Assistance for the Disabled. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact City Hall, (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 CFR35.102-35.104 ADA Title II). However, City staff will attempt to assist at any time with accessibility. The City Clerk has equipment to assist those with a hearing impairment.

Council Action. All agenda items as listed are intended to give notice to members of the public of a general description of the items or matters to be discussed or acted upon. Any particular item, matter, or recommended action represents staff's recommendation to the City Council, or the general nature of the item or matter as requested by Council. The City Council may take any action within its authority which it deems to be appropriate on the agenda item and is not limited in any way by any recommended action.

Closed Sessions. The City Council will convene in Open Session at the stated time, but will then adjourn to any Closed Session(s) listed on the agenda. The public is invited to address the Council with comment on any listed Closed Session item immediately prior to Council's adjournment into Closed Session or consistent with any other provisions permitting public comment. The Council will reconvene in Public Session at 7:00 p.m. At that time, if appropriate and as required under the Brown Act, any actions taken during the preceding Closed Session will be announced. If necessary, the Council may reconvene in Closed Session to continue discussion of listed items following the completion of other business.

Public Testimony Procedures. Pursuant to Government Code Section 54954.3, the public may address the Council on each agenda item during the Council's consideration of that item as follows:

- **Addressing the Council generally.** Before testifying it would be appreciated if speakers would identify themselves; however, name and address is optional. The purpose of public testimony is for Councilmembers to benefit from the views of the public. Comments from the public should be directed towards the Council. Councilmembers and staff generally avoid entering into a dialogue with members of the public who may address the Council.
- **Public comment on agendized items.** Members of the public are entitled to speak on any item on the agenda either immediately after the item is called by the Mayor or during a Public Hearing on the subject matter opened by the Mayor. Each person is entitled to speak on any agenda item only once at any meeting, and the right to speak at the appropriate time waives any further right to address the Council on that item at that meeting. Participation in debate on any item before the Council shall be limited to members of the Council, although Councilmembers may ask members of the public for additional information.
- **Public comment on unagendized items.** Members of the public are entitled to speak on matters of municipal concern not on the agenda during Public Forum. Please refer to the procedures under Item 5, Public Forum.
- **Time limit.** Each person's comments shall be limited to 3 minutes, except as provided below regarding land use Public Hearings.
- **Addressing Council at land use Public Hearings.** The applicant at a land use Public Hearing shall be permitted to address the Council for 15 minutes following the staff report. If there is a spokesperson for the opposition, the spokesperson shall be permitted to speak for 15 minutes. All other speakers will be limited to 3 minutes each. Applicant shall be permitted 5 minutes at close of public comments for rebuttal.
- **Presentation by spokesperson.** Whenever any group of persons wishes to address the Council on the same subject matter, it shall be proper for the Mayor to request that a spokesperson be chosen by the group to address the Council, and, in case additional matters are to be presented at the time by any other member of the group, to limit the number of persons addressing the Council so as to avoid unnecessary repetition before the Council.
- **Irrelevant testimony.** The Mayor shall rule out of order any testimony not relevant to the agenda item then under discussion.
- **Items submitted after packet distribution.** Materials related to any item on the Agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 1480 Main Street, St. Helena, CA during normal business hours and placed with the agenda at the back of the Council Chamber prior to the start of the meeting.

1. CLOSED SESSION - None

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. REGULAR MEETING (7:00 P.M.)

5. APPROVAL OF MINUTES - (1) Regular Meeting July 27, 2010; (2) Adjourned Meeting of August 2, 2010

6. REPORTS BY STAFF AND CITY COUNCIL AND FUTURE AGENDA ITEMS: Reports by staff and/or Councilmembers on items of general interest or action taken during Closed Session. Brief questions for clarification may be posed and answered, and Councilmembers 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 City Council.

7. PUBLIC FORUM: Members of the public are entitled to speak on matters of municipal concern not on the agenda during Public Forum. Each person's comments shall be limited to 3 minutes. Each person is entitled to speak on any non-agendized item only once at any meeting. Brief questions by Councilmembers for clarifications may be posed and answered, and Councilmembers may make requests that items be placed on future agendas, but in accordance with State Law, no substantive discussion or action may take place unless and until the matter properly appears on the agenda.

8. PRESENTATIONS AND PUBLIC RECOGNITIONS

II. CONSENT ITEMS: Members of the Council 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, one motion may be used to adopt all recommended actions. (Roll Call Vote)

9. Accounts Payable for the Month of July 2010

Recommended Action: Note and File

10. Parks and Recreation Minutes of June 21, 2010

Recommended Action: Note and File

11. Parks and Recreation Minutes of July 19, 2010

Recommended Action: Note and File

12. Multi Cultural Minutes of June 2, 2010

Recommended Action: Note and File

13. Library Board of Trustee Minutes of July 14, 2010

Recommended Action: Note and File

14. Library Board of Trustee Minutes of August 11, 2010

Recommended Action: Note and File

15. Tree Minutes of July 8, 2010

Recommended Action: Note and File

16. Resolution Approving the Application for Grant Funds for the Sustainable Communities Planning Grant and Incentives Program Under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84)

Recommended Action: Adopt

17. Resolution Accepting Work and Directing the Filing of a Notice of Completion for the Rutherford Water Pipeline Rehabilitation Project Recommended Action: Adopt
18. Resolution Establishing a Tax Rate for Servicing Debt Obligations Incurred by the Issuance of the 1996 General Obligation Fire Bonds to be Effective for the 2010-2011 Fiscal Year Recommended Action: Adopt
19. Resolution Approving License Agreement between the City and Valley of the Moon Art Association, Inc. Re: Art Show at Lyman Park on September 4 and 5, 2010 Recommended Action: Adopt
20. Resolution Adopting and Approving the Sewer System Management Plan as Required by the State Water Resources Statewide General Waste Discharge Requirements Recommended Action: Adopt
21. Introduction of Ordinance Repealing Chapter 9.08 (Offenses by or Against Minors) of the St. Helena Municipal Code and Adding a New Chapter Entitled the "Social Host Accountability Ordinance" Including Imposition of Civil Fines and Abatement Costs Recommended Action: Introduce and Waive First Reading
22. Second Reading and Adoption of Zoning Ordinance Text Amendment to Title 17 to Add Section 17.112.150 Fractional Ownership Hotel Development and Operation Standards; to Amend Section 17.112.130 Time-Sharing Uses prohibited to Eliminate Reference to Hotels and Motels; to Amend Chapter 17.04 General Provisions and Definitions, Section 17.04.160 to Add the Definition of Fractional Ownership Hotel; and to Amend Chapter 17.52, Service Commercial (SC) District, Section 17.52.030, Conditional Uses to Add Fractional Ownership Hotel as a Conditional Recommended Action: Adopt

III. PUBLIC HEARINGS (Since Public Hearings do not begin before 7:30 p.m., Scheduled Matters listed below may be considered before that time.)

23. Appeal of Planning Commission Denial of Request of **Jeff Feeney and Todd White** for a **USE PERMIT AMENDMENT** to allow a revision to the 2006 project approval to establish an inn and affordable housing at the **GRANDVIEW PROPERTY** located at **1915 MAIN STREET**. The revisions would increase the number of hotel rooms from 35 to 57; would eliminate the requirement to have 22 affordable apartments on-site and replace it with a mitigation measure for a monetary contribution of \$750,000 to the affordable housing fund; would increase the number of guests allowed at events; and would rezone the property from SC:HP:PD: Service Commercial with Historic Preservation and Planned Development overlay to SC:HP: Service Commercial with Historic Preservation overlay. The request also includes a request to the City Council to increase the number of transient occupancy rooms on the Hotel, Motel and B&B Inventory to accommodate the increase in hotel rooms. A Mitigated Negative Declaration was prepared but not approved by the Planning Commission. (APN 009-490-009) (Planning Director)

IV. SCHEDULED MATTERS (Since Public Hearings do not begin before 7:30 p.m., Scheduled Matters listed below may be considered before that time.)

24. Bi-Monthly Update on St. Helena Flood Control Project (Flood Project Manager)

25. Resolution Accepting the Library Remodel and Authorizing Release of Contractor Retention (Library Director)
26. Resolution Appointing Member to the Tree Committee (City Manager)
27. Planning Commission Actions of August 3, 2010 (Planning Director)
28. Planning Commission Actions of August 17, 2010(Planning Director)

V. ADJOURNMENT

The next Regular City Council Meeting is scheduled for September 14, 2010 at 7:00 pm in the Vintage Hall Board Room located at 465 Main Street. (There is a possibility that this meeting will be adjourned to specific time date and place) This agenda was posted at City Hall, 1480 Main Street and at Vintage Hall, 465 Main Street, St. Helena, California at 4:30 pm on Thursday, August 19, 2010.

Delia Guijosa, City Clerk

AGENDA FORECAST (TENTATIVE ITEMS FOR NEXT MEETING – FOR INFORMATIONAL PURPOSES ONLY)

AGENDA AND STAFF REPORTS AVAILABLE ONLINE AT: <http://www.ci.st-helena.ca.us>

-- DISCLAIMER --

The on-line version of the St. Helena City Council Agenda Packets, including individual staff reports, are posted for your convenience only. Some portions of individual staff reports may not be posted on-line because of their size and/or format (maps, site plans, and renderings). Hard copies of all staff reports and attachments are available at City Hall. Every effort will be made to post staff reports and background information to the Web on Friday preceding the City Council meeting; however, the City cannot guarantee this timing.