



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
DECEMBER 14, 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 Sessions(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 7, 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. PLEDGE OF ALLEGIANCE

2. ROLL CALL

3. Adoption of a Resolution Reciting the Facts of the November 2, 2010 General Municipal Election, Certifying the Canvass of Returns, and Declaring the Results of the Election

4. Recognition of Outgoing Councilmembers Eric Sklar and Bonnie Schoch

5. Administration of Oath of Office to Mayor-Elect Del Britton, Councilmember-Elect Peter White, and Councilmember-Elect Ann Nevero (New Councilmembers are Seated)

6. Appointment of Vice-Mayor

7. **APPROVAL OF MINUTES** - Regular Meeting November 23, 2010

8. **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.

9. **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.

10. 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)

11. Tree Committee Minutes of September 9, 2010

Recommended Action: Note and File

12. Tree Committee Minutes of October 14, 2010

Recommended Action: Note and File

13. Accounts Payable for the Month of November 2010

Recommended Action: Note and File

14. Resolution Approving Catastrophic Leave Policy

Recommended Action: Adopt

15. Resolution Authorizing Progress Payment to the U.S. Army Corps of Engineers San Francisco District for Upper Creek Ecosystem Restoration Project
Recommended Action: Adopt
16. Resolution Approving Budget Adjustment for the Destination Marketing and Tourism Activities Specific to St. Helena
Recommended Action: Adopt
17. Resolution Approving Agreement with Moore Consulting for Interim Planning Director Services on a Temporary Part Time Basis
Recommended Action: Adopt
18. Resolution Awarding a Contract for Construction of the Wappo Park Trail and Picnic Project and Approving Use of Park Bond Act Fund Balance to Offset the Funding Gap
Recommended Action: Adopt

III. PUBLIC HEARINGS

19. Second Reading and Adoption of an Ordinance Amending Municipal Code Title 15, Buildings and Construction, to Adopt and Amend the 2010 California Building Standards Code, Title 24 (update from the 2007 California Building Code). The 2010 California Building Standards Code Title 24 includes: (1) the 2010 California Fire Code; (2) the 2010 Energy Code; (3) the 2010 Electrical Code; (4) the 2010 Mechanical Code; (5) the 2010 Plumbing Code; (6) the 2010 Green Building Standards Code; (7) the 2010 Residential Code; and (8) Amendments Specific to the Jurisdiction of the City of St. Helena. Uniform Codes are maintained with the City Clerk and available for reference in the Building Department (Senior Planner)
20. Consideration of Ordinance Establishing Proposed Water and Wastewater Rates Necessary to Cover Basic Operation and Maintenance Costs, Existing Debt Covenant Requirements, Capital Improvement Projects, and Adequate Reserves for Operation of the Water and Wastewater Systems (Finance Director)

IV. SCHEDULED MATTERS

21. Bi-Monthly Update on St. Helena Flood Control Project (Flood Project Manager)
22. Memorandum Regarding Next Steps in the General Plan Update Process (Senior Planner)
23. Consideration of Resolution Confirming Available Water Supply at the Request of Mayor Britton
24. Resolution Approving a Water Use Agreement for the St. Helena Montessori School Located at 880 College Avenue (Public Works Director)
25. Review of Council Procedures for Appointing Planning Commissioners and Consideration of Appointment(s) to Planning Commission (City Manager)
26. Resolution Appointing Representative to the Napa County Mosquito Abatement District (City Manager)
27. Resolution Appointing Member to the Multi Cultural Committee (City Manager)

28. Consideration of Proposal for Facilitated Council Team Building and Strategic Planning Retreat (City Manager)

V. CLOSED SESSION

Conference with Legal Counsel – Anticipated Litigation

Significant Exposure to Litigation pursuant to Subdivision (c) of Section 54956.9

One Matter

VI. ADJOURNMENT

The next Regular City Council Meeting is scheduled for January 11, 2011 at 7:00 p.m. in the Vintage Hall Board Room located at 465 Main Street. This agenda was posted at City Hall, 1480 Main Street and at Vintage Hall, 465 Main Street, St. Helena, California at 4:30 p.m. on Thursday, December 9, 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.