



Mayor: Del Britton
Vice-Mayor: Sharon Crull
City Council: Catarina M. Sanchez
Peter White
Ann Nevero

**REGULAR MEETING
ST. HELENA CITY COUNCIL
VINTAGE HALL BOARD ROOM – SECOND FLOOR
465 MAIN STREET, ST. HELENA
APRIL 10, 2012
5:30 P.M. CLOSED SESSION
6:00 PM REGULAR MEETING**

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 voluntarily complete a “Speaker Card” and submit it to the City Clerk BEFORE that portion of the agenda is called. Speaker cards are available on the table in back of the room. Please observe the time limit of three minutes.

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 6:00 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 and ROLL CALL

2. PUBLIC COMMENTS PERTAINING TO THE CLOSED SESSION

3. CLOSED SESSION (5:30 P.M.)

CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION

Gov't Code 54956.9 (a): 1 Matter

- 1) The Pressure Grout Company v. Argonaut Constructors, et al (Napa County Superior Court Case No. 26-56191)

4. OPEN SESSION – COUNCIL WILL RETURN TO OPEN SESSION AND ANNOUNCE ACTIONS TAKEN IF ANY (6:00 P.M.)

5. **REPORTS BY STAFF AND CITY COUNCIL, FUTURE AGENDA ITEMS, and AB 1234 REPORTS:** 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.

6. **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.

7. PRESENTATIONS AND PUBLIC RECOGNITIONS

- Proclamation – Recognizing April 2012 as Sexual Assault Awareness Month

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)

8. City Council Minutes of March 6, 2012 Recommended Action: Approve

9. City Council Minutes of March 27, 2012 Recommended Action: Approve

10. Accounts Payable and Payroll for the Month of March 2012 Recommended Action: Approve

11. Planning Commission Actions of April 2, 2012 Recommended Action: Note and File

12. Resolution Approving Closure of Tainter Street between Oak Avenue and Kearney Street on May 19, 2012 for the Annual Catholic School Parish Carnival
Recommended Action: Adopt
13. Resolution Approving the Submittal of a Functional Classification Change for Local Streets to the State of CA Dept. of Transportation
Recommended Action: Adopt
14. Adoption of Zoning Ordinance Text Amendment to Establish Chapter 17.134 “Short Term Rentals” in the St. Helena Municipal Code and Zoning Ordinance Text Amendment to Municipal Code Chapter 17.20 Twenty Acre Agricultural (A-20) District, Chapter 17.32, Low Density Residential (LR) District, 17.36 Low Density Residential One Acre Minimum (LR-1A) District, 14.40 Medium Density Residential (MR) District, and 17.44 High Density Residential (HR) District to Allow Short-Term Rentals in the above mentioned Districts for Periods of less than Thirty (30) Days in a Single Family Dwelling
Recommended Action: Adopt
15. Resolution Designating Agents to Execute Documents for the Hazardous Mitigation Grant Program and Pre-Disaster Mitigation Program
Recommended Action: Adopt
16. Resolution of Intention Approving an Amendment to the Contract between the Board of Administration California Public Employees’ Retirement System and the City Council of the City of St. Helena
Recommended Action: Adopt
17. Climate Protection Task Force Minutes of February 1, 2012
Recommended Action: Note and File
18. Climate Protection Task Force Minutes of March 7, 2012
Recommended Action: Note and File

PUBLIC HEARINGS

19. Consideration/Introduction of an Ordinance Amending Municipal Code Chapter 9.06 “Smoking Regulations” to Prohibit Smoking in Municipal Parks at the Request of Community Action of Napa Valley (CANV) (Public Works Director)

SCHEDULED MATTERS

20. Consideration/Action for the City of St. Helena to enter into a 90-day exclusive agreement, at no cost, with Bald Mountain LLC to analyze the feasibility of redeveloping city-owned property at 1480 Main Street, APN 009-211-016, for hospitality purposes. (City Manager)
21. Consideration/Introduction of an Ordinance Amending Title 5, Business Taxes, License and Regulations to Add Chapter 5.20 State Video Services Franchises (Finance Director)
22. Consideration/Introduction of an Ordinance Amending various Sections of Municipal Code Chapter 1.12 “Enforcement Procedures” Pertaining to the Abatement of Nuisances and Cost Recovery (City Attorney)

- 23.** Consideration/Introduction of an Ordinance Adding New Chapter 8.32 “Relocation Services and Payment for Residential Tenant Households” to the Municipal Code (City Attorney)
- 24.** Consideration/Introduction of an Ordinance Authorizing an Amendment to the Contract between Public Safety of the City of St. Helena and the Board of Administration of the California Public Employees’ Retirement System (Finance Director)

ADJOURNMENT

The City Council will hold a Special Meeting tomorrow, April 11, 2012 at 6:00 p.m. at Vintage Hall. The next Regular City Council Meeting is scheduled for April 24, 2012 at 6:00 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 on Thursday, April 5, 2012.

Delia Guijosa, City Clerk