



Mayor: Ann Nevero
Vice Mayor: Sharon Crull
City Council: Greg Pitts
Mario Sculatti
Peter White

**REGULAR MEETING
ST. HELENA CITY COUNCIL
VINTAGE HALL BOARD ROOM – SECOND FLOOR
465 MAIN STREET, ST. HELENA
JANUARY 28, 2014
5:00 PM 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.

- 1. PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL**
- 3. PUBLIC COMMENTS PERTAINING TO THE CLOSED SESSION**
- 4. CLOSED SESSION (5:00 P.M.)**

Conference with Negotiator (City Manager)
Negotiations with St. Helena Employees Association (SHEA)
Brown Act Section: 54957.6
- 5. OPEN SESSION – COUNCIL WILL RETURN TO OPEN SESSION AND ANNOUNCE ACTIONS TAKEN IF ANY (6:00 P.M.)**
- 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. REPORTS BY STAFF AND CITY COUNCIL, FUTURE AGENDA ITEMS, and AB 1234 REPORTS:** Reports by staff and/or Councilmembers on items of general interest. 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.
 - Police Department Monthly Crime Report (Police Chief)

8. PRESENTATIONS AND PUBLIC RECOGNITIONS

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. City Council Minutes of January 14, 2014

Recommended Action: Approve

PUBLIC HEARINGS

- 10.** Introduction of Zoning Ordinance Text Amendments to Municipal Code Title 17; **(1)** Chapter 17.164 to allow administrative design review of minor projects, **(2)** Chapter 17.08, Section 17.08.170 to provide for procedures to determine whether land use permits or other discretionary development approvals expire or lapse for failure to timely establish the permitted use and **(3)** Chapter 17.124, Section 17.124.070 to provide for consistency in standards for driveways and access drives between Title 15, Building & Construction and Title 17, Zoning. The Planning Commission has recommended approval of the amendments to Chapter 17.08 and Chapter 17.124. (CEQA Exemption Section 15061 (b)(5))

Lead Staff: Interim Planning Director

Estimated Time: 30 minutes

SCHEDULED MATTERS

- 11.** Discussion/action on existing dry year conditions, and water concerns, possibilities and issues and potential adoption of Phase II Water Emergency Regulations.

Lead Staff: Assistant Public Works Director

Estimated Time: 1 hour

- 12.** Consideration/action to form a Water Advisory Board as required in Phase I Water Regulations and in preparation for potential Phase II Water Emergency Conditions. Discussion of process for selection of members and next steps.

Lead Staff: Assistant Public Works Director

Estimated Time: 30 minutes

- 13.** Consideration/adoption of a Resolution authorizing a Professional Services Agreement with Prunuske Chatham Inc. for \$458,900 for services related to the Upper York Creek Dam removal project (CIP W-26) including: completion of the CEQA process, preparation of plans, specifications and estimates for construction, applications for project funding, engineering for impacts to Lower York Creek and project coordination and management support.

Lead Staff: Assistant Public Works Director

Estimated Time: 30 minutes

ADJOURNMENT

The next Regular City Council meeting is scheduled for February 11, 2014 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 January 24, 2014.

Delia Guijosa, City Clerk

CHALLENGING DECISIONS OF CITY ENTITIES

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City of St. Helena is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision, including without limitation Government Code section 65009 applicable to many land use and zoning decisions, Government Code section 66499.37 applicable to the Subdivision Map Act, and Public Resources Code section 21167 applicable to the California Environmental Quality Act (CEQA). Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. Government Code section 65009 and 66499.37, and Public Resources Code section 21167, impose shorter limitations periods and requirements, including timely service in addition to filing.

If a person wishes to challenge the above actions in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of St. Helena, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

SUPPLEMENTAL MATERIAL RECEIVED AFTER THE POSTING OF THE AGENDA

Any supplemental writings or documents distributed to a majority of the City Council regarding any item on this Agenda, after the posting of the Agenda, will be available for public review in the City Clerk's Office located at 1480 Main Street, St. Helena, California, during normal business hours. In addition, such writings or documents will be made available on the City's web site at <http://cityofsthenana.org> and will be available for public review at the respective meeting.

**REGULAR MEETING
ST. HELENA CITY COUNCIL
VINTAGE HALL BOARD ROOM – SECOND FLOOR
465 MAIN STREET, ST. HELENA
JANUARY 14, 2014
5:00 P.M. CLOSED SESSION
6:00 P.M. REGULAR MEETING**

A complete video recording of this meeting can be found at www.cityofstheleena.org or by calling the City Clerk at (707) 967-2792. The City Council video is the official record of the Council meeting.

Mayor Nevero called the meeting to order at 5:09 p.m. and the flag was saluted.

ROLL CALL

Present: Councilmembers Sculatti, White, Crull, Pitts, Mayor Nevero

Absent: None

PUBLIC FORUM - None

CLOSED SESSION

Mayor Nevero asked if there were any public comments regarding the Closed Session matters listed below. There being none, the Council convened into Closed Session.

Conference with Negotiator (City Manager and Finance Director)
Negotiations with St. Helena Employees Association (SHEA)
Brown Act Section: 54957.6

The Regular Meeting was reconvened at 6:00 p.m. and Mayor Nevero reported there was no reportable action as a result of the Closed Session..

**REPORTS BY STAFF AND CITY COUNCIL AND FUTURE AGENDA ITEMS
and AB 1234 REPORTS:** None

PRESENTATIONS AND PUBLIC RECOGNITIONS

Oath of office to Police Officer James Hartley and to Lieutenant William Imboden
Police Chief Jackie Rubin administered the oath of office to new Police Officer James Hartley and his father Officer James Hartley pinned his badge on him.

Police Chief Jackie Rubin administered the oath of office to Officer William Imboden who was promoted to Lieutenant and his wife pinned his badge on him.

Proclamation recognizing outgoing Finance Director Karen Scalabrini for her tenure with the City of St. Helena

Finance Director Karen Scalabrini was presented with a proclamation for her 10 year tenure with the City of St. Helena.

CONSENT ITEMS

Councilmember White moved to approve Consent Items 9 - 11. The motion was seconded by Councilmember Crull and on roll call carried by the following vote:

AYES: Councilmembers White, Crull, Sculatti, Pitts, Mayor Nevero

NOES: None

Those items approved were as follows:

9. Approved City Council Minutes of November 26, 2013;

10. Approved City Council Minutes of December 10, 2013; and

11. Approved Amendment No. 1 to elder care agreement between the City of St. Helena, Napa County and Area Agency on Aging.

ITEMS REMOVED FROM CONSENT

12. Consideration/action on a resolution denying the appellants Steve and Judy Padis (Applicant) and W&W Four Seas Limited Partnerships (Property Owner) challenging the Planning Commission decision granting the appeal of Bobbi and David Clark and overturning the determination of the Interim Planning Director and finding that a proposed high-end wedding gifts and bridal jewelry business is inconsistent with an existing Use Permit to allow a jewelry store and gift shop in the Central Business (CB) Zoning District at 1269 Main Street

Councilmember Sculatti recused himself from this matter and left the dais.

Councilmember Crull stated that she had requested this item be removed from consent to inquire if staff had received any information other than the two letters received today. Interim Planning Director Desmond responded that no other correspondence or contact had occurred.

In response to Councilmember Crull's inquiry, Attorney Brown stated that he had reviewed the cases cited in today's correspondence and in his view the Council direction was correct; he stated that the appellant's failure to show up is significant.

Councilmember Crull then clarified that the City has not received a response from the applicant or their attorney to the inquiry made regarding merchandise to be sold and noted that this matter had been continued to allow the applicant to respond to that question.

It was clarified that the applicant can sell the merchandise listed on Exhibit A.

Councilmember White moved to adopt Resolution No. 2014-1 denying the appellants Steve and Judy Padis (Applicant) and W&W Four Seas Limited Partnerships (Property Owner) challenging the Planning Commission decision granting the appeal of Bobbi and David Clark and overturning the determination of the Interim Planning Director and finding that a proposed high-end wedding gifts and bridal jewelry business is inconsistent with an existing Use Permit to allow a jewelry store and gift shop in the Central Business (CB) Zoning District at 1269 Main Street. The motion was seconded by Councilmember Crull and on roll call carried by the following vote:

AYES: Councilmembers White, Crull, Pitts, Mayor Nevero

NOES: None

ABSTAIN: Councilmember Sculatti

13. Approval of water agreement for the Harvest Inn, No. 1 Main Street (APN: 027-560-008)

Councilmember Crull moved to approve the water agreement for the Harvest Inn located at 1 Main Street. The motion was seconded by Councilmember White and on roll call carried by the following vote:

AYES: Councilmembers Crull, White, Sculatti, Pitts, Mayor Nevero

NOES: None

It was clarified that the agreement approved is the new agreement not the agreement that has been signed by Mr. Swig of the Harvest Inn in 2004.

14. Adoption of Ordinance No. 2014-1 a Zoning Ordinance Text Amendment to Municipal Code Title 17 Zoning, Chapter 17.180: Small Winery Ordinance; and Adoption of Ordinance 2014-2 a Zoning Ordinance Text Amendment to Chapter 17.20 Twenty-acre Agricultural (A-20) District (CEQA Exemption Section 15061 (b)(5))

Upon review of the proposed ordinance, Councilmember Pitts moved to reopen the discussion stating Council is listening and stating that if the Council votes to reconsider the ordinance he was willing to do so. The motion was seconded by Councilmember Crull. Public comments were made by Martin Bennett and Bobbie Monnette.

Councilmembers Pitt's motion, seconded by Councilmember Crull, to reconsider the ordinance died by the following vote:

AYES: Councilmembers Pitts, Crull

NOES: Councilmembers Sculatti, White, Mayor Nevero

Councilmember White moved to adopt Ordinance No. 2014-1 a Zoning Ordinance Text Amendment to Municipal Code Title 17 Zoning, Chapter 17.180: Small Winery Ordinance; and Chapter 17.20 Twenty-acre Agricultural (A-20) District and to adopt Ordinance No. 2014-2 a Zoning Ordinance Text Amendment to Chapter 17.20 Twenty-

acre Agriculture (A-20) District (CEQA Exemption Section 15061 (b)(5)) . The motion was seconded by Councilmember Sculatti and on roll call carried by the following vote:
AYES: Councilmembers White, Sculatti, Pitts, Mayor Nevero
NOES: Councilmember Crull

SCHEDULED MATTERS

15. Resolution No. 2014-2 appointing members to the Active Transportation Committee

Mayor Nevero nominated the following individuals to the Active Transportation Committee: Jake Scheideman, John Newlin, Norma Ferriz, Christopher Cole and Ric Henry.

Mayor Nevero suggested Mr. Cole, because of his residency being outside the City Limits be appointed to a one year term.

Mayor Nevero nominated Patricia Clarey and Aaron Pott as Alternates.

Councilmember White moved to approve Mayor Nevero's nominations to the Active Transportation Committee. The motion was seconded by Councilmember Pitts.

Upon brief discussion, Attorney Brown clarified that the Council was giving staff discretion to arrange slotting for the one and two year terms both by checking with the applicants for their input and preference and absent that by random selection. Councilmember Crull interjected that at the initial meeting the members could place their names in a hat or decide among themselves. The Council agreed.

Sandy Ericson addressed the Council pointing out the disrepair many of the city sidewalks are in and said that many residents are not aware that they are responsible for the repair of the sidewalk fronting their property. She said she hoped that the Active Transportation Committee would address this issue.

Councilmember White's motion to approve Resolution No. 2014-2 appointing members to the Active Transportation Committee seconded by Councilmember Pitts carried by the following vote:

AYES: Councilmembers White, Pitts, Sculatti, Crull, Pitts, Mayor Nevero
NOES: None

16. Consideration/action on resolution establishing a water shortage emergency condition requiring the implementation of Phase I water regulations

The Council directed staff to place information on the website regarding Phase I water regulations and that an article be placed in the next eNews.

It was noted that all residents will receive a mailer requesting they advise the City how many residents live in their household. The reason for this is that water allocation is based on the number of people residing in the household.

A Water Advisory Board must also be established consisting of a councilmember, a planning commissioner, a winery owner, the Public Works Director and two members of the public at large. Staff was directed to solicit for volunteers to this board and that an article be included in eNews.

Councilmember Pitts stated that he would be happy to serve as the Council's representative. The Council concurred.

Councilmember White moved to adopt Resolution No. 2014-3 establishing a water shortage emergency condition requiring the implementation of Phase I water regulations. The motion was seconded by Councilmember Crull and on roll call carried by the following vote:

AYES: Councilmembers White, Crull, Sculatti, Pitts, Mayor Nevero

NOES: None

The Council acknowledged the need to discuss long term water solutions.

17. Update/discussion on Tunnel of the Elms tree maintenance

Assistant Public Works Director Hight reviewed the routine maintenance required for the Tunnel of Elms.

Sandra Ericson stated during her petition signing assemblage, a suggestion was made that the City look into a tunnel of trees being planted at the south entrance to the City. It was noted that this idea had come up before and the Council agreed that it was a good idea.

The Mayor suggested that staff keep this idea in mind especially during topics related to Caltrans and AT&T so that it can come into fruition.

ADJOURNMENT

Mayor Nevero adjourned the meeting at 8:45 p.m.

APPROVED:

ATTEST:

Ann Nevero, Mayor

Delia Guijosa, City Clerk

STAFF REPORT

DATE: January 28, 2014

TO: Mayor and City Council

FROM: Greg Desmond, Interim Planning Director

Item: 10



RE: Introduction of Zoning Ordinance Text Amendments to Municipal Code Title 17; (1) Chapter 17.164 to allow administrative design review of minor projects, (2) Chapter 17.08, Section 17.08.170 to provide for procedures to determine whether land use permits or other discretionary development approvals expire or lapse for failure to timely establish the permitted use and (3) Chapter 17.124, Section 17.124.070 to provide for consistency in standards for driveways and access drives between Title 15, Building & Construction and Title 17, Zoning. The Planning Commission has recommended approval of the amendments to Chapter 17.08 and to Chapter 17.124. The Planning Commission does not recommend the proposed amendments to Chapter 17.164.

CEQA Exemption Section 15061 (b)(5).

SUMMARY

The purpose of these proposed amendments is as follows:

- Chapter 17.164: Design Review

The amendments proposed for this chapter would allow planning staff to administratively exempt certain small scale projects that meet the following criteria:

- a) *New structures or buildings not exceeding two hundred-fifty (250) square feet;*
- b) *Additions not exceeding two hundred fifty (250) square feet to existing buildings and structures, or expansion of an existing building or structure involving less than twenty-five (25) percent of the existing floor area, whichever is less;*
- c) *Removal or alteration of not more than twenty-five (25) percent of the exterior walls or wall covering of a building or structure, as determined by the planning director;*
- d) *The replacement of existing architectural features that do not involve substantial design changes or changes in materials, as determined by the planning director;*
- e) *Signs subject to the permit requirements of Chapter 17.148 of this code;*
- f) *Residential second units in conformance with Section 17.116.030 of this code;*
- g) *Modifications to approved design review permits when determined by the planning director to be minor in nature; and*
- h) *Any other work determined by the planning director to be minor or incidental in nature and consistent with the intent and objectives of this chapter.*

- **Chapter 17.08: Administrative Procedures**

Currently, the municipal code provides that except for a general plan amendment, zoning ordinance text amendment, rezoning or amendment of a specific plan, a permit (i.e., use permit, variance, etc.) or other discretionary approval shall be valid for a period of one year from the date such approval becomes effective or for as long as any subdivision map concurrently approved is valid, whichever is longer.

The purpose of this amendment is to establish a procedure for the City to enforce its ordinance imposing time limits on discretionary land use permits and approvals. The purpose of imposing such limits is to prevent the reservation of land for future purposes when the permittee has no good faith intent to presently commence upon the proposed use.

In enforcing this requirement, the City desires to act in accordance with procedures that are consistent with appellate decisions such as *Community Development Commission v. City of Ft. Bragg* (1988) 204 Cal.App.3d 1124 that hold that discretionary approvals may not be deemed to have expired or lapsed without affording the holder of the approval due process to establish whether the holder has acted diligently and in good faith to establish the approved use.

- **Chapter 17.124: Parking & Loading Requirements**

The purpose of this amendment is to establish consistency between the recently adopted the 2013 California Building Code and Municipal Code Title 17 – Zoning, Chapter 17.124, Section 17.124.070. This section is specific to standards for access drives and driveways.

PLANNING COMMISSION REVIEW

Staff presented these amendments to the Planning Commission at their meeting on December 17, 2013 and again at their meeting on January 7, 2014.

At their meeting on January 7, 2014 the Planning Commission voted unanimously to recommend that the City Council approve the proposed amendments to Chapter 17.08 and Chapter 17.124.

In regards to the amendments to Chapter 17.164 (Design Review) the Planning Commission voted unanimously that the City Council not approve the amendments.

DISCUSSION

The intent of the proposed amendments to Chapter 17.164: Design Review is to create efficiencies in the entitlement process, allowing property owners to make minor improvements to their property without a lengthy and expensive process.

Chapter 17.164 does include provisions for design review exemptions. However, this process requires an application fee of \$500, preparation of a staff report and confirmation of the exemption by the Planning Commission at a scheduled meeting. The Planning Commission regularly approves these items on consent.

It is not uncommon for municipalities to include provisions for an administrative design review process. Prior to 2007 the City of St Helena's own design review process was only required for subdivisions, signs and new structures. Single-family dwellings and associated accessory structures located on an existing lot of record were exempt from design review.

The last amendments to Chapter 17.164 were implemented in 2007. At that time the Planning Commission and City Council amended the process to require design review for any of the following:

- *Any new building or structure or for exterior addition to, alteration of, or modification of any existing structure or building as regulated by each of the established zoning districts;*
- *Structures or building/site modifications requiring use permits in any district;*
- *Tentative map conditions shall include the requirement for design review prior to the issuance of any future building permits (Note: Effective on maps approved after January 1992);*
- *Any public facility*

The amendments made in 2007 were intended as a short-term solution to address issues specific to residential development trends occurring at that time. A long-term and more comprehensive design review process was envisioned to be established with the adoption of the general plan update and subsequent municipal code update which were scheduled to occur in 2010/2011.

Staff finds that the proposed design review amendments will result in a more efficient planning process and stronger relations with property owners, design professionals and contractors. Further that the proposed amendments allow for administrative approval of minor improvement projects which could not create a situation in which development would occur that is not consistent with the goals, implementing actions and policies of the general plan or development standards outlined in the municipal code.

To provide context to the proposed exemption criteria, the 250 square foot threshold for an exemption essentially would allow a small room addition and most projects would still be required to go through Planning Commission review.

CEQA

Staff finds that the amendments are exempt from the requirements of CEQA as provided by Section 15061 (b) (3).

NEXT STEPS

Introduce the zoning ordinance text amendments, waive the reading of the ordinance amendments and schedule adoption of the ordinance amendments for the Council meeting scheduled on February 11, 2014.

ATTACHMENTS

Chapter 17.164: Design Review Amendments

Chapter 17.08: Administrative Procedures Amendments

Chapter 17.124: Parking & Loading Requirements Amendments

STAFF REPORT

OFFICE OF THE DIRECTOR OF PUBLIC WORKS



DATE: January 28, 2014

TO: Mayor and City Council

Item No: 11

FROM: Debra Hight, Assistant Director of Public Works

RE: Discussion/action on existing dry year conditions and water concerns, possibilities and issues, and the potential for adoption of Phase II Water Emergency Regulations

BACKGROUND

St. Helena Municipal Code Section 13.04.220 establishes that at any time that the City Council finds and determines a water shortage emergency condition exists within the criteria of Sections 13.04.230 through 13.04.250, and that it is necessary to limit usage by the customers of the municipal water department, the City Council shall adopt a resolution setting forth the applicable phase.

The City Council adopted a resolution on January 14, 2014 to establish Phase I water restrictions based on the Code Section 13.04.230 where conditions requiring the establishment of a Phase II water emergency, as determined by the director of public works, appear to be imminent. During the meeting, the Council directed staff to return to the next meeting with updated water storage and usage data in order to determine if the establishment of Phase II restrictions is warranted.

On January 17, 2014, the Governor declared a State of Emergency to exist in the State of California due to current drought conditions. The declaration calls for, among other things, a statewide water conservation campaign, local water suppliers to implement local water shortage contingency plans, state agencies to implement water use reduction plans, modifications of diversions and releases and daily drought updates. The Governor has called for a voluntary 20% reduction in water use across the state.

DISCUSSION/ANALYSIS

January has continued to see little rainfall and the area is looking at a continued dry forecast. As of January 20, 2014:

- Bell Canyon, one of three St. Helena water sources, currently sits at 39.2% capacity. Note that past years have Bell Canyon on record at 34% in early December 2006, 38% in February 2009.
- The City has drawn 383 ac-ft of the 600 ac-ft allotted from Napa water since July 1 with 217 ac-ft remaining on contract.
- Total rainfall season to date is 2.12" vs. 26.4" in 2012.

As stated on January 14, the Water Shortage Emergency analysis showed that St. Helena is facing potential Phase II triggers in April. Per Municipal Code Section 13.04.240, the criteria for establishing Phase II restrictions are:

1. The volume of water anticipated to be available prior to the next November 1st from all potable water sources is not sufficient to meet the projected demands through November 1st without demand reduction measures beyond the Phase I reductions being implemented; or
2. Conditions requiring the establishment of a Phase III water emergency appear imminent.
3. In assessing the need to impose Phase II restrictions due weight shall be accorded to the trigger system developed by the safe yield committee for use by the director of public works. The trigger system is based on water levels in Bell Canyon Reservoir, with the level necessary to trigger a water emergency being adjusted each month to reflect the supply capacity of groundwater and water to be delivered by the City of Napa at that time. Details of the system can be obtained from the director of public works.

The City Council can also choose to establish Phase II restrictions prior to the trigger dates.

Over the past two weeks, the entire city hall staff participated in a number of meetings to review the Phase I and Phase II water regulations and requirements. Staff built a webpage specifically for water shortage emergency information and generated public outreach publications to be emailed and placed in water billings. The City also began preparations for the implementation of Phase II conditions with brochures and online surveys of data for calculation of water allocation. Parks crews are in the process of closely monitoring park watering; to note, with the exception of the Little League fields at Crane Park, parks watering has been turned off since November. The crew at the Water Treatment Plant has been diligently working to maintain and distribute the latest critical data needed for water shortage analyses and carefully toggling between water sources to maintain the integrity of the system and water quality. Voluntary assistance through forecast analyses from the members of 2012's Safe Yield committee has been invaluable to the City. West Yost Associates has provided essential and timely advice through usage recommendations and Bell Canyon release information and possible application for temporary relief from State requirements.

The actions taken by residents and the City during a Phase II Water Emergency are formally outlined in the attached copy of municipal code sections 13.04.220-250. With Phase II restrictions, the following water conservation actions are mandatory:

- Customers are prohibited from expanding or installing new water-using appliances, plumbing or improvements unless the change results in more efficient water using fixtures/systems.
- New development must be water neutral.
- Washing hard surfaces is prohibited
- New landscaping must follow the WELO.
- Commercial, industrial, and institutional users must reduce use by 10% with 70 gal/1000 sf landscape (Apr-Oct only).
- Residential users will receive an allocation of 65 gallons per person per day and 2,500 gallons per month (Apr-Oct only). Landscape allocation for multifamily residential and mobile home customers may be 70 gal/1000 sf landscape (Apr-Oct only).

- Dedicated landscape, vineyard or field metered water use shall be limited to sixty percent (60%) of current reference evapo-transpiration
- No new water connections shall be permitted.

RECOMMENDED COUNCIL ACTION

Council to hear public testimony, discuss the dry year conditions and water concerns, possibilities and issues, the potential for adoption of Phase II Water Emergency Regulations, and direct staff on next steps.

ATTACHMENTS/EXHIBITS

1. Municipal Code Section 13.04.220-250 Water Shortage Emergencies

STAFF REPORT



DATE: January 28, 2014

TO: Mayor and City Council

FROM: Gary Broad, City Manager

Item No. 12.

RE: Consideration/action to form a Water Advisory Board as required in Phase I Water Regulations and in preparation for potential Phase II Water Emergency Conditions. Discussion of process for selection of members and next steps.

Discussion:

Municipal Code Section 13.04.230(C.)(8.) states the following:

If the declaration of a Phase II emergency appears reasonably imminent, the city council shall cause a water advisory board to be formed consisting of one city council member, one planning commissioner, one winery customer, and two public members, one of whom shall be solely a residential customer. The director of public works shall be an ex officio member of this board. Unless the city council otherwise directs, the board will disband when the water emergency is no longer in effect. The water advisory board shall have access to all records in the possession of the water enterprise necessary in its judgment to perform its duties, including customer records. The board shall maintain the confidentiality of individual customer records unless the board determines by resolution that release of such information is necessary in the pursuit of its duties.

Staff provided notice of the water advisory board in the City's last issue of eNews. We have not received any applications so far. If a water advisory board is created, staff can further promote the openings and also contact any individuals Council suggests might be appropriate selections.

At the last Council meeting, Council member Pitts volunteered to serve as the Council representative to the board.

Council Action:

Staff recommends that the Council vote to form a water advisory board and direct staff on any actions to pursue for the recruitment of board members.

STAFF REPORT

OFFICE OF THE DIRECTOR OF PUBLIC WORKS



DATE: January 28, 2014

TO: Mayor and City Council

Item No: 13

FROM: Debra Hight – Assistant Director of Public Works

RE: Authorizing a Professional Services Agreement with Prunuske Chatham Inc. for \$458,900 for services related to the Upper York Creek Dam Removal Project (CIP W-26) including completion of the CEQA process, preparation of plans, specifications and estimates for construction, applications for project funding, engineering for impacts to Lower York Creek, and project coordination and management support.

BACKGROUND

The City of St. Helena owns an obsolete earthen dam and reservoir located within the bed and banks of Upper York Creek. NOAA's National Marine Fisheries Service notified the City in 2000 that the dam is blocking a migratory fish passage in violation of the Endangered Species Act. The City Council then determined that Upper York Creek Dam should be breached to allow fish passage. The City has been planning substantial removal of the Upper York Creek Dam and restoration of the stream bed in the reservoir since that determination in 2001.

Currently the City is working to complete the CEQA EIR process, perform the detailed design of the project, apply for funding for construction and evaluate the effects of the dam removal on Lower York Creek.

EIR

Prunuske Chatham, Inc. (PCI), under direction from the City, prepared and circulated a Draft Environmental Impact Report in 2006-2007 that analyzed potential impacts resulting from implementation of the dam removal project. Since 2007 several administrative drafts of the Final EIR, Mitigation, Monitoring, and Reporting Plan and Statement of Overriding Considerations have been prepared and submitted to the City with completion and adoption still pending.

Design

The dam removal project design has been thoroughly developed to the conceptual stage for the EIR process. Now it is necessary to complete the detailed design and provide engineering plans, specifications and engineer's estimates required for the solicitation of bids and construction of the City's Capital Improvement Project W-26 York Creek Dam Removal (CIP W-26).

Funding

The Upper York Creek Dam Removal project is estimated to cost greater than \$5 million. The City is seeking to supplement its self-funded CIP contribution of \$3.2 million and an anticipated \$800,000 from the IRWMP Proposition 84's San Francisco Bay Regional Water Enhancement

Program. There currently exists a funding opportunity from the Fisheries Restoration Grant Program (FRGP) administered by the California Department of Fish and Wildlife (DFW) who annually solicit proposals for projects that restore fish habitat in the watersheds of California. The FRGP grant has the potential for \$1 million or more in funding to the City for this project.

Lower York Creek

PCI performed a hydrology and hydraulics (H&H) study of the York Creek watershed to evaluate the pre- and post-project conditions. The results of that study indicate removal of the dam will not impact the peak storm water flows downstream; however, removal of the structure will allow sediment produced in the upper watershed to be transported through to the Napa River. Additional engineering is needed to determine the locations where capacity improvements (if any) should be implemented prior to or concurrent with the removal of the dam to reduce potential adverse effects when the natural sediment load is delivered through Lower York Creek.

DISCUSSION

Staff has developed an appropriate scope of work for services with PCI that will address the City's four areas of need for the project.

1. EIR Finalization: Finalizing CEQA review and preparation of the EIR for certification requires that the Project Description be reviewed for updating associated with new elements that may result in a significant new impact not already addressed in the DEIR.
2. Plans, Specifications, and Cost Estimates (PSEs): PCI will conduct the detailed design and prepare complete PSE's in the following phases: 65% PSE, 95% PSE, and 100% PSE (bid set). The plans and estimates at the 65% phase will adequately describe the Project to potential funding sources and be suitable to accompany funding application submittals.
3. Funding Application Services: PCI will prepare a grant application to CDFW's Fisheries Restoration Grant Program (FRGP) and research other funding opportunities on behalf of the City. Potential sources include the National Fish & Wildlife Foundation (NFWF) and the State Coastal Conservancy (SCC). The FRGP proposal and construction cost estimate will be used as the basis for outreach to other funders.
4. Lower York Creek Engineering: PCI will prepare a detailed engineering study of Lower York Creek Channel with design alternatives, a monitoring program to track sediment movement in LYC, a management plan to accommodate channel morphology after removal of UYCD, and identify the environmental permits necessary for completion of any work and future maintenance.

Critical Path Items

The target date for removal of the dam is the 2016 construction season (April to October). The critical path item for funding to meet this goal is the FRGP submittal which is due mid-March 2014. That funding application submittal will need to include 65% design plans. If approved, the money will become available in the latter half of 2015 to fund a 2016 project. The first phase of Task 2 and Task 3 described above provide the necessary deliverables to meet that

near-term milestone.

A second critical path item is completion of Task 4 described above so the City may implement actions specific to Lower York Creek prior to or concurrent with the dam removal project in 2016. Results of the Lower York Creek engineering may indicate construction in Lower York Creek is warranted and the City may need to solicit a proposal to provide plans, specifications and estimates required for the solicitation of bids and construction of a Lower York Creek project concurrent with the dam removal project.

FISCAL IMPACT

Pursuant to *SHMC, Chapter 3.04; Purchase of supplies, equipment and services and procedures for public works projects; Article 4, Professional services*: Staff has determined Prunuske Chatham, Inc. (PCI) has demonstrated the level of experience, competence, staffing and other professional qualifications necessary for exceptional performance of the services required and described in the scope of work provided and the acquisition of PCI's professional services may be procured through negotiated contract.

PCI's proposal is \$458,900. Funds for the work are available from City Capital Improvement Project York Creek Dam Removal Project W-26.

RECOMMENDED COUNCIL ACTION

Adopt Resolution 2014-___ Authorizing a Professional Services Agreement with Prunuske Chatham, Inc. for \$458,900 for services related to the Upper York Creek Dam Removal Project (CIP W-26) including completion of the CEQA process, preparation of plans, specifications and estimates for construction, applications for project funding, engineering for impacts to Lower York Creek and project coordination and management support and authorize the City Manager to sign the agreement.

ATTACHMENTS

1. Resolution 2014-___ Authorizing a Professional Services Agreement with Prunuske Chatham, Inc. for services related to the Upper York Creek Dam Removal Project (CIP W-26) including completion of the CEQA process; preparation of plans, specifications and estimates for construction; applications for project funding; engineering for impacts to Lower York Creek; and project coordination and management support.
2. Proposal Submittal from Prunuske Chatham, Inc. for services related to the Upper York Creek Dam Removal Project (CIP W-26) including completion of the CEQA process; preparation of plans, specifications and estimates for construction; applications for project funding; engineering for impacts to Lower York Creek; and project coordination and management support.

CITY OF ST. HELENA

RESOLUTION NO. 2014-__

AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH PRUNUSKE CHATHAM INC. FOR \$458,900 FOR SERVICES RELATED TO THE UPPER YORK CREEK DAM REMOVAL PROJECT (CIP W-26) INCLUDING:

- **COMPLETION OF THE CEQA PROCESS,**
- **PREPARATION OF PLANS, SPECIFICATIONS AND ESTIMATES FOR CONSTRUCTION,**
- **APPLICATIONS FOR PROJECT FUNDING,**
- **ENGINEERING FOR IMPACTS TO LOWER YORK CREEK, AND**
- **PROJECT COORDINATION AND MANAGEMENT SUPPORT**

RECITALS

- A. The City of St. Helena owns an obsolete earthen dam and reservoir located within the bed and banks of Upper York Creek. NOAA's National Marine Fisheries Service notified the City in 2000 that the dam is blocking a migratory fish passage in violation of the Endangered Species Act. The City Council then determined that Upper York Creek Dam should be breached to allow fish passage. The City has been planning substantial removal of the Upper York Creek Dam and restoration of the stream bed in the reservoir since that determination in 2001; and
- B. Currently the City is working to complete the CEQA EIR process, perform the detailed design of the project, apply for funding for construction and evaluate the effects of the dam removal on Lower York Creek; and
- C. Staff has developed an appropriate scope of work for services with PCI that will address the City's four areas of need for the project: EIR Finalization; Plans, Specifications and Cost Estimates; Funding Application Services; and Lower York Creek Engineering; and
- D. Pursuant to *SHMC, Chapter 3.04; Purchase of supplies, equipment and services and procedures for public works projects; Article 4, Professional services*: Staff has determined Prunuske Chatham, Inc. (PCI) have demonstrated the level of experience, competence, staffing and other professional qualifications necessary for exceptional performance of the services required and described in the scope of work provided and the acquisition of PCI's professional services may be procured through negotiated contract; and
- E. PCI's proposal is \$458,900. Funds for the work are available from City Capital Improvement Project York Creek Dam Removal Project W-26.

RESOLUTION

NOW, THEREFORE, the City Council of the City of St. Helena resolves as follows:

Approve the attached professional services agreement with Prunuske Chatham Inc. for services related to the Upper York Creek Dam removal project (CIP W-26) including; completion of the CEQA process, preparation of plans, specifications and estimates for

construction, applications for project funding, engineering for impacts to Lower York Creek, and project coordination and management support and authorize the City Manager to sign the agreement.

Approved at a Regular Meeting of the St. Helena City Council on January 28, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Ann Nevero
Mayor

Delia Guijosa
City Clerk



PRUNUSKE CHATHAM, INC.

January 16, 2014

Ms. Debra Hight
Assistant Director of Public Works & Assistant City Engineer
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Subject: Upper York Creek Ecosystem Restoration Project: Planning and Design Services 2014

Dear Ms. Hight:

Prunuske Chatham, Inc. (PCI) is pleased to propose the attached scope of work for environmental, engineering, and related services for St. Helena's Upper York Creek Dam Removal Project. Dam removal is needed because it is an obsolete facility requiring ongoing maintenance, and it prevents access for steelhead, a federally protected fish, to high value habitat upstream of the dam. Dam removal has been in planning for many years and current circumstances are favorable for moving forward with preparation of construction documents, pursuit of additional funding for construction, and planning mitigation for lower York Creek.

PCI is uniquely poised to provide such services. We have worked with the City on this project for many years prior, including EIR preparation, pre-design engineering planning, and related services. We have considered the City's goals and distinguished the tasks required to meet those goals.

In addition to finalizing the EIR and preparing plans and specifications, PCI recognizes the City's need for additional funding and for mitigation in lower York Creek. We have identified potential funding sources and proposed a schedule to enable timely application for those funds. We have also included scope to address the City's need for mitigating impacts to lower York Creek.

Our prior experience with the City on this and other projects demonstrates that PCI possesses the level of experience, competence, staffing, and professional qualifications necessary for excellent performance of the services required. Please feel free to contact me with questions. I can be reached by phone at (707) 824-4601, extension 101, or by email to steven@pcz.com. PCI appreciates this opportunity to offer our services, and we look forward to continuing to work with you to successfully complete your project.

Sincerely,
PRUNUSKE CHATHAM, INC.

Steven Chatham
Principal

Enclosures: Scope of Work
Detailed Cost Estimate and Fee Schedule

Upper York Creek Ecosystem Restoration Project

Planning and Design Scope of Work

January 2014

The City of St. Helena (City) owns an obsolete earthen dam located within the bed and banks of Upper York Creek and has been planning substantial removal of the Upper York Creek Dam and Reservoir (UYCD) since 2001. UYCD was built in 1900 to extend the City's water delivery system to match its expanding growth. In 1933, a new concrete overflow spillway was added along the eastern edge adjacent to Spring Mountain Road, the crest of the dam was raised 15 feet to its current height of 50 feet, the standpipe outlet was installed and its sluice gates were removed. With these alterations the dam was no longer able to be operated as a managed water storage facility, nor is it large enough to provide downstream flood control. In 1992, an accidental spill during routine maintenance resulted in a significant release of sediment and subsequent legal action by the California Department of Fish & Wildlife (CDFW; then called Fish & Game). Finally, in 2000, after listing of steelhead trout as threatened under the federal Endangered Species Act, NOAA's National Marine Fisheries Service notified the City that it was potentially in violation of the Act, and the City Council determined that UYCD should at least be breached to allow fish passage.

In 2006-07, under the City's direction, Prunuske Chatham, Inc. (PCI) prepared and circulated a Draft Environmental Impact Report (DEIR) that analyzed impacts that may result from implementation of the project and provided impact avoidance and mitigation measures to the extent feasible. Since 2007, administrative drafts of the Final EIR, Mitigation, Monitoring, and Reporting Plan (MMRP), and Statement of Overriding Considerations (SOC) have been prepared and submitted to the City. Task 1 below describes the scope of work to finalize the EIR and complete certification and project approval.

In addition to completing the EIR, the City is poised to begin the design process to satisfy their Capital Improvement Program (CIP) goals and to seek additional construction funding. The Project will involve (1) removal of approximately 72% of the earthen dam structure; (2) backfilling of the spillway with dam material for stabilization in conjunction with road stabilization measures; (3) removal of approximately 95% of the accumulated sediment from behind the dam; (4) restoration of York Creek from below the dam to just above the reservoir with a slope of approximately 5%; (5) restoration of roughly 3 acres of aquatic and riparian habitat with native vegetation; (6) use of native plants for erosion control and site stabilization; and (7) placement of off-haul material (embankment & sediment) at the nearby Spring Mountain Vineyard property. Task 2 provides the scope of work to prepare plans, specifications, and estimates (PSEs) for the 65%, 95% and 100% completion phases based on items 1 through 7 above. The 65% completion phase will also be used to request additional funding.

There are a number of funding opportunities to supplement the City's self-funded CIP contribution of \$3.2 million and an anticipated \$800,000 from the IRWMP Proposition 84's San Francisco Bay Regional Water Enhancement Program. One example of such an opportunity is from CDFW's Fisheries Restoration Grant Program (FRGP) to restore fish habitat in the watersheds of California. Applications

for such funding require a multitude of information prepared in accordance with the funder's specifications, such as objectives and outcomes, project description, qualifications and experience of applicant, property access, permits, location maps, watershed description, and detailed budget. Applications also require the 65% design plans and engineer's cost estimate. Task 3 describes PCI's services for preparation of an FRGP application on behalf of the City and for research and outreach to other potential funding sources.

In 2007 as part of the CEQA analysis, PCI performed a hydrology and hydraulics (H&H) study of the York Creek watershed, both with and without UYCD, to determine the dam's effect on flood peaks and timing in lower York Creek. That effort concluded:

- Removal of UYCD will have essentially no impact on the volume or timing of peak storm flows downstream;
- Removal of UYCD will allow sediment produced in the upper watershed to be transported through the lower reaches to the Napa River;
- If sediment drops out in lower York Creek, and the channel aggrades significantly over time, the flood capacity of lower York Creek will be reduced; and
- Several locations in lower York Creek already experience decreased capacity due to sedimentation.

The H&H modeling for the EIR evaluation was for assessment and general planning purposes. It identified locations where flooding currently occurs more frequently and where coarse sediment would be likely to deposit in the future. However, additional analyses were not performed to evaluate the steps necessary to significantly improve or maintain capacity when UYCD is removed and the natural sediment load is delivered to lower York Creek. This is the next step. Additional topographic survey, hydraulic modeling and sediment transport analysis will determine the locations where capacity improvements (if any) could be implemented prior to or concurrent with the removal of UYCD to reduce potential adverse effects.

In addition to the engineering analysis, it is necessary to develop a monitoring program and maintenance plan to be implemented post-construction (dam removal and lower York Creek capacity improvements). The monitoring program will include: channel cross-section monitoring/survey plan and schedule; methods to track sediment accumulation at bridges and other critical locations; evaluation criteria to measure acceptable levels of aggradation. The management plan will contain: an action plan for prompt implementation if aggradation affects channel capacity; sediment management alternatives; regulatory permits necessary to implement sediment management practices, and; action items assigned to City and PCI for plan implementation.

Task 4 describes PCI's services for preparation of a detailed engineering study of lower York Creek channel including hydrology and hydraulics with design alternatives; preparation of a monitoring program to track sediment movement in lower York Creek; development of a management plan to accommodate channel morphology after removal of UYCD, and; identify and/or acquire the necessary environmental permits necessary for completion of any work and future maintenance.

Participation by the City for the completion of the CEQA process, management of the design process, funding applications, and development of the lower York Creek plan will require substantial ongoing coordination and management. Task 5 describes the services to be provided by PCI for such

management and coordination effort as requested by City staff in order to maintain the City's objectives and project goals.

SERVICES BY PRUNUSKE CHATHAM, INC.

Task 1: EIR Finalization

Finalizing CEQA review and preparation of the EIR for certification requires that the Project Description be reviewed for potential updating associated with new elements that may result in a significant new impact not already addressed in the DEIR. Potential issues to be resolved include location(s) for placement of sediment from the dam removal and associated potential impacts. Steps to finalize the EIR include:

1. Determine changes in Project Description.
2. Analyze potential additional environmental impacts, needed changes to EIR, and additional mitigation.
3. Determine if recirculation of DEIR is required and, if so, prepare a Change Order for PCI to provide public notice and conduct review.
4. Coordinate with City staff and Council.
5. Notify commenting agencies of impending decision on FEIR.
6. Prepare Council meeting report and Notice of Determination (NOD).
7. Attend City Council meeting to certify FEIR.
8. Deliver CEQA documents to State Clearinghouse and County Clerk.¹

Task 1 Deliverable Documents

1. Memo with recommended actions to City, if required
2. Administrative Draft Final EIR with Mitigation, Monitoring, and Reporting Program (MMRP)
3. Final EIR
4. Statement of Overriding Considerations (SOC)
5. NOD

Task 2: Plans, Specifications, and Cost Estimates (PSEs)

PCI will conduct the detailed design and prepare complete PSEs during this task. Geotechnical engineering design services will be provided by Crawford and Associates. Plans and supporting documents will be submitted for review and comment by the City in the following phases: 65% PSE, 95% PSE, and 100% PSE (bid set). PCI will meet with the City after each design submittal and make any necessary revisions based on City comments. The plans and estimates at the 65% phase will adequately describe the Project to potential funding sources and be suitable to accompany funding application submittals.

PCI will conduct the following services in preparation of the PSEs:

¹ Filing fees will be provided by the City.

1. Conduct site inspection to assess the current state of the project area and identify any new constraints or revised design considerations, including:
 - Meet with the geotechnical engineer to review proposed design concept and methods for road stabilization;
 - Perform land surveying to generate supplementary topographic information as required to adequately define the current site and sediment conditions;
 - Conduct design kick-off meeting with City staff.
2. Develop 65% plans, specification outline, and engineer's estimate and present plan view, sections, and profiles to illustrate:
 - Grading of the existing dam embankment;
 - Restored streambed alignment;
 - Profile for the streambed flowline;
 - Cross-sections to adequately depict streambed restoration design;
 - Fish passage design elements (if needed);
 - Demolition and grading for the existing spillway;
 - Concept for road stabilization; and
 - Preliminary planting plan for habitat restoration.

The specifications outline will describe sections needed to construct the project. Specifications will be prepared in the standard Construction Specification Institute (CSI) format. The engineer's estimate of construction costs will be based on quantity takeoffs and estimated unit prices of the 65% plans. PCI will meet with the City and stakeholder agencies to review their comments on the 65% plan set.

3. Incorporate comments and revise to create 95% PSEs, which will include:
 - Project plan set
 - Project specifications
 - Updated engineer's estimate

A constructability review will be made of the 95% plan set and specifications. The constructability review will be made by a PCI construction manager or planner not otherwise providing significant effort to this project.

PCI will meet with the City and stakeholder agencies to review comments on the 95% plan set. Response to comments will be documented, and the plan set will be updated to reflect the results of the 95% review; see below.

4. Revise PSEs to create the final bid documents (100% PSEs) for the City to advertise the project for construction bids. Final PSEs will be reviewed and corrected for consistency between the plans, specifications, and estimate quantities. The 100% PSE submittal will include:
 - 100% project plan set for construction bidding
 - 100% project specifications
 - Updated engineer's estimate

Task 2 Deliverable Documents

1. Site evaluation and kick-off meeting documentation:
 - Email with memo attached
2. 65% PSEs:
 - Three (3) hard copies of plan set;
 - One (1) hard copy of specification outline;
 - One (1) hard copy of engineer's estimate;
 - One (1) digital media (disc, USB flash drive, etc.) transmitting PDF copies of the above described hard copies.
3. 95% PSEs:
 - One (1) memo summarizing plan revisions from 65% phase to 95% phase;
 - Three (3) hard copies of plan set;
 - One (1) hard copy of specifications;
 - One (1) hard copy of engineer's estimate;
 - One (1) digital media (disc, USB flash drive, etc.) transmitting PDF copies of the above described hard copies.
4. 100% Plans, Specification Outline and Estimate:
 - One (1) memo summarizing plan revisions from 65% phase to 95% phase;
 - Three (3) hard copies of plan set;
 - One (1) hard copy of specifications;
 - One (1) hard copy of engineer's estimate;
 - One (1) digital media (disc, USB flash drive, etc.) transmitting PDF copies of the above described hard copies.

Task 3: Funding Application Services

PCI will prepare a grant application to CDFW's Fisheries Restoration Grant Program (FRGP) and research other funding opportunities on behalf of the City. Potential sources include the National Fish & Wildlife Foundation (NFWF) and the State Coastal Conservancy (SCC). The FRGP proposal and construction cost estimate will be used as the basis for outreach to other funders.

Task 3 Deliverable Documents

1. FRGP proposal
2. Memo of other funding opportunities
3. Change Order to prepare other applications, if needed

Task 4: Lower York Creek Monitoring and Management Program

The following tasks define the services for lower York Creek:

1. Engineering Analysis for Flood Mitigation: Perform an engineering analysis, including hydrology and hydraulics sufficient to determine actions needed to maintain existing conveyance capacity and competency, and communicate with stakeholders in lower York Creek:

- Perform updated on-site geomorphic assessments;
 - Conduct additional ground survey to update and expand existing topographic data set;
 - Review and revise existing hydraulic model for analysis of sediment deposition and management design alternatives;
 - Develop design alternatives for improving existing channel capacity;
 - Model concept designs and evaluate sediment transport response;
 - Assess feasibility of design alternatives;
 - Summarize feasibility analysis of conceptual alternatives and determine preferred solutions(based on constructability, cost, expected effectiveness, and longevity);
 - Conduct outreach to potentially affected landowners;
 - Conduct preliminary consultation with ecological regulators;
 - prepare memo and budget for regulatory compliance; and
 - Prepare engineering report.
2. Monitoring Program: PCI will develop a channel monitoring program that will be designed to track and evaluate sediment deposition and related conditions in lower York Creek after the removal of UYCD. This will include:
- Identifying program goals, thresholds, and protocols;
 - Developing channel cross-section monitoring/survey plan and schedule;
 - Developing methods to measure sediment accumulation at bridges and other critical locations;
 - Providing a means of tracking monitoring data for analysis;
 - Designing evaluation criteria to measure acceptable levels of aggradation; and
 - Preparing a report that describes the monitoring program
3. Management Plan: PCI will prepare a management plan to address potential bed aggradation from sediment deposition. The plan will consist of:
- Action plan to mitigate aggradation effects on channel flow conveyance capacity;
 - Annual or on-going sediment management practices;
 - Engage ecological regulators in plan development

Task 4 Deliverable Documents

1. Lower York Creek Engineering Analysis
 - One (1) hard copy letter transmittal to City
 - Three (3) hard copies of report
 - One (1) digital media transmittal of PDF copies of the above-described deliverables
2. Lower York Creek Monitoring Program
 - One (1) hard copy letter transmittal to City
 - Three (3) hard copies of report
 - One (1) digital media transmittal of PDF copies of the above-described deliverables
3. Lower York Creek Management Plan
 - One (1) hard copy letter transmittal to City
 - Three (3) hard copies of report

- One (1) digital media transmittal of PDF copies of the above-described deliverables

Task 5: Project Coordination and Management Support

Successful completion of the CEQA and design processes, grant funding efforts, and development of the lower York Creek plan will require ongoing coordination and management to maintain the City's objectives. PCI will provide such management-related services as requested by City staff, including:

- Tracking work already completed, work under way, responsible parties, and work remaining to be assigned and completed;
- Formation of agreements for completing tasks;
- Preparation and analysis of budgets;
- Making and responding to inquiries to and from City staff, the public, regulators, other agency stakeholders, and landowners; and
- Related management and coordination tasks

SCHEDULE

<u>Time</u>	<u>Task</u>	<u>Progress Item</u>
2014		
February	1-4	Contract with City, Notice to Proceed,
	1-4	Site visit and Start up meeting with City
	1	Revise Project Description for EIR; analyze new impacts; memo with recommended actions to City, if required
	2	65% PSEs design and drafting
	3	Develop FRGP proposal
Early March	3	Submit draft FRGP proposal to City
	2	65% PSEs submittal to City
Mid-March	3	Submit final FRGP and 65% PSEs to CDFW
Mar-Apr	3	Contact other potential funders
March	1	Deliver Administrative Draft Final EIR with draft MMRP
April	1	City to provide comments on draft EIR and MMRP memo
	1	Finalize CEQA documents
Apr - Sep	2	95% PSEs preparation
May-Jun	3	Site visit w/ FRGP reviewers
	1	Final CEQA documents to City Council
	1	Deliver CEQA documents to SCH and County Clerk
May– Jul	4	LYC Engineering assessments, surveys, data collection, hydraulic model
July	3	Provide additional information to FRGP
Jul – Oct	4	LYC Engineering develop, model and assess design alternatives
Sep-Oct	3	FRGP peer review (by others)
Oct	2	95% PSE's Submittal
Oct-Jan	4	LYC Monitoring Program
Nov	4	Progress meeting with City*
Nov-Jan 2015	3	CEQA review (by CDFW)

2015

Jan - Apr	4	LYC Management Plan
Feb	4	LYC Consultation with ecological regulators
Feb	3	FRGP award
Mar	4	Progress meeting with City*
Apr	4	LYC Engineering, Monitoring Program & Management Plan draft to City
Apr	2	100% PSE Submittal
Jun	2	100% PSE Comments Received
Jun	4	LYC Final Submittal to City
Jun	3	FRGP Contract Received (estimated earliest)
Sep	2	100% PSE Complete

*Two progress meetings with City will occur as needed. They may not occur as indicated above.
PCI's project manager will work with the City to schedule meetings to address milestones.

PERSONNEL

Steven Chatham will be the project manager. Kathie Lowrey, Sr. Environmental Planner, will manage Tasks 1 and 3. John Ferons, P.E., will manage Tasks 2 and 4 and serve as the Engineer of Record. Other PCI personnel will participate as needed.



PRUNUSKE CHATHAM, INC.

**City of St. Helena
Upper York Creek Ecosystem Restoration Project
Planning and Design Services 2014
Budget Estimate**

SUMMARY	Budget Estimate
Task 1: EIR Finalization	\$8,695
Task 2: Plans, Specifications, and Cost Estimates	\$276,445
Task 3: Funding Application Services	\$29,285
Task 4: Lower York Creek Monitoring and Management Program	\$128,295
Task 5: Project Coordination and Management Support	<u>\$16,180</u>
TOTAL	\$458,900



PRUNUSKE CHATHAM, INC.

FEE SCHEDULE

City of St. Helena, 2014

Classification	Hourly Rate	Overtime Hourly Rate
Principal	\$170	
Principal Civil Engineer	\$170	
Principal Landscape Architect	\$150	
Sr. Civil Engineer	\$150	
Principal Environmental Planner	\$140	
Sr. Geomorphologist	\$140	
Registered Civil Engineer	\$125	
Registered Professional Forester/CPESC/QSD	\$125	
Construction Resources Manager	\$125	
Registered Landscape Architect	\$125	
Professional Land Surveyor	\$105	\$126
Sr. Botanist/Vegetation Ecologist	\$105	\$126
Sr. Wildlife Biologist	\$105	\$126
Survey Party Chief, Prevailing Wage	\$126	\$151
Survey Rodman, Prevailing Wage	\$104	\$125
Sr. Engineering Tech./ Sr. CAD Operator	\$105	\$126
Certified Planner	\$105	\$126
Botanist/Vegetation Ecologist/Biologist	\$95	\$114
EIT/Assistant Engineer	\$95	\$114
Construction Planner /QSP	\$95	\$114
Environmental Planner	\$85	\$102
GIS Technician	\$83	\$100
Staff Scientist, Designer or Planner I	\$77	\$92
Project Administrator	\$77	\$92
Clerical	\$60	\$72
Project Consumed Materials	cost plus 15%	
Rented Vehicles and Equipment	cost plus 15%	
Subconsultants / Subcontractors	cost plus 15%	
PCI-owned Vehicle	\$75 per day	
PCI Employee-owned Vehicle	IRS rate per mile	
PCI-owned Survey or GPS	\$150 per day	
PCI-owned Small Equipment	\$25 per day	

Invoicing occurs monthly for 100% of the work completed during the invoice period unless otherwise arranged. Fees are calculated on a time and materials basis in accord with this fee schedule. Payment is due upon receipt.



PRUNUSKE CHATHAM, INC.

City of St. Helena
Upper York Creek Ecosystem Restoration Project
Planning and Design Services 2014 Budget Estimate

Task	Project PM Hour	Principal Engineer Proj EOR Hour	Principal Landscape Architect Hour	Civil Engineer Hour	Landscape Architect Hour	Hydrologist/ Geomorph Hour	Enviro Planner (Blended) Hour	Const Manager or Const Planner Hour	Sr. Eng'r Tech / ACAD Op Hour	Prof Surveyor Hour	2-person survey team Prev. Wage Hour	Project Admin. Hour	PCI Vehicle Day	Sub- consultants	Line Item SubTotals Cost
\$458,900	\$170	\$170	\$150	\$125	\$125	\$140	\$130	\$125	\$105	\$105	\$250	\$77	\$75	1 15	
Task 1: EIR Finalization															
Determine changes in Project Description	4	2					8								\$2,060
Analyze potential additional environmental impacts, needed changes to EIR, and additional mitigation	4						8								\$1,720
Determine if recirculation of DEIR is required and, if so, prepare Change Order to provide public notice and conduct review							4								\$520
Coordinate with City staff and Council	2						8								\$1,380
Notify commenting agencies of impending decision on FEIR							4								\$520
Prepare Council meeting report and Notice of Determination (NOD)	2						6						1		\$1,120
Attend City Council meeting to certify FEIR							6								\$855
Deliver CEQA documents to State Clearinghouse and County Clerk							4								\$520
Task 2: Plans, Specifications, and Cost Estimates															
Site evaluation/geotech meeting/kick-off meeting with City	4	4					4						1		\$1,955
Geotechnical Design Services	2	8												\$40,000	\$47,700
Land Survey Topographic Services	2	4								30	30		4		\$11,970
Hec Ras Proposed condition Model		4		16		2			32						\$6,320
Consultation with NOAA Fisheries and CDFW re fish passage requirements		4	4	4											\$1,780
65% Plans, Spec Outline and Eng Estimate															
Plans (drawings)															
title sheet		1		2					4						\$840
general notes		1		4					6						\$1,300
demolition/grading plan - 2 sheets		2	4	4					16						\$3,120
dewatering plan - 2 sheets		4	1	12					4						\$2,750
plan and profile - 2 sheets		4	8	12					40						\$7,580
cross-sections - 2 sheets		4	2	8					16						\$3,660
geotech general info		8	2	8					16						\$4,340
geotech road stabilization plan - 2 sheets		16	1						32						\$6,230
geotech details		12							16						\$3,720



City of St. Helena

Task	Project Principal PM	Principal Engineer	Principal Landscape Architect	Civil Engineer	Landscape Architect	Hydrologist/ Geomorph	Enviro Planner (Blended)	Const Manager or Const Planner	Sr Eng'r Tech / ACAD Op	Prof Surveyor	2-person team		Project Admin	PCI Vehicle	Sub-consultants	Line Item SubTotals
											Wage	Prev				
											Hour	Hour				
\$458,900	Hour	Hour	Hour	Hour	Hour	Hour	Hour	Hour	Hour	Hour	Hour	Hour	Hour	Day	Day	Cost
Task	Hour	Hour	Hour	Hour	Hour	Hour	Hour	Hour	Hour	Hour	Hour	Hour	Hour	Day	Day	Cost
planting plan - 2 sheets		1	2		20				4							\$3,390
Planting detail sheet			2		8				4							\$1,720
sediment spill site at SMV- 2 sheets		8	2	32												\$5,660
erosion control plan - 2 sheets		4	1		16				0							\$2,830
details - 2 sheets		8	6	16	12				32							\$9,120
Specifications outline/T O C		4	1	8					8							\$2,670
Estimate		4	4	0	24				16							\$5,960
QC review and edits	16		8			4			24							\$7,000
Produce submittal package		4		1					12							\$2,065
Stakeholder progress meeting re 65% design	4	6												1		\$1,775
City Progress mtg re 65% PSE	4	6												1		\$1,775
95% Plans, Specs and Eng Estimate																
Plans (drawings)		16	24	32	12	2			88						\$10,000	\$32,840
Specifications																
00 00 00 Procurement and Contracting Requirements		16		8			1		4							\$4,270
01 00 00 General Requirements		16		8					4							\$4,140
02 00 00 Existing Conditions		8		8			1		4							\$2,910
03 00 00 Concrete		2							4							\$760
05 00 00 Metals (If required for geotech restraint)		4							4							\$1,100
31 00 00 Earthwork		16		16			1		4							\$5,270
32 00 00 Exterior Improvements		16		16					4							\$5,140
33 00 00 Utilities (if req'd)		8		8					4							\$2,780
35 00 00 Waterway Construction and Equipment		16	4	4					4							\$4,240
41 00 00 Material Processing and Handling Equipment (if needed)		8		4					4							\$2,280
44 00 00 Pollution and Waste Control		8		4			1		4							\$2,410
Estimate	2	8	4	0	16				8							\$5,140
Constructability review		1						40								\$5,170
QC review and edits	10	2	20		12	0			16							\$8,220
Produce submittal package		4		1					12							\$2,065



City of St. Helena
Upper York Creek Ecosystem Restoration Project
Planning and Design Services 2014 Budget Estimate

[illegible]



PRUNUSKE CHATHAM, INC.

City of St. Helena
Upper York Creek Ecosystem Restoration Project
Planning and Design Services 2014 Budget Estimate

Task	Project Principal PM	Principal Engineer	Principal Landscape Architect	Civil Engineer	Landscape Architect	Hydrologist/Geomorph	Enviro Planner (Blended)	Const Manager or Const Planner	Sr. Engr Tech / ACAD Op	Prof Surveyor	2-person survey team Prev Wage	Project Admin Hour	PCI Vehicle Day	Sub-consultants	Line Item SubTotals
	Hour	Hour	Hour	Hour	Hour	Hour	Hour	Hour	Hour	Hour	Hour	Hour	Day	1 1 5	Cost
\$458,900	\$170	\$170	\$150	\$125	\$125	\$140	\$130	\$125	\$105	\$105	\$250	\$77	\$75		\$1,560
Assess feasibility of design alternatives	4	4	4												
Summarize feasibility analysis of conceptual alternatives and recommended preferred solutions	1	16		24		8									\$7,010
Conduct outreach to affected landowners	4	24				24			12				2		\$9,530
Conduct prelim consult with regulators, prepare memo & budget for regulatory compliance	4	8				16	16						1		\$6,435
Prepare report	4	16				12	2								\$7,340
Monitoring Program															
Identify program goals, critical locations, and accumulation thresholds	4	24		40		16									\$12,000
Design evaluation criteria to measure acceptable levels of aggradation	4	8		16		20									\$6,840
Develop methods to measure sediment accumulation at bridges and other critical locations		4		8		4									\$2,240
Develop channel cross-section and photo monitoring/survey plan and schedule	2	8		16		4									\$4,260
Develop protocols for tracking data and analyses (worksheets and flowchart)	1	8		4		4			12						\$3,850
Prepare report, including QC	2	16		16		4									\$5,620
Management Plan															
Action plan for prompt implementation when aggradation affects channel capacity	2	16	8	16		8			16						\$9,060
Design annual and/or on-going sediment management practices	2	4	8	8		8			4						\$4,760
Prepare plan document, including QC	2	16		16		8									\$6,180
Task Management	4	40													\$7,480
Task 5: Project Coordination and Management Support															
Project coordination and management support	20	40					20					40	4		\$16,180
TOTALS	184	660	157	529	120	214	190	40	606	70	70	40	27	\$50,000	\$458,900