



Mayor: Alan Galbraith
Vice Mayor: Peter White
City Council: Sharon Crull
Paul Dohring
Greg Pitts

ST. HELENA CITY COUNCIL
REGULAR MEETING
March 10, 2015

5:30 PM CLOSED SESSION
CITY HALL CONFERENCE ROOM,
1480 MAIN STREET, ST. HELENA

6:00 PM REGULAR MEETING
VINTAGE HALL BOARD ROOM – SECOND FLOOR
465 MAIN STREET, ST. HELENA

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. PUBLIC COMMENTS PERTAINING TO THE CLOSED SESSION

2. CLOSED SESSION

- a. Conference with Legal Counsel—Anticipated Litigation; Initiation of litigation pursuant to Government Code Section 54956.9(d)(4): (One potential case)

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

4. PLEDGE OF ALLEGIANCE

5. ROLL CALL

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.

PRESENTATIONS AND PUBLIC RECOGNITIONS

8. Presentation – GIVE BIG ST. HELENA! By Kelly Schaeffer, K-5 Parent/Teacher President and Ali Bowyer, RLS Parent Group President

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. Consideration and proposed approval of Regular and Special Meeting Minutes of:
- a. Regular Meeting Minutes of May 13, 2014
 - b. Regular Meeting Minutes of May 27, 2014
 - c. Special Meeting Minutes of May 29, 2014
 - d. Special Meeting Minutes of June 5, 2014
 - e. Regular Meeting Minutes of June 10, 2014
 - f. Special Meeting Minutes of June 23, 2014
 - g. Regular Meeting Minutes of June 24, 2014
 - h. Special Meeting Minutes of June 25, 2014 at 12:30 pm
 - i. Special Meeting Minutes June 25, 2014 at 6:30 pm
 - j. Regular Meeting Minutes of August 26, 2014
 - k. Regular Meeting Minutes of September 9, 2014

CEQA Status: Not a CEQA project

Lead Staff: Cindy Black, City Clerk

Recommendation: Approve

10. Second Reading and Adoption of Proposed Ordinance to Amend Chapter 13.32 Stormwater and Runoff Pollution Control of the St Helena Municipal Code to fulfill provisions E.6.A, E.10.C, E.12.G, and E.12.J of the State Water Resources Control Board Water Quality Order No. 2013-0001-DWQ, NPDES General permit No. CAS000004
CEQA Status: Categorically Exempt, Section 15061(b)(3)
Lead Staff: Steven Palmer, PE – Director of Public Works/City Engineer
Recommendation: Adopt by title only

PUBLIC HEARING

11. Public Hearing to Approve the Annexation of Territory into the St. Helena Municipal Sewer District No. 1, MSD Annexation No. 117 (395 S. Crane Ave. St Helena, CA. APN. 009-350-029-000)
CEQA Status: Categorically Exempt, Section 15061(b)(3)
Lead Staff: Steven Palmer, PE – Director of Public Works/City Engineer
Recommendation: Adopt
12. Consideration and proposed approval of a resolution granting Guneet Bajwa on behalf of the Las Alcobas Hotel (also known as the Grandview Hotel) for Use Permit and Design Review approval to add a total of thirteen (13) new hotel rooms to the fifty seven (57) rooms already approved, for a total of seventy (70) hotel rooms at 1915 Main Street in the SC: Service Commercial District. The Proposed Project also includes a request to increase the limit on the total number of hotel rooms allowed Citywide by thirteen (13) rooms, thereby raising the limit from 329 rooms to 342 rooms
CEQA Status: An Addendum has been prepared to the previously approved Negative Declaration for this Project
Lead Staff: Victor Carniglia, Contract Planner
Recommendation: Adopt

NEW BUSINESS

13. 2015 City Council assignments to various City and Napa County Boards and Commissions
CEQA Status: Not a CEQA project
Lead Staff: Cindy Black, City Clerk
Recommendation: Advise the City Clerk of any changes
14. Consideration and proposed approval of a resolution adopting a New Schedule of Library fines and fees
CEQA Status: Not a CEQA project
Lead Staff: Jennifer Baker, Library Director
Recommendation: Adopt

ADJOURNMENT The next Regular City Council meeting is scheduled for March 24, 2015, 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 March 6, 2015.



Cindy Black, 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
May 13, 2014
5:30 PM 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.

1. PLEDGE OF ALLEGIANCE

Mayor Nevero called the meeting to order at 5:30 p.m. and the flag was saluted.

2. ROLL CALL

Present: Councilmembers Sculatti, Pitts, Crull, White, Mayor Nevero
Absent: None

3. PUBLIC COMMENTS PERTAINING TO THE CLOSED SESSION

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

4. CLOSED SESSION

Conference with Labor Negotiators, pursuant to Government Code Section 54957.6
Agency Designated Representatives: Employee Organization: Police Officers Foundation (POF)

5. OPEN SESSION – COUNCIL WILL RETURN TO OPEN SESSION AND ANNOUNCE ACTIONS TAKEN IF ANY

The Regular Meeting was reconvened at 6:10 p.m. and City Attorney Tom Brown reported there was no reportable action.

6. PUBLIC FORUM:

Julie Spencer and Dave Kirnberger from Rianda House; Martin Bennett; and Trent Yaconelli of the Boys and Girls Club of St. Helena addressed the City Council.

7. REPORTS BY STAFF AND CITY COUNCIL AND FUTURE AGENDA ITEMS and AB 1234 REPORTS:

City Manager Gary Broad provided an update on the City Manager recruitment.

Assistant Public Works Director Debra Hight announced that the RLS Fun Run will be held on Thursday, May 15, 2014.

Councilmember Pitts discussed the Cinco de Mayo celebration in Crane Park and thanked Parks and Recreation crews.

Councilmember Sculatti recognized the Parks and Recreation crews for maintaining the City's bocce courts.

Mayor Nevero discussed Councilmember Pitt's and her visit to the City of Davis and participation in a bike and walking tour. She announced that Vice Mayor Crull's son became an Eagle Scout last week, and introduced the City's Interim City Manager, Toby Ross who spoke briefly.

The City Council presented City Manager Gary Broad with an engraved clock for his service as City Manager from 2011 to 2014. Mr. Broad thanked the Council, staff and community.

PRESENTATIONS AND PUBLIC RECOGNITIONS

8. A Proclamation was presented to Sarah Forni and Doug Hauker, Napa County Health and Human Services Department, recognizing "Mental Health Awareness Month."

Excused: Councilmember Pitts was briefly excused at 6:40 p.m.

CONSENT ITEMS

9. Approve Resolution 2014-24 Approving Memorandum of Understanding between the St. Helena Employees Association (SHEA) and the City of St. Helena
10. Approve Resolution 2014-25 approving the design plans and working details, and authorizing the St. Helena Renaissance, a 501(c)(3) non-profit, to proceed with construction for the public restrooms located at the Oak Avenue Public Parking Lot, Assessor Parcel Number (009-240-013)
11. Approve Resolution 2014-26 approving the License Agreement #14WBR0004N between the National Oceanic and Atmospheric Administration (NOAA) Office of Atmospheric Research and the City of St. Helena for the Placement of a Precipitation Radar and Gauge at the Louis Stralla Water Treatment

13. Approve Resolution 2014-27 approving authorizing the City Manager to take steps enabling the City of St. Helena to serve as fiscal agent and administrator for the website www.napavalleynow.com.

City Attorney Tom Brown requested revision to Item 10, adding an item number 3 to state: "Bidding shall satisfy all applicable requirements of the Public Contract Code."

Vice Mayor Crull requested removal of Item 12.

Vice Mayor Crull moved to approve Consent Items 9, 10 (as amended), 11 and 13. The motion was seconded by Councilmember White and on roll call carried by the following vote:

AYES: Councilmembers Crull, Sculatti, White, Mayor Nevero

NOES: None

ABSENT: Pitts

12. Adoption of Zoning Ordinance 2014-5 Text Amendments to Municipal Code Title 17; (1) 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 (2) 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.; CEQA Exemption Section 15061 (b)(5)

In response to Vice Mayor Crull's questions regarding sunset timelines, City Attorney Brown stated the change to zoning was the result of a Court of Appeals decision in the late 1980's regarding automatic sunset provision, which strengthen the entitlement for permit holders.

Vice Mayor Crull referred to the ordinance and asked for verbiage to be added under Standards for Access, as follows: "For purposes of this section, private roads shall be considered access drives." She stated another revision should have indicated that the property line should have been identified to be from "the pavement line" and not the "property or edge of the easement". City Attorney Brown stated that to approve the ordinance at second reading with the revision, the first reading's motion must be reviewed and clarified. He suggested tabling the item, returning the matter to the next meeting, or bifurcating the section.

Councilmember Sculatti moved to approve Item 12, Part 1 and to hold over the remainder of the ordinance. The motion was seconded by Councilmember Pitts and on roll call carried by the following vote:

AYES: Councilmembers Crull, Sculatti, White, Mayor Nevero

NOES: None

ABSENT: Pitts

SCHEDULED MATTERS

- 14. Consideration/Adoption of Resolution 2014-28 appointing one member to the Parks and Recreation Commission**

Mayor Nevero nominated appointment of Chis Cutler to the Parks and Recreation Commission. Vice Mayor Crull nominated appointment of Stephanie Jacobi to the Parks and Recreation Commission.

Councilmember White made a motion to appoint Chris Cutler to the Parks and Recreation Commission. The motion was seconded by Mayor Nevero and on roll call carried by the following vote:

AYES: Councilmembers Sculatti, White, Mayor Nevero

NOES: Crull

ABSENT: Pitts

- 15. Update on the proposed July 4th community celebration and approval of Resolution approving the temporary closure of street intersections on July 4, 2014 for the 4th of July community event**

Assistant Public Works Director Debra Hight introduced Pam Simpson from the St. Helena Chamber of Commerce and Boardmember Lowell Smith, who reported on this item.

Councilmember White moved to adopt Resolution 2014-29 approving the temporary closure of street intersections on July 4, 2014 for the 4th of July community event. The motion was seconded by Vice Mayor Crull and on roll call carried by the following vote:

AYES: Councilmembers Crull, Sculatti, White, Mayor Nevero

NOES: None

ABSENT: Pitts

Mayor Nevero suggested moving up items 18 and 19.

- 18. Update report on Phase I Water Regulations**

Assistant Public Works Director Debra Hight provided an update on this item.

- 19. Council discussion of reduction in City Manager/Department Head benefits related to personal convenience holidays, deferred compensation and State Disability Insurance**

City Manager Gary Broad reported on this item.

There was no public comment.

After discussion, the City Council directed the City Manager to agendize the resolution to effectuate the changes in benefits for the May 27, 2014 meeting.

Noted Present:

Councilmember Pitts returned to the dais and was noted present at 7:11 p.m.

BREAK

Mayor Nevero called a brief Council break at 7:11 p.m. and, thereafter, reconvened the regular meeting at 7:19 p.m. to discuss Items 16 and 17.

16. Consideration/Adoption of Resolution Adopting Annual Budget for the City of St. Helena for the fiscal year ending June 30, 2015

City Manager Gary Broad introduced the item. Interim Finance Director Shelia McCrory gave a brief PowerPoint presentation and the City Council discussed each of the various fund sections in the Annual Budget.

John Brinkle of Work Connection, Norma Felice of the Family Center, Sandy Erickson, Pam Simpson of the Chamber of Commerce, Alan Galbraith, Paul Dohring, Bobbi Monnette addressed the City Council.

City Manager Gary Broad moved discussion to the St. Helena Public Library fund section.

Bobbi Monnette, Norma Felice and Paul Dohring addressed the City Council.

City Manager Gary Broad moved discussion to the Recreation Department fund section.

EXTEND MEETING

Councilmember White moved to extend the Council meeting at 10:00 p.m. to 10:30 p.m. The motion was seconded by Councilmember Sculotti and on roll call carried by the following vote:

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

NOES: None

ABSENT: None

City Manager Gary Broad moved discussion to the Fire Department fund section.

There were no public comments.

City Manager Gary Broad moved discussion to the Police Department fund section.

Sandy Erickson addressed the City Council.

City Councilmembers agreed to revisit review of the Annual Budget. City Manager Gary Broad stated he will poll Councilmembers as to the next meeting date to discuss the Annual Budget.

17. Resolution directing City Manager to extend current Agreement with Solano County to Provide Automation Services to the St. Helena Public Library

This item was not discussed.

20. Review/discussion and direction on the Draft General Plan Update 2030

This item was not discussed.

ADJOURNMENT

Mayor Nevero adjourned the meeting at 10:30 p.m.

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Black, City Clerk

**REGULAR MEETING
ST. HELENA CITY COUNCIL
VINTAGE HALL BOARD ROOM – SECOND FLOOR
465 MAIN STREET, ST. HELENA
May 27, 2014
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.

1. PLEDGE OF ALLEGIANCE

Mayor Nevero called the meeting to order at 6:02 p.m. and the flag was saluted.

2. ROLL CALL

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

Absent: None

3. PUBLIC FORUM:

Ed Breed of the Napa County Arts and Culture Advisory Committee; Peter Mennen; Alan Galbraith and Geoff Ellsworth addressed the City Council.

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

Interim City Manager Toby Ross announced that the Council will continue discussions of the Annual Budget tomorrow morning.

Assistant Public Works Director Debra Hight discussed current water conditions for the City.

Mayor Nevero reported attending the FFA and Agriculture Awards at the high schools, the Memorial Day service held at the cemetery, and recognized the Kiwanis Club for hanging flags on Main Street.

PRESENTATIONS AND PUBLIC RECOGNITIONS

5. Pam Simpson, CEO, St. Helena Chamber of Commerce, gave a PowerPoint presentation on the Chamber's annual accomplishments.

Sandy Erickson; Chamber of Commerce Boardmember Katie Somple; Allison Simpson of Visit Napa Valley; Jim Smith, Innkeeper of the Wine Country Inn;

Geoff Ellsworth; Chamber of Commerce Boardmember Tracy Sweeney; Geoff Ellsworth; and Kevin Diamond addressed the City Council.

Council roundtable discussion ensued.

Due to delays in setting up Item 8's presentation, Mayor Nevero requested moving up Consent Items on the agenda.

CONSENT ITEMS

6. Approving Resolution 2014-30 for the St. Helena Chamber of Commerce to display flags on Main Street for two events
7. Approving Resolution 2014-31 directing City Manager to rescind notice to terminate Agreement with Solano County to Provide Automation Services to the St. Helena Public Library and to amend existing agreement

Vice Mayor Crull moved to approve the Consent Calendar. The motion was seconded by Councilmember Pitts and on roll call carried by the following vote:
AYES: Councilmembers Crull, Sculatti, Pitts, White, Mayor Nevero
NOES: None
ABSENT: None

BREAK

Mayor Nevero called for a break at 7:11 p.m. and, thereafter, reconvened the regular meeting at 7:17 p.m.

8. A presentation regarding Prevention of Youth Substance Abuse was provided by Police Chief Jackie Rubin and Lisa Toller, Catalyst Coalition Coordinator/Youth Marijuana Prevention Initiative from the Napa County Office of Education.

Lisa Toller, Catalyst Coalition Coordinator/Youth Marijuana Prevention Initiative, Police Chief Jackie Rubin and Officer Steve Peterson gave a presentation about marijuana use and trends, and prevention of youth substance abuse.

Council roundtable discussion ensued.

PUBLIC HEARINGS

9. Consideration of Request of James Healy for an appeal of the Tree Committees denial of a TREE PERMIT to plant twelve (12) fruitless Olive trees in the city owned right of way in front of the parcel located at 1888 Madrona Avenue in the A-20: Twenty-Acre Agriculture district.
APN: 009-470-020
CEQA: Exempt pursuant to Section 15303, Class 3 and Section 15061(b)(5).

Assistant Public Works Director Debra Hight discussed the request for an appeal of the Tree Committee's denial of a tree permit.

James Healy addressed the Council regarding his appeal.

Ann Arthur read aloud a letter on behalf of Martin Bennett; Joy Rhodes-Brown, Tara Parker read letter from her mother; and Tree Committee Chair Susan Ortega addressed the Council.

Council roundtable discussion ensued regarding protection of existing oak trees, findings of the Tree Committee and view shed impacts on private and public views.

Councilmember White moved to uphold the determination of the Tree Committee and deny the appeal, based on findings of the Tree Committee, discussion by the City Council and public testimony. The motion was seconded by Vice Mayor Crull and on roll call carried by the following vote:

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

NOES: None

ABSENT: None

10. Consideration of Request of Lawrence Papale and Amy Thorn for an appeal of the Planning Commissions denial of a Use Permit for a wine tasting room at a tenant space located at 1234 MAIN STREET in the CB: Central Business district.

APN: 009-083-019

CEQA: Exempt pursuant to Section 15303, Class 3 and Section 15061(b)(5).

Councilmember Sculotti recused himself from participating in this item and left the dais.

Interim Planning Director Greg Desmond discussed the request for an appeal of the Planning Commission's denial of a use permit for a wine tasting room.

Lawrence Papale, representing Jack and Amy Thorn, addressed the Council regarding the appeal.

Amy Thorn, owner and winemaker, discussed grape sources of Thorn Hill's wine, production, zoning, the showcase of their wines in the tasting room and gave a brief PowerPoint presentation.

Council roundtable discussion ensued regarding types of wine sold through wine club memberships, location and use of the tasting room, where the wine is made, and varietals.

Terry Klein (vineyard owner); Sandy Erickson; Julia Venezuela; Douglas Cook; and Andrew Simpson addressed the Council.

Councilmember White moved to uphold the appeal of Lawrence Papale and Amy Thorn and overturning the Planning Commission's denial of a use permit for a wine tasting room at 1234 Main Street, and direct staff to prepare a resolution including findings, and contingent upon the swap of the conditional use permit of a similar business. The motion was seconded by Mayor Nevero and on roll call carried by the following vote:

AYES: Councilmembers Crull, White, Mayor Nevero

NOES: Pitts

ABSENT: None

RECUSED: Sculotti

BREAK

Mayor Nevero called for a break at 9:40 p.m. and, thereafter, reconvened the regular meeting at 9:50 p.m.

Councilmember Sculotti returned to the dais and was noted present.

11. Consideration of proposed issuance by the California Municipal Finance Authority of its multifamily housing revenue bonds in one or more series in an amount not to exceed \$13,000,000 (the "Bonds"). The proceeds of the Bonds will be used to: (1) finance the acquisition and rehabilitation of an 80-unit affordable multifamily residential rental facility located at 990 College Avenue, St. Helena, California, all or a portion of which will be available for rental by persons or families of very low or low income; and (2) pay certain expenses incurred in connection with the issuance of the Bonds. The facilities are to be owned and operated by Stonebridge EAH, L.P. a California limited partnership or another affiliate of EAH Inc. Approval of this item will require the City to take the following actions:
 - A. Consent to becoming a member of the California Municipal Finance Authority, a joint powers authority (the "Authority"), and authorize the City Manager to execute the Joint Powers Agreement on behalf of the City;
 - B. Approve the issuance of bonds by the Authority to refinance the acquisition and rehabilitation of 80-unit affordable multifamily residential rental facility located a 990 College Avenue (the "Stoneridge Apartments Project");
 - C. Authorize the assignment of the City's existing promissory note and deed of trust (collectively, the "City Debt") on the Stoneridge Apartments Project from the current maker to the new owner, Stoneridge Housing II, LP, authorize and direct the City Manager and City Attorney to negotiate and execute the necessary document(s) to accomplish same;

- D. Consent to the capitalization of the accrued interest on the City Debt to ensure the outstanding interest due the City is carried forward to the new ownership, and authorize and direct the City Manager and City Attorney to negotiate and execute the necessary document(s) to accomplish same;
- E. Consent to the subordination of the existing City Debt to a new senior lender, and authorize and direct the City Manager and City Attorney to negotiate and execute the necessary document(s) to accomplish same;
- F. Approve the extension of the term of the existing City Debt from December 31, 2047, June 28, 2049, to be concurrent with the maturity Date of the California Housing and Community Development Department Rental Housing Construction Program Loan, and authorize and direct the City Manager and City Attorney to negotiate and execute the necessary document(s) to accomplish same;
- G. Consent to the amendment of the financing rate on the existing City Debt from the current 6.2% simple interest rate to the Applicable Federal Rate compound rate, and authorize and direct the City Manager and City Attorney to negotiate and execute the necessary document(s) to accomplish same; and
- H. Authorize and direct the City Manager to issue a City letter of commitment detailing the foregoing changes and verifying the current zoning of the property to accompany the Stoneridge Housing II, LP's application to the California Debt Limit Allocation Committee.
APN: 009-070-240
CEQA: Exempt pursuant to Section 15301, Class 1.

Ethan Daniels and Matt Steinle, EAH Housing, provided an overview of the request regarding issuance by the California Municipal Finance Authority of its multifamily housing revenue bonds, acquisition of property, and rehabilitation of the Stoneridge Apartments.

Council roundtable discussion ensued and no action taken.

EXTEND MEETING

Councilmember Pitts moved to extend the meeting to 10:30 p.m. The motion was seconded by Councilmember White and on roll call carried by the following vote:

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

NOES: None

ABSENT: None

Bobbi Monnette addressed the Council.

SCHEDULED MATTERS

12. Review/discussion and direction on the Draft General Plan Update 2030

Mayor Nevero announced that this item will be added to the agenda of the May 29th special Council meeting.

ADJOURNMENT

Mayor Nevero adjourned the meeting at 10:25 p.m.

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Black, City Clerk

**SPECIAL MEETING
ST. HELENA CITY COUNCIL
ST. HELENA CITY HALL CONFERENCE ROOM
1480 MAIN STREET, ST. HELENA
May 29, 2014
7:30 A.M. SPECIAL MEETING**

A complete video recording of this meeting can be found at www.cityofsthelena.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 7:35 a.m. and the flag was saluted.

2. ROLL CALL

Present: Councilmembers Pitts, Crull, White, Mayor Nevero

Absent: Councilmember Sculatti

3. PUBLIC COMMENTS PERTAINING TO THE CLOSED SESSION

Mayor Nevero asked if there were any public comments regarding the Closed Session matters listed.

Sandy Erickson addressed the City Council.

4. CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION

Government Code section 54956.9(d)(1): Esvin Calderon et al. v. City of St. Helena, U.S.D.C. No. C-12-05819 VC.

5. OPEN SESSION – COUNCIL WILL RETURN TO OPEN SESSION AND ANNOUNCE ACTIONS TAKEN IF ANY

The Special Meeting was reconvened at 9:45 a.m. and City Attorney Thomas B. Brown reported there was no reportable action.

ADJOURNMENT

Mayor Nevero adjourned the meeting at 9:45 a.m.

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Black, City Clerk

**SPECIAL MEETING
ST. HELENA CITY COUNCIL
ST. HELENA CITY HALL CONFERENCE ROOM
1480 MAIN STREET, ST. HELENA
June 5, 2014
8:00 A.M. SPECIAL MEETING**

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

1. PLEDGE OF ALLEGIANCE

Mayor Nevero called the meeting to order at 8:00 a.m. and the flag was saluted.

2. ROLL CALL

Present: Councilmembers Sculatti, Pitts, Crull, White, Mayor Nevero
Absent: None

3. PUBLIC COMMENTS PERTAINING TO THE CLOSED SESSION

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

4. CLOSED SESSION

1. Consideration of Personnel Matter pursuant to Government Code § 54957:
Public Employment
Title: City Manager

**5. OPEN SESSION – COUNCIL WILL RETURN TO OPEN SESSION AND
ANNOUNCE ACTIONS TAKEN IF ANY**

The Special Meeting was reconvened at 10:55 a.m. and City Attorney Thomas B. Brown reported there was no reportable action.

ADJOURNMENT

Mayor Nevero adjourned the meeting at 10:55 a.m.

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Black, City Clerk

**REGULAR MEETING
ST. HELENA CITY COUNCIL
VINTAGE HALL BOARD ROOM – SECOND FLOOR
465 MAIN STREET, ST. HELENA
June 10, 2014
6:00 P.M. REGULAR MEETING**

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

1. PLEDGE OF ALLEGIANCE

Mayor Nevero called the meeting to order at 6:00 p.m. and the flag was saluted.

2. ROLL CALL

Present: Councilmembers Sculatti, Pitts, Crull, White, Mayor Nevero
Absent: None

3. PUBLIC FORUM

Geoff Ellsworth, Pam Simpson and John Berlin addressed the City Council.

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

Assistant Public Works Director Debra Hight discussed the current water conditions for the City.

Councilmember Sculotti announced that permits have been pulled for two downtown public restrooms, and that electric vehicle charging stations will soon be installed downtown.

PRESENTATIONS AND PUBLIC RECOGNITIONS

- 5. New State Stormwater regulations presentation by Countywide Stormwater Manager Jamison Crosby**

Jamison Crosby, Napa Countywide Stormwater Manager, gave an overview of the new State Stormwater regulations and discussed efforts to fulfill permit requirements, increased costs, cost sharing and regional and statewide collaboration.

City Council roundtable discussion ensued.

Rick Thomasser, Watershed Operations Manager for the Napa County Flood Control and Water Conservation District, addressed City Council questions.

Bobbi Monnette addressed the City Council.

6. PG&E environmental remediation at the PG&E site, 1301 Mitchell Avenue

PG&E Manager Betsy Brunswick, Mark Van Gorder, PG&E Government Relations Manager for Napa and Marin County, and PG&E Consultant Tracy Craig provided the City Council with a presentation and answered questions regarding the PG&E remediation project at 1301 Mitchell Drive.

Faith Eckmeyer addressed the City Council.

CONSENT ITEMS

Mayor Nevero recognized a request by John Berlin to pull Item 17 from Consent. Councilmember Pitts requested removal of Items 14 and 16. Vice Mayor Crull requested removal of Item 10.

7. Approved City Council Minutes of April 8, 2014
8. Consideration of Resolution 2014-34 approving Memorandum of Understanding between the City of St. Helena and the Peace Officers Foundation (POF)
9. Consideration of Resolution 2014-35 Approving a Professional Services Agreement with Bennett Engineering Services for on-call consulting services for the Wastewater Treatment and Reclamation Plant
11. Consideration of Resolution 2014-36 Approving the Cooperative Joint Powers Agreement to Fund and Administer the Napa Countywide Stormwater Management Program (Napa Countywide Stormwater Pollution Prevention Program)
12. Consideration of Resolution 2014-37 establishing an appropriation limit for fiscal year 2014-2015 and the selection of current year adjustment factors
13. Consideration of Resolution 2014-38 approving the Housing Authority of the City of Napa (HACN) Base Support Services Agreement with St. Helena FY 2014-15
15. Consideration of Resolution 2014-39 for Proposed Issuance of Tax Exempt Bonds

Vice Mayor Crull moved to approve the Consent Items 7, 8, 9, 11, 12, 13 and 15. The motion was seconded by Councilmember White and on roll call carried by the following vote:

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

NOES: None

ABSENT: None

10. Information on discontinuation of Contract with Napa County Animal Services and Consideration of Approving contract with Wine Country Animal Services (WCAL)

Sandy Erickson and Police Chief Jackie Police Chief Rubin addressed the City Council.

Councilmember White moved to approve the Consent Item 10. The motion was seconded by Vice Mayor Crull and on roll call carried by the following vote:

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

NOES: None

ABSENT: None

Councilmember Pitts requested discussion of Item 16.

16. Consideration of establishing a Community Development Department and reaffirming the City Manager's administrative authority

Interim City Manager Toby Ross provided a brief explanation regarding this item.

Sandy Erickson, Mary Stevenson, Bobbi Monnette, and Geoff Ellsworth addressed the City Council.

Councilmember Pitts moved to approve the Consent Item 16, as modified to retitle the department to "Community Improvement Department". The motion was seconded by Councilmember Sculatti and on roll call carried by the following vote:

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

NOES: None

ABSENT: None

14. City Council discussion/approval of an amendment to a contract with Regional Government Services (RGS) for up to \$25,000 to provide the City with employee recruitment services for up to four positions

Councilmember Pitts posed questions regarding the RGS contract and timing of the hiring of the City Manager and additional manager recruitments. City Council discussion ensued.

Sandy Erickson addressed the City Council.

Councilmember Pitts moved to approve the Consent Item 14. The motion was seconded by Councilmember White and on roll call carried by the following vote:
AYES: Councilmembers Crull, Sculatti, Pitts, White, Mayor Nevero
NOES: None
ABSENT: None

17. Consideration of adopting a Resolution 2014-40 granting the appeal of appellants Amy Thorn (applicant) and Lawrence Papale (property owner) challenging the Planning Commission's denial for use permit approval to establish a 21-seat wine tasting facility in an existing 1,061 square foot tenant space located at 1234 Main Street

Councilmember Sculotti recused himself and left the dais.

John Berlin, Lawrence Papale, Geoff Ellsworth, Sandy Erickson and Faith Eckmeyer addressed the City Council.

Councilmember White moved to approve the Consent Item 17, adopting the resolution and making the necessary findings, as corrected to reflect a "3-1 vote". The motion was seconded by Mayor Nevero and on roll call carried by the following vote:
AYES: Councilmembers Crull, White, Mayor Nevero
NOES: Pitts
ABSENT: None
RECUSED: Councilmember Sculotti

BREAK

Mayor Nevero called for a break at 8:11 p.m. and, thereafter, reconvened the regular meeting. She requested Item 20 be moved up ahead of items on the agenda.

Noted Present:

Councilmember Sculotti returned to the dais and was noted present.

20. Review & direction regarding Municipal Code Chapter 17.134 - Short-Term Rentals

Interim City Manager Toby Ross reported on this matter.

Councilmembers held discussion regarding issues surrounding short term vacation rentals.

Valena Omedus-Green, Pam Simpson, Dan Seery, C. Smith, Ernie Cabral, Geoff Ellsworth, Matt Nunchuck, Sandy Erickson, Tracy Sweeney and Jim Rhodes addressed the City Council.

Ernie Cabral, Jim Rhodes, Bobbi Monnette, Matt Nunchuck and Tracy Sweeny re-addressed the City Council.

EXTEND MEETING

Councilmember Sculotti moved to extend the meeting to 10:30 p.m. The motion was seconded by Councilmember Pitts and on roll call carried by the following vote:

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

NOES: None

ABSENT: None

After consideration, the City Council directed staff to bring back at a future meeting the renewal process, determining a minimum number of nights per year, and enforcement of violations.

PUBLIC HEARING

18. Introduction of Ordinance Amending Chapters to the Municipal Code specifically related to the City of St. Helena Boards and Commissions to revise residency requirements, protocols and terms of office.

Christine O'Rourke, Consultant, reported on this item.

EXTEND MEETING

Councilmember Pitts moved to extend the meeting to 11:00 p.m. The motion was seconded by Councilmember White and on roll call carried by the following vote:

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

NOES: None

ABSENT: None

Bobbi Monnette addressed the City Council.

The City Council provided feedback to staff regarding revisions to the two resolutions and ordinance and requested the resolutions and ordinance return to a future meeting.

BREAK

Mayor Nevero called for a brief break at 10:36 p.m. and, thereafter, reconvened the regular meeting at 10:40 p.m.

SCHEDULED MATTERS

19. Review/discussion and direction on the Draft General Plan Update 2030

Bobbi Monnette and Sandy Erickson addressed the City Council.

The City Council directed staff to identify significant items for consideration by the Planning Commission and, thereafter, to return the matter to the City Council.

ADJOURNMENT

Mayor Nevero adjourned the meeting at 10:55 p.m.

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Black, City Clerk

**SPECIAL MEETING
ST. HELENA CITY COUNCIL
ST. HELENA CITY HALL CONFERENCE ROOM
1480 MAIN STREET, ST. HELENA
June 23, 2014
9:30 A.M. SPECIAL 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 9:30 a.m. and the flag was saluted.

2. ROLL CALL

Present: Councilmembers Sculatti, Pitts, Crull, White, Mayor Nevero
Absent: None

3. PUBLIC COMMENTS PERTAINING TO THE CLOSED SESSION

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

4. CLOSED SESSION

Public Employment
City Manager
Brown Act Section: 54957
Purpose: Interviews for City Manager Position

**5. OPEN SESSION – COUNCIL WILL RETURN TO OPEN SESSION AND
ANNOUNCE ACTIONS TAKEN IF ANY**

City Attorney Thomas B. Brown reported there was no reportable action.

ADJOURNMENT

Mayor Nevero adjourned the meeting.

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Black, City Clerk

**REGULAR MEETING
ST. HELENA CITY COUNCIL
VINTAGE HALL BOARD ROOM – SECOND FLOOR
465 MAIN STREET, ST. HELENA
JUNE 24, 2014
5:00 PM CLOSED SESSION
6:00 PM REGULAR MEETING**

A complete video recording of this meeting can be found at www.cityofsthelelena.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 5:00 p.m. and the flag was saluted.

2. ROLL CALL

Present: Councilmembers Sculatti, Pitts, Crull, White, Mayor Nevero
Absent: None

3. PUBLIC COMMENTS PERTAINING TO THE CLOSED SESSION

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

4. CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Significant exposure to litigation--Government Code section 54956.9(d)(2)--(One case)

B. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION
Government Code section 54956.9(d)(1): Esvin Calderon et al. v. City of St. Helena, U.S.D.C. No. C-12-05819

5. OPEN SESSION – COUNCIL WILL RETURN TO OPEN SESSION AND ANNOUNCE ACTIONS TAKEN IF ANY

The Open Session was convened at 6:07 p.m. and City Attorney Thomas B. Brown reported there was no reportable action.

6. PUBLIC FORUM:

Bobbi Monnette; Wally Platner of the St. Helena Community Band; Geoff Ellsworth and Pam Simpson addressed the City Council.

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

Interim City Manager Toby Ross reported on the City Manager recruitment process.

Councilmember Pitts reported on the Upper Valley Waste Management Meeting activities including the Clover Flat Landfill closure's extension to 2047 and grant funds available for the food waste composting program.

Councilmember Sculotti and Councilmember White reported on the Napa County Gang Prevention meeting.

Mayor Nevero reported on her attendance at the Napa County Gang Prevention meeting, the Napa County Flood Board Selection Committee meeting, and an NCTPA meeting regarding zip cars.

PRESENTATIONS AND PUBLIC RECOGNITIONS

8. St. Helena Public Library Proclamation for being recognized as a finalist for "Best Small Library in America"

Mayor Nevero read and presented a proclamation to Library Director Jennifer Baker recognizing St. Helena Public Library as a finalist for "Best Small Library in America."

CONSENT ITEMS

Mayor Nevero requested removal of Item 11.

9. City Council Minutes of April 22, 2014
Recommended Action: Approve

10. Adopt a Resolution 2014-41 Calling and Giving Notice of the General Municipal Election to be held in the City of St. Helena on November 4, 2014 and requesting the Board of Supervisors of the County of Napa Consolidate the General Municipal Election with the Statewide Election
Recommended Action: Adopt

Vice Mayor Crull moved to approve Consent Items 8, 9 and 10. The motion was seconded by Councilmember White and on roll call carried by the following vote:
AYES: Councilmembers Crull, Pitts, Sculatti, White, Mayor Nevero
NOES: None

11. Authorize the responses to two Grand Jury Final Reports:
a. A Review of Public Employee Retirement Benefits for Each Napa

- County Jurisdiction; Working Together for a Sustainable Future”
b. Napa County Transportation & Planning Agency (NCTPA); VINE:
Management and Ridership for the Future

Recommended Action: Approve

Mayor Nevero requested amendment to the response for R1, as follows:

“...agrees that collaboration to share best practices and review pension funding could be beneficial.”

Mayor Nevero moved to approve Consent Item 11, as amended. The motion was seconded by Councilmember White and on roll call carried by the following vote:

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

NOES: None

SCHEDULED MATTERS

5. Discussion of permanent location for the St. Helena Historical Society
Lead Staff: Planning Assistant

Recusal:

Mayor Nevero recused herself from participating in this item and left the dais.

Skip Lane, President of the St. Helena Historical Society, gave a brief video and presentation regarding establishing a permanent location for the Society.

Shannon Kuleto, Dave Garden, John Dulin, Larry Turley, Don Winter, Marian Hensen, Susan Sylvester, Merissa Shriver, Pam Simpson, Bobbi Monnette and Geoff Ellsworth addressed the City Council.

Councilmembers supported starting the process of creating a subcommittee to review Adams Street as a home for the St. Helena Historical Society.

Interim City Manager Toby Ross suggested requesting the Historical Society join with two councilmembers and other stakeholders to form a small group to define next steps and return to the Council. Councilmembers White and Pitts volunteered to serve on the subcommittee.

NOTED PRESENT/BREAK

Mayor Nevero returned to the dais at 8:34 p.m., called for a brief break, and thereafter, reconvened the regular meeting at 8:50 p.m.

6. Consideration of amendment to the FY 14/15 Budget to provide for additional programs and capital improvements
Lead Staff: Interim Finance Director and Interim City Manager

Interim City Manager Toby Ross reported on this item.

City Council roundtable discussion ensued. Mayor Nevero asked for public comment regarding the Capital Improvement Program for street repairs on Charter Oak.

Recused:

Councilmember Sculotti recused himself from participating in the discussion regarding the CIP for street repairs on Charter Oak.

Sandy Erickson and Bobbi Monnette addressed the City Council.

Councilmember White moved to approve the CIP budget of \$172,000 for street repairs on Charter Oak Avenue. The motion was seconded by Vice Mayor Crull and on roll call carried by the following vote:

AYES: Councilmembers Crull, Pitts, White, Mayor Nevero

NOES: None

RECUSED: Sculotti

Noted Present:

Councilmember Sculotti returned to the dais and was noted present.

Interim City Manager Toby Ross clarified three projects in the CIP which he said can individually be considered in the future by the Council.

Vice Mayor Crull moved to approve the recommendation in the CIP for Grayson and Allison Avenues. The motion was seconded by Mayor Nevero and on roll call carried by the following vote:

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

NOES: None

The City Council then moved to and discussed the Water and Wastewater CIP Budget and roundtable discussion ensued.

Paul Dohring addressed the City Council.

Councilmember Pitts moved to approve the Water and Wastewater CIP Budgets. The motion was seconded by Councilmember White and on roll call carried by the following vote:

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

NOES: None

The City Council and Interim City Manager Toby Ross discussed the Operating Budget starting on Page 71 of the budget.

Bobbi Monnette, Paul Dohring, Sandy Erickson, Larry Kromann of Calistoga Affordable Housing, Pam Simpson and Mary Stevenson addressed the City Council.

Mayor Nevero confirmed unanimous support by Councilmembers to add a line item for an unfunded placeholder for current events.

Councilmember White moved to approve the Operating Budget and add a line item for an unfunded placeholder for current events. The motion was seconded by Vice Mayor Crull and on roll call carried by the following vote:
AYES: Councilmembers Crull, Pitts, Sculatti, White, Mayor Nevero
NOES: None

ADJOURNMENT

Mayor Nevero adjourned the meeting at 9:25 p.m.

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Black, City Clerk

**SPECIAL MEETING
ST. HELENA CITY COUNCIL
ST. HELENA CITY HALL CONFERENCE ROOM
1480 MAIN STREET, ST. HELENA
June 25, 2014
12:30 P.M. SPECIAL 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 12:30 p.m. and the flag was saluted.

2. ROLL CALL

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

Absent: None

3. PUBLIC COMMENTS PERTAINING TO THE CLOSED SESSION

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

4. CLOSED SESSION

Public Employment

City Manager

Brown Act Section: 54957

Purpose: Interviews for City Manager Position

**5. OPEN SESSION – COUNCIL WILL RETURN TO OPEN SESSION AND
ANNOUNCE ACTIONS TAKEN IF ANY**

City Attorney Thomas B. Brown reported there was no reportable action.

ADJOURNMENT

Mayor Nevero adjourned the meeting.

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Black, City Clerk

**SPECIAL MEETING
ST. HELENA CITY COUNCIL
ST. HELENA CITY HALL CONFERENCE ROOM
1480 MAIN STREET, ST. HELENA
June 25, 2014
6:30 P.M. SPECIAL 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 6:30 p.m. and the flag was saluted.

2. ROLL CALL

Present: Councilmembers Sculatti, Pitts, Crull, White, Mayor Nevero
Absent: None

3. PUBLIC COMMENTS PERTAINING TO THE CLOSED SESSION

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

4. CLOSED SESSION

Public Employment
City Manager
Brown Act Section: 54957
Purpose: Interviews for City Manager Position

**5. OPEN SESSION – COUNCIL WILL RETURN TO OPEN SESSION AND
ANNOUNCE ACTIONS TAKEN IF ANY**

City Attorney Thomas B. Brown reported there was no reportable action.

ADJOURNMENT

Mayor Nevero adjourned the meeting.

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Black, City Clerk

**REGULAR MEETING
ST. HELENA CITY COUNCIL
VINTAGE HALL BOARD ROOM – SECOND FLOOR
465 MAIN STREET, ST. HELENA
August 26, 2014
5:30 PM 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.

1. PLEDGE OF ALLEGIANCE

Mayor Nevero called the meeting to order at 5:30 p.m. and the flag was saluted.

2. ROLL CALL

Present: Councilmembers Sculatti, Pitts, White, Mayor Nevero

Absent: Vice Mayor Crull

3. PUBLIC COMMENTS PERTAINING TO THE CLOSED SESSION

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

4. CLOSED SESSION

- a. CONFERENCE WITH LEGAL COUNSEL—SIGNIFICANT EXPOSURE
pursuant to paragraph (2) of subdivision (d) of Section 54956.9;
(One case.)

5. OPEN SESSION – COUNCIL WILL RETURN TO OPEN SESSION AND ANNOUNCE ACTIONS TAKEN IF ANY

The Regular Meeting was reconvened at 6:00 p.m. and City Attorney Thomas B. Brown reported there was no reportable action.

6. PUBLIC FORUM:

Sandy Erickson, Geoff Ellsworth, Bobbi Monnette and Wendell Laidley addressed the City Council.

7. REPORTS BY STAFF AND CITY COUNCIL AND FUTURE AGENDA ITEMS and AB 1234 REPORTS:

City Manager Jennifer Phillips thanked City staff for their support in her transition as City Manager.

Interim City Clerk Cindy Black reported on various Boards and Commissions recruitments and asked that the Council review the applications for recommendation at the September 9th Council meeting. She will re-advertise for the Sustainability Committee vacancies, as there were no applications received.

Mayor Nevero said the City of St. Helena sends its support to the City of Napa after its recent earthquake and she recognized the immediate response by St. Helena emergency workers.

CONSENT ITEMS

Mayor Nevero commented on Item 13, stating the City will be lucky to have Ms. Oswald to represent St. Helena on the Napa County Regional Park and Open Space District Advisory Committee.

8. Authorization to purchase Laserfiche (electronic document imaging software) in the amount of \$24,313.20 from ECS Imaging, Inc.
9. Consideration of second reading ordinance 2014-8 adding a new Chapter 8.36 entitled "Single-Use Carryout Bag Reduction" to Title 8 of the St. Helena Municipal Code to regulate the use of single-use carryout bags by specified retailers.
CEQA: Exempt pursuant to CEQA Guidelines § 15307, 15308, 150619(b)(3)
10. Consideration of Resolution 2014-54 to display American and Mexican flags on September 16, 2014 along Main Street and resolution approving the St. Helena Multi-Cultural Committee's use of Lyman Park for the Annual Mexican Independence Day Celebration
11. Consideration of resolution 2014-55 approving temporary closure of Oak Avenue and Adams Street for the October 18, 2014, Hometown Harvest Festival
12. Consideration of resolution 2014-56 approving the October 10, 2014, St. Helena High School annual homecoming parade on Main Street

13. Nomination of Roberta Oswald by the Mayor to the Napa County Regional Park and Open Space District Advisory Committee

Councilmember White moved to approve Consent. The motion was seconded by Councilmember Sculotti and on roll call carried by the following vote:

AYES: Councilmembers Sculatti, Pitts, White, Mayor Nevero

NOES: None

ABSENT: Crull

SCHEDULED MATTERS

14. Consideration of Resolution 2014-56 Approving a Solar Power Purchase Agreement with Sol-Ed Solar Holdings I, LLC, Approving Design Plans, Authorizing City Staff to Proceed with the Construction of the Solar Arrays at Wappo Park for the Stonebridge Wells, the Wastewater Plant and the Water Treatment Plant, and Approving a Categorical Exemption pursuant to the California Environmental Quality Act

City Manager Jennifer Phillips reported on this item.

Jonathan Weiland, David Kunhardt and David Pitofski, on behalf of Sol-Ed Holdings, I, LLC, addressed questions of the City Council.

Assistant Public Works Director Debra Hight and Fire Marshal Jim Capponi addressed questions of the City Council.

Bobbi Monnette addressed the City Council.

Councilmember White moved to adopt Resolution approving a Solar Power Purchase Agreement with Sol-Ed Solar Holdings I, LLC, approving design plans, authorizing City staff to proceed with the construction of the solar arrays at Wappo Park for the Stonebridge Wells, the Wastewater Plant and the Water Treatment Plant, and approving a Categorical Exemption pursuant to the California Environmental Quality Act. The motion was seconded by Councilmember Sculotti and on roll call carried by the following vote:

AYES: Councilmembers Sculatti, Pitts, White, Mayor Nevero

NOES: None

ABSENT: Crull

15. Introduction of Zoning Ordinance Text Amendment to Municipal Code Title 17; 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))

Planning Consultant Victor Carniglia reported on this item.

City Council roundtable discussion ensued, and Fire Marshal Jim Capponi responded to questions.

Bobbi Monnette addressed the City Council.

Councilmember Pitts moved to introduce Zoning Ordinance Text Amendment to Municipal Code Title 17; 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)). The motion was seconded by Councilmember White and on roll call carried by the following vote:

AYES: Councilmembers Sculatti, Pitts, White, Mayor Nevero

NOES: None

ABSENT: Crull

16. Urgency Ordinance/Ordinance 2014-9 for Introduction Amending City of St. Helena Municipal Code Section 13.04.230B Phase I Water Regulations to add newly state-mandated water use restrictions and related penalties. :

- A. Urgency Ordinance. Introduce and adopt an Urgency Ordinance amending the regulations set forth in Article II of Chapter 13.04 of Title 13 of the St. Helena Municipal Code governing Water Shortage Emergencies to incorporate newly state-mandated water use restrictions and related penalties to take effect immediately.
- B. Hold first reading, waive full reading, and introduce an Ordinance amending the regulations set forth in Article II of Chapter 13.04 of Title 13 of the St. Helena Municipal Code governing Water Shortage Emergencies to incorporate newly state-mandated water use restrictions and related penalties.

CEQA: Exempt pursuant to CEQA Guidelines §§ 15308 and 15061(b)(3).

City Manager Jennifer Phillips reported on the item.

Councilmember White moved to introduce Urgency Ordinance Amending City of St. Helena Municipal Code Section 13.04.230B Phase I Water Regulations to add newly state-mandated water use restrictions and related penalties; Introduce and adopt an Urgency Ordinance amending the regulations set forth in Article II of Chapter 13.04 of Title 13 of the St. Helena Municipal Code governing Water Shortage Emergencies to incorporate newly state-mandated water use

restrictions and related penalties to take effect immediately; and waive full reading and introduce an Ordinance amending the regulations set forth in Article II of Chapter 13.04 of Title 13 of the St. Helena Municipal Code governing Water Shortage Emergencies to incorporate newly state-mandated water use restrictions and related penalties. The motion was seconded by Councilmember Sculotti and on roll call carried by the following vote:

AYES: Councilmembers Sculatti, Pitts, White, Mayor Nevero

NOES: None

ABSENT: Crull

17. Review and Direction of resolution to be considered at the 2014 Annual League of California Cities Conference

Interim City Clerk Cindy Black reported on the item.

Councilmember White moved to approve resolutions to be considered at the 2014 Annual League of California Cities Conference. The motion was seconded by Councilmember Sculotti and on roll call carried by the following vote:

AYES: Councilmembers Sculatti, Pitts, White, Mayor Nevero

NOES: None

ABSENT: Crull

ADJOURNMENT

Mayor Nevero adjourned the meeting at 7:45 p.m.

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Black, City Clerk

**REGULAR MEETING
ST. HELENA CITY COUNCIL
VINTAGE HALL BOARD ROOM – SECOND FLOOR
465 MAIN STREET, ST. HELENA
September 9, 2014
~~5:30 PM CLOSED SESSION - CANCELED~~
6:00 P.M. REGULAR MEETING**

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

1. PLEDGE OF ALLEGIANCE

Mayor Nevero called the meeting to order at 6:00 p.m. and the flag was saluted. She announced that the Closed Session scheduled at 5:30 p.m. had been canceled.

2. ROLL CALL

Present: Councilmembers Sculatti, Pitts, Crull, White, Mayor Nevero
Absent: None

3. PUBLIC COMMENTS PERTAINING TO THE CLOSED SESSION

4. CLOSED SESSION - CANCELED

- a. CONFERENCE WITH LEGAL COUNSEL—SIGNIFICANT EXPOSURE
pursuant to paragraph (2) of subdivision (d) of Section 54956.9;
(One case.)

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

6. PUBLIC FORUM:

Kelly Schafer Pitts, St. Helena School District Parent/Teacher Group President, Sandy Erickson, and Geoff Ellsworth addressed the City Council.

7. REPORTS BY STAFF AND CITY COUNCIL AND FUTURE AGENDA ITEMS and AB 1234 REPORTS:

Interim City Clerk Cindy Black reported on her attendance at the League of California Cities Conference where she represented the City, and she provided the Council with a flash drive with pertinent documents.

Library Director Jennifer Baker invited everybody to a Candidates Night to be held at 7:00 p.m. on Thursday, September 11, 2014, hosted by the League of Women Voters.

Police Chief Jackie Rubin provided an overview of the police response to the September 3, 2014 robbery at David's Jewelers. On September 17th she and the City Manager will be holding a Business Forum to discuss safety issues for businesses and employees and encouraged people to sign up for NIXLE and E-News. Councilmembers thanked the Police Department for their remarkable response.

City Manager Jennifer Phillips introduced Steve Palmer, Interim Public Works Director.

Councilmember White discussed the Watershed Information Conservation Conservancy's (WICC) Draft Water Availability Analysis Report which is available on Napa County's website. The report addresses groundwater and will be used to address policy decisions.

Councilmember Sculotti discussed the ceremonial groundbreaking for the Las Alcobas project, formerly the Grandview Mansion which was held on September 8, 2014.

CONSENT ITEMS

Mayor Nevero requested two amendments for Items 10 and 11, and provided these in writing to the Council and audience.

8. Consideration of second reading Zoning Ordinance 2014-10 Text Amendment to Municipal Code Title 17; 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))
9. Consideration of second reading for an Ordinance 2014-11 amending the regulations set forth in Article II of Chapter 13.04 of Title 13 of the St. Helena Municipal Code governing Water Shortage Emergencies to incorporate newly state-mandated water use restrictions and related penalties.
10. Consideration of resolution 2014-58 accepting the work and directing the

Filing of the Notice of Completion for CIP Project W-42 Supervisory Control and Data System (SCADA)

11. Consideration of resolution 2014-59 finding an exemption from CEQA; approving and adopting the plans, specifications and working details; and authorizing the bid request for the Wastewater Treatment Plant Pond 1A repair project.
12. Consideration of resolution 2014-60 approving Amendment No. 1 for additional on-call consulting services with Bennett Engineering Services related to the Wastewater Treatment Plant Pond 1A regulatory assistance, technical expertise, field investigation and construction support; adding \$50,000 for a total amended amount not to exceed \$80,000.
13. Consideration/action regarding notice of intent to sell the affordable housing unit at 1641 Voorhees Circle and direction as to whether the City desires to exercise its option to purchase said property

Councilmember White moved to approve Consent, as amended (Items 10 and 11). The motion was seconded by Councilmember Pitts and on roll call carried by the following vote:

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

NOES: None

ABSENT: None

SCHEDULED MATTERS

14. Consideration of Resolution 2014-61 appointing and filling expired terms to the Library Board of Trustees, Parks and Recreation Commission, Planning Commission and the Tree Committee

Mayor Nevero reported interviewing two Planning Commission applicants and discussed her preference for a 4-year term. There was no public comment and she nominated Grace Kistner to be appointed to the Planning Commission.

Councilmember White moved to adopt resolution and appoint Grace Kistner to the Planning Commission. The motion was seconded by Vice Mayor Crull and on roll call carried by the following vote:

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

NOES: None

ABSENT: None

Mayor Nevero discussed not being able to interview all candidates and nominated incumbent member Kellie Carlin to the Tree Committee. Councilmembers discussed postponing the appointment and complete the

interview process. Councilmembers agreed to keep the recruitment process open to garner more participation.

Incumbent Tree Committee member Susan Ortega addressed the City Council and confirmed she responded by email.

Interim City Clerk Cindy Black indicated there were no applications for the Sustainability Committee and incumbent applications were submitted for consideration to the Tree Committee. She confirmed with the Council that the recruitment for these bodies would be left open.

Mayor Nevero discussed the Parks and Recreation application/interview process. The Council advocated re-appointment of Chris Cutler.

Mayor Nevero moved to adopt resolution and appoint Chris Cutler to the Parks and Recreation Commission to a term of two years. The motion was seconded by Councilmember White and on roll call carried by the following vote:

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

NOES: None

ABSENT: None

Mayor Nevero stated she was unable to interview one applicant due to an incorrect email. The Council recommended completion of interviews and that the matter be brought back for the remaining appointments.

Regarding the Library Board appointments, Mayor Nevero discussed incumbents' interest, new applicants, potential expansion of the Library Board, and Council discussion ensued.

City Attorney Thomas Brown clarified that the City's ordinance allows 5 members and expansion of the Library Board to 7 members would require amendment to the Municipal Code, which the City Council supported.

Mayor Nevero called for public comment, and there were no speakers.

After Council roundtable discussion, the City Council directed staff to return in one month with proposed amendments to the Municipal Code for expansion of the Library Board to 7 members, seek input from the Library Board, and re-advertise for the added positions.

15. Preliminary review of Conceptual Plans submitted by Carl Doumani for a Resort Hotel ("The Inn at St Helena") consisting of 84 Hotel Rooms, proposed to be located on a 5.93 Acre parcel, along with agricultural uses on adjacent parcels consisting of 4.11 Acres, for a total of 10.04 Acres. The Site is Located North of Mills Lane and East of Hwy 29

Planning Consultant Victor Carniglia reported on this item.

Carl Doumani, applicant, gave an overview of the hotel concept.

City Council roundtable discussion ensued.

David Gold, Doug Stanton, Sandy Erickson, Phil Murphy, Bob Steinhauer, Richard Mansfield, Geoff Ellsworth, Christopher Hill, Bobbi Monnette, and Jeff Feeny addressed the City Council.

City Manager Jennifer Phillips and City Attorney Thomas Brown addressed questions of the City Council regarding the matter's pre-application process, review of the hotel concept, and future hearing processes.

Noted Absent:

Councilmember White was noted absent at 8:19 p.m.

Councilmembers suggested that the applicant consider comments made by public speakers and Councilmembers, discussed City TOT revenues, pre-planning efforts, drought tolerant landscaping, neighborhood meetings, environmental considerations and comprehensive review of the site plan.

ADJOURNMENT

Mayor Nevero adjourned the meeting at 8:34 p.m.

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Black, City Clerk



Report to the City Council
Council Meeting of March 10, 2015

Agenda Section: Consent Calendar

Subject: Second Reading and Adoption of Proposed Ordinance to Amend Chapter 13.32 Stormwater and Runoff Pollution Control of the St Helena Municipal Code to fulfill provisions E.6.A, E.10.C, E.12.G, and E.12.J of the State Water Resources Control Board Water Quality Order No. 2013-0001-DWQ, NPDES General permit No. CAS000004

CEQA Status: **Categorically Exempt, Section 15061(b)(3)**

Prepared By: Steven Palmer, PE – Director of Public Works/City Engineer

Approved By: Jennifer Phillips, City Manager

BACKGROUND

The City's storm drain system is regulated by the State Water Resources Control Board (SWRCB) Water Quality Order No. 2013-0001-DWQ, Phase II Small Municipal Separate Storm Sewer System (MS4) National Pollution Discharge Elimination (NPDES) Permit, General Permit No. CAS000004 (Stormwater Permit). This Stormwater Permit became effective on July 1, 2013 and expires on June 30, 2018. Various requirements phase in over the term of the Permit. The City is required by the SWRCB to comply with the Permit requirements in order to operate a storm drain system. If the City does not comply with the Permit requirements, the SWRCB could issue citations, fines, or other enforcement actions.

DISCUSSION

The introduction and first reading of this Ordinance was heard by the City Council on February 24, 2015.

The Ordinance is being presented to Council a second time for adoption. It will take effect and be in force 30 days after its adoption.

This Ordinance is not subject to review under the California Environmental Quality Act (Public Resources Code Section 21000, et seq.) (CEQA). First, it is not a project within the meaning of Section 15378 of the CEQA Guidelines, title 14 of the California Code of Regulations, because it has no potential for resulting in physical change to the environment, directly or ultimately. In addition, the action to adopt this Ordinance is exempt from CEQA because there is no possibility that the adoption of the Ordinance

may have a significant effect on the environment. (Cal. Code Regs., tit. 14, §15061(b)(3).) Further, the action to adopt this Ordinance is exempt from CEQA because it is action taken to benefit natural resources and the environment. (Cal. Code Regs., tit. 14, §§15307, 15308.)

FISCAL IMPACT

There is a direct fiscal impact to new development and infill projects in order to provide and implement Stormwater Control Plans (SCP), Erosion and Sediment Control Plans (ECSP). The additional City cost to review these new requirements will be funded by the developer.

While this ordinance does not result in additional costs to the City, other requirements of the Stormwater Permit will require an increased level of effort by the City. This additional cost is estimated to be in the range of \$70,000 per year in order to fund preparation of additional studies, improvements, and document permit compliance. The City does not have a dedicated funding source to use for Stormwater Permit compliance. The cost to comply with the Stormwater Permit will need to be funded from the City's General Fund.

RECOMMENDED ACTION

Waive Further Reading and Adopt an Ordinance to Amend Chapter 13.32 Stormwater and Runoff Pollution Control of the St Helena Municipal Code

ATTACHMENTS

1. Ordinance

CITY OF ST. HELENA

ORDINANCE NO. 2015-_____

AMENDING CHAPTER 13.32 STORMWATER AND RUNOFF POLLUTION CONTROL OF THE ST. HELENA MUNICIPAL CODE TO FULFILL PROVISIONS E.6.A, E.10.C, E.12.G, AND E.12.J OF THE STATE WATER RESOURCES CONTROL BOARD WATER QUALITY ORDER NO. 2013-0001-DWQ, NPDES GENERAL PERMIT NO. CAS000004

The City Council of the City of St. Helena does hereby ordain as follow:

SECTION 1: Chapter 13.32 Stormwater and Runoff Pollution Control is amended to read as follows (deletions indicated by strike-through and additions indicated by underline):

Chapter 13.32

STORMWATER AND RUNOFF POLLUTION CONTROL

Sections:

- 13.32.010 Title.
- 13.32.020 Purpose and intent.
- 13.32.030 Definitions.
- 13.32.040 Conflicts with other laws.
- 13.32.050 Discharge prohibitions.
- 13.32.060 Exceptions to discharge prohibition.
- 13.32.070 Proof of compliance with NPDES permit.
- 13.32.080 Concealment and abetting.
- 13.32.090 Reduction of pollutants in stormwater.
- 13.32.100 Containment and notification of spills.
- 13.32.110 Inspection authority.
- 13.32.120 Enforcement authority.
- 13.32.130 Appeal.
- 13.32.140 Violations constituting misdemeanors.
- 13.32.150 Remedies not exclusive.
- 13.32.160 Costs and expenses of enforcement—Civil penalties—Authorization for special assessment against subject property—Notice.

13.32.170 Civil actions.

13.32.180 Violations deemed a public nuisance.

13.32.010 Title.

This chapter shall be known as the "City of St. Helena Stormwater and Runoff Pollution Control Ordinance," and may be cited as such, and will be referred to herein as "this chapter."

13.32.020 Purpose and intent.

The purposes of this chapter are to protect the health, safety and general welfare of city of St. Helena residents; to protect water resources and to improve water quality; to protect and enhance watercourses, fish, and wildlife habitat; to cause the use of management practices by the city and its citizens that will reduce the adverse effects of polluted runoff discharges on waters of the state; to secure benefits from the use of stormwater as a resource; and to ensure the city is compliant with applicable state and federal law. This chapter seeks to promote these purposes by:

1. Prohibiting illicit discharges to the stormwater conveyance system
2. Establishing minimum requirements for stormwater management, including source control requirements, to prevent and reduce pollution;
3. Establishing requirements for development project site design, to reduce stormwater pollution and erosion;
4. Establishing requirements for the management of stormwater flows from development projects, both to prevent erosion and to protect and enhance existing water-dependent habitats;
5. Establishing standards for the use of off-site facilities for stormwater management to supplement on-site practices at new development sites.

13.32.030 Definitions.

A. The following words, when used in this chapter, shall have the following meanings:

"BASMAA Post Construction Manual" means the most recent version of the Bay Area Stormwater Management Agencies (BASMAA) Post Construction Manual.

"Best management practices (BMPs)" means schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

"City" means the city of St. Helena, situated in Napa County, California.

"Construction activity" means any activity that involves soil disturbing activities including, but not limited to, clearing, paving, grading, disturbances to ground such as stockpiling, and excavation.

"Development" means any activity that moves soils or substantially alters the preexisting vegetated or man-made cover of any land. This includes, but is not limited to, grading, digging, cutting, scraping, stockpiling or excavating of soil, placement of fill materials, paving, pavement removal, exterior construction, substantial removal of vegetation where soils are disturbed including but not limited to removal by clearing or grubbing, or any activity which bares soil or rock or involves streambed alterations or the diversion or piping of any watercourse. Development does not include routine maintenance to maintain original line and grade, hydraulic capacity, or the original purpose of the facility, nor does it include emergency construction activities (i.e., land disturbances) required to protect public health and safety.

"Development runoff requirements" mean the provisions in the Phase II Stormwater Permit that contain design standards or performance criteria to address both the construction and post-construction phase impacts of new projects and redeveloped projects on stormwater quality and quantity.

"Director of public works" or "director" means the director of the city of St. Helena department of public works.

~~"Discharge" means the release, addition or deposit of any fluid, liquid, solid, flowing substance, or any other material or substance to the city's stormwater conveyance system.~~

"Discharge of a Pollutant" means: a) the addition of any pollutant or combination of pollutants to waters of the United States from any point source; or (b) any addition of any pollutant or combination of pollutants to the waters of the contiguous zone or the ocean from any point source other than a vessel or other floating craft which is being used as a means of transportation. The term includes additions of pollutants to waters of the United States from: surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances owned by a State, municipality, or other person which do not lead to a treatment works; and discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works.

"Employee training program" means a documented employee training program which may be required to be implemented by a business pursuant to a stormwater pollution prevention plan for the purpose of educating its employees on methods of reducing discharge of pollutants to the stormwater conveyance system.

"Enforcement agency" means the city of St. Helena public works department.

"Enforcement official" means the director of public works or his or her designee or any agent of the city authorized to enforce compliance with this chapter.

"Erosion and Sediment Control Plan" or "ESCP" means a plan prepared to control erosion and sediment discharges from a construction site that meets those criteria identified in the most recent version of the Napa Countywide Erosion and Sediment Control Plan Model Template and any issued Technical Bulletins.

"Illicit connection" means a pipe, facility, or other device, whether on the surface or subsurface, that which allows an illicit discharge to enter the stormwater conveyance system or receiving water regardless of whether the drain or connection had been previously allowed, permitted, or approved by a government agency.

~~"Illicit discharge" means any discharge that is not composed entirely of stormwater except discharges pursuant to a NPDES permit (other than the NPDES permit for discharges from the municipal separate storm sewer) and discharges resulting from fire fighting activities.~~ to a storm drain or receiving water that is prohibited under local, state, or federal statutes, ordinances, codes, or regulations. The term illicit discharge does not include discharges that are regulated by an NPDES permit (other than the Phase II Stormwater Permit) and discharges that are identified under the Exceptions to Discharge Prohibition section of this chapter.

"Incidental irrigation runoff" means unintended amounts (volume) of runoff, such as unintended, minimal over-spray from sprinklers that escapes the landscaped area of intended use. Water leaving an intended use area is not considered incidental if it is part of the facility design, if it is due to excessive application, if it is due to intentional overflow or application, or if it is due to negligence.

"Low Impact Development (LID)" means a sustainable practice that benefits water supply and contributes to water quality protection. LID uses site design and stormwater management to maintain the site's pre-development runoff rates and volumes. The goal of LID is to mimic a site's predevelopment hydrology by using design techniques that infiltrate, filter, store, evaporate, and detain runoff close to the source of rainfall.

"Maximum extent practicable (MEP)" means a technology-based standard established by Congress in the Clean Water Act Section 402(p)(3)(B)(iii) for stormwater discharge that municipalities must meet. MEP is generally the result of emphasizing pollution prevention and source control best management practices (BMPs) primarily (as the first line of defense) and in combination with treatment methods serving as backup (additional line of defense). The MEP approach is an ever evolving, flexible and advancing concept, which considers technical and economic feasibility. As knowledge about controlling urban runoff continues to evolve, so does what constitutes MEP.

"National pollutant discharge elimination system (NPDES)" means a permit issued by the U.S. EPA, State Water Resources Control Board, or the California Regional Water Quality Control Board pursuant to the Clean Water Act (CWA) that authorizes discharges to waters of the United States and requires the reduction of pollutants in the discharge.

"NCSPPP" is the Napa Countywide Stormwater Pollution Prevention Program.

~~"Non-commercial vehicle washing" means the washing and rinsing of passenger vehicles on private property in which no commercial enterprise is being conducted in the washing of those vehicles.~~

"Non-stormwater discharge" means any discharge to the stormwater conveyance system or receiving water that is not entirely composed of stormwater.

"Occupant" means any person, firm, corporation, business entity, or public agency, whether principal, agent, employee, or otherwise occupying a premises.

“Person” means any person, firm, corporation, business entity, or public agency, whether principal, agent, employee, or otherwise.

“Phase II Stormwater Permit” means the NPDES general stormwater permit applicable to the City of St. Helena, Water Quality Order No. 2013-0001—DWQ, General Permit No. CAS000004, and any subsequent amendment, reissuance or successor to this NPDES permit.

“Plan standard” means any and/or all applicable requirements of the Water Quality Control Plan for Basin 2, adopted by the Regional Water Quality Control Board, San Francisco Bay Region in 1995, and all subsequent amendments.

“Pollutant” means any “pollutant” defined in Section 502(6) of the CWA (33 U.S.C. 1362) or incorporated into the California Water Code Section 13373. Pollutants may include, but are not limited to the following:

1. Residential, commercial and industrial waste (such as trash, litter, fuels, solvents, detergents, plastic pellets, hazardous substances, fertilizers, pesticides, slag, ash, and sludge);
2. Metals such as cadmium, lead, zinc, silver, nickel, chromium, copper and nonmetals such as phosphorous and arsenic;
3. Petroleum hydrocarbons (such as fuels, lubricants, surfactants, waste oils, solvents, coolants, and grease);
4. Excessive eroded soil, sediment, and particulate materials in amounts that may adversely affect the beneficial use of the receiving waters, flora or fauna of the state;
5. Animal wastes (such as discharge from confinement facilities, kennels, pens, recreational facilities, stables, and show facilities; and
6. Substances having characteristics such as pH less than six or greater than nine, or unusual coloration or turbidity, or excessive levels of fecal coliform, or fecal streptococcus, or enterococcus.

“Post Construction Measures Requirements” mean the provisions in section E.12 of the Phase II Stormwater Permit that contain design standards or performance criteria to address the post-construction phase impacts of new projects and redeveloped projects on stormwater quality and quantity.

“Premises” means any building, lot, parcel, land or portion of land whether improved or unimproved, including adjacent sidewalks and parking strips.

“Receiving waters” means all waters that are “Waters of the United States” within the scope of the Federal Clean Water Act or “Waters of the State” within the scope of the State-California Water Code, including but not limited to natural streams, creeks, rivers, reservoirs, lakes, ponds, water in vernal pools, lagoons, estuaries, bays, the Pacific Ocean, and groundwater.

“Stormwater” or “storm runoff” means surface runoff and drainage associated with storm events, which is free of pollutants to the maximum extent practicable.

"Stormwater Control Plan (SCP)" means a plan that meets those criteria contained in the most recent version of the BASMAA Post Construction Manual and any Technical Bulletins.

"Stormwater conveyance system" or "storm drains" means those artificial and natural facilities within the incorporated area of the city of St. Helena, whether publicly or privately owned, by which stormwater may be conveyed to a watercourse or ~~waters of the state~~receiving waters, including any roads with drainage systems, streets, catch basins, natural and artificial channels, aqueducts, streambeds, gullies, curbs, gutters, ditches, and natural and artificial channels or storm drains.

"Stormwater Facilities Operation and Maintenance Plan" means a plan identifying the locations and characteristics of stormwater management facilities on a newly developed or redeveloped site and describing maintenance activities, schedules, and responsibilities to ensure the ongoing proper operation of those facilities.

"Stormwater management facility" means any device designated to detain, retain, filter, or infiltrate stormwater.

"Stormwater ~~p~~Pollution ~~p~~Prevention ~~p~~Plan (SWPPP)" means a document which describes the best management practices to be implemented by the owner or operator of a business or construction site to eliminate illicit discharges and/or reduce ~~to the maximum extent practicable~~ pollutant discharges to the stormwater conveyance system.

"Technical Bulletin" means a document issued by and under the authority of the Director of Public Works to revise, amend, augment guidance manuals, documents, and templates including but not limited to the BASMAA Post Construction Manual and the Napa Countywide Erosion and Sediment Control Plan Model Template.

"Urban runoff" means stormwater runoff from an urbanized area including streets and adjacent domestic and commercial properties that carries pollutants of various types into the storm drainage system and receiving waters.

"Watercourse" means any natural stream, whether flowing continuously or not, that is fed from permanent or natural sources, and includes, without limitation rivers, creeks, runs, and rivulets.

B. Any term(s) defined in the Federal Clean Water Act and the California Water Code, as amended, and/or defined in the regulations for the stormwater discharge permitting program issued by the Environmental Protection Agency, as amended, and/or defined in the Phase II Stormwater Permit and which are not specifically defined in subsection A of this section shall, when used in this chapter, have the same meaning as set forth in the act or regulation.

13.32.040 Conflicts with other laws.

In the event of any conflict between this chapter and any federal or state law or regulation, that requirement which establishes the higher standard for public health or safety shall govern. Nothing in this chapter is intended to duplicate nor shall preclude enforcement of any other applicable law, regulation, order, or permit.

13.32.050 Discharge prohibitions.

A. Illicit Discharges. Except as provided in Section 13.32.060 of this chapter, it is unlawful for any person to make or cause to be made any illicit discharge. Notwithstanding the exemptions provided by Sections 13.32.060(A) and (B) of this chapter, if the Regional Water Quality Control Board or the enforcement official determines that any otherwise exempt discharge causes or significantly contributes to violations of any plan standard, or conveys significant quantities of pollutants to surface water(s) or watercourse(s), or is a danger to public health or safety, such discharge shall be prohibited from entering the stormwater conveyance system.

B. Illicit Connection. The construction, use, maintenance or continued existence of illicit connections to a storm drain or watercourse is prohibited. This prohibition includes illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of the connection.

C. Litter, Dumps, and Stockpiles. Throwing, depositing, leaving, abandoning, maintaining or keeping materials or wastes on public or private lands in a manner and place where they may result in an illicit discharge is prohibited.

13.32.060 Exceptions to discharge prohibition.

Subject to the authority granted to the enforcement official in this chapter, the following discharges are exempt from the prohibition set forth in Section 13.32.050 of this chapter:

A. Any discharge or connection regulated under an NPDES permit (other than the Phase II Permit) issued to the discharger and administered by the state of California pursuant to Division 7, Chapter 5.5 of the California Water Code, provided that the discharger is in compliance with all requirements of the permit and all other applicable laws and regulations.

B. Discharges or flows from fire-fighting activities unless they are identified as significant sources of pollutants to waters of the United States.

A.C. Discharges from the following activities, which do not cause or contribute to the violation of any plan standard provided any pollutant discharges are identified and appropriate control measures to minimize the impacts of such discharges are developed and implemented:

1. Waterline flushing and other discharges from potable water sources,
- ~~2. Irrigation and lawn watering;~~
- ~~3.2.~~ 2. Rising groundwaters or springs,
- ~~4.3.~~ 3. Passive foundation and footing drains,
4. Uncontaminated infiltration to storm drains;
5. Water from crawl space pumps and basement pumps,
6. Air conditioning condensate,
- ~~7. Noncommercial vehicle~~ Individual residential car washing,
8. Natural flows from riparian habitats and wetlands,

9. Dechlorinated swimming pool discharges,
- ~~10. Flows from fire suppression activities, including fire hydrant flows,~~
- ~~11. Waters not otherwise containing wastes as defined in California Water Code Section 13050(d) and California Health and Safety Code Section 25117,~~
- ~~12.10.~~ Diverted stream flows,
- ~~13.11.~~ Uncontaminated groundwater infiltration (as defined at 40 C.F.R. Section 35.2005(20) to separate storm sewers, and
- ~~12.~~ Uncontaminated pumped groundwater, and;
13. Incidental irrigation runoff from landscaped areas provided the conditions in item D of this section are met.

D. Incidental irrigation. Irrigation runoff from landscaped areas is the unintended amounts of runoff that leave the area of application such as minimal overspray. Water leaving the intended area of application is not incidental if it is due to the design, excessive application, or intentional overflow or application. Irrigation systems must be designed to conserve water and prevent water leaving the area of application. Persons responsible for controlling irrigation systems shall prevent excessive irrigation runoff by:

1. Detecting and correcting leaks and correcting from the irrigation system within 72 hours discovering the leak.
2. Properly designing and aiming sprinkler heads to only irrigate the planned application area.
3. Not irrigating during precipitation events.
4. Where recycled water is used for irrigation, designing and managing holding ponds to such that no discharge occurs unless it is the result of the 25 year-24 hour storm event. Any releases from holding ponds must be reported to the Regional Water Board and the City of St. Helena within 24 hours of the discharge.

~~B.E.~~ Any discharge, which the enforcement official, the local health officer, or the Regional Water Quality Control Board determines in writing, is necessary for the protection of the public health and safety;

~~C.F.~~ Any discharge caused by flooding or other natural disaster, which could not have been reasonably foreseen or mitigated for in advance by the discharger, as determined by the enforcement official;

~~D.G.~~ Any exceptions under state or federal law.

13.32.070 Proof of compliance with NPDES permit.

Any person subject to an industrial or construction activity NPDES stormwater discharge permit shall comply with all provisions of such permit and provide proof of compliance with the permit in a form acceptable to the enforcement official prior to or as

a condition of a subdivision map, site plan, building permit, or development or improvement plan; upon inspection of the facility; during any enforcement proceeding or action; or for any other reasonable cause.

13.32.080 Concealment and abetting.

Causing, permitting, aiding, abetting or concealing a violation of any provision of this chapter shall constitute a violation of this chapter.

13.32.090 Reduction of pollutants in stormwater.

Any person engaged in activities which may result in pollutants entering the stormwater conveyance system shall, to the maximum extent practicable, comply with the requirements set forth in this section to reduce the risk of illicit discharge and/or pollutant discharge.

A. Urban Runoff

1. Compliance with Best Management Practices (BMPs). Every person undertaking any activity or use of a premises which may cause or contribute to stormwater pollution or contamination, illicit discharges, or non-stormwater discharges shall implement BMPs consistent with the California Stormwater Quality Association BMPs or equivalent, and pollution control requirements as may be established by resolution of the city council.
2. Except for pollutants lawfully disposed of by way of containers or at lawfully established dumping grounds, no person shall throw, deposit, leave, maintain, keep, or permit to be thrown, deposited, placed, left or maintained, any refuse, rubbish, garbage, or other discarded or abandoned objects, articles, and accumulations, in or upon any street, alley, sidewalk, storm drain, inlet, catch basin, conduit or other drainage structures, business place, or upon any public or private lot of land in the City, such that, in the opinion of the authorized enforcement official, the same might be or become a pollutant discharged to the waters of the United States
3. The occupant or tenant, or in the absence of occupant or tenant, the owner, lessee, or proprietor of any real property in the City in front of which there is a paved sidewalk shall maintain said sidewalk free of dirt and/or litter to the maximum extent practicable. Sweepings from said sidewalk shall not be swept or otherwise made or allowed to go into the gutter or roadway, but shall be disposed of in receptacles maintained on said real property as required for recycling or disposal of garbage.

~~B. Development. The city council shall by resolution adopt requirements identifying appropriate best management practices to control the volume, rate, and potential pollutant load of stormwater runoff from new development and redevelopment projects as may be appropriate to minimize the generation, transport and discharge of pollutants. The city shall incorporate such requirements as conditions in any land use entitlement and construction or building-related permit to be issued relative to such development or redevelopment. The owner and developer shall comply with the terms, provisions, and conditions of such land use entitlements and building permits as required in this chapter.~~

B. Business Related Activities.

1. Stormwater Pollution Prevention Plan. The enforcement official may require any business in the city that is engaged in activities which may result in pollutant discharges to develop and implement a stormwater pollution prevention plan, which shall, without limitation, include an employee training program. Business activities which may require a stormwater pollution prevention plan include, but are not limited to, maintenance, storage, manufacturing, assembly, equipment operations, vehicle loading or fueling, or cleanup procedures which are carried out partially or wholly out of doors.

~~G. Any person subject to an industrial or construction activity NPDES stormwater discharge permit shall provide the city with proof of compliance with the permit may be required in a form acceptable to the enforcement official prior to or as a condition of a subdivision map, site plan, building permit, or development or improvement plan; upon inspection of the facility; during any enforcement proceeding or action; or for any other reasonable cause.~~

C. Best Management Practices for Development and Redevelopment.

1. Prior to and/or during construction, the enforcement official may establish controls on the volume and rate of stormwater runoff from new developments and redevelopment as may be appropriate to minimize peak flows or total runoff volume, and/or to mimic the pre-development site hydrology. These controls may include limits on impervious area or provisions for detention and retention of runoff on-site.
2. The enforcement official may require, as a condition of project approval, permanent structural controls designed for the removal of sediment and other pollutants and for control on the volume and rate of stormwater runoff from the project's added or replaced impervious surfaces. The selection and design of such controls shall be in accordance with criteria established or recommended by federal, state, local agencies, and where required, the BASMAA Post Construction Manual and any issued Technical Bulletins. Where physical and safety conditions allow, the preferred control measure is to retain drainageways above ground and in as natural a state as possible or other biological methods such as bioretention areas.
3. Stormwater Control Plan Requirements
 - a. For each new development and redevelopment project subject to the post construction measures requirements, or where required by the nature and extent of a proposed project and where deemed appropriate by the agency, every applicant shall submit a Stormwater Control Plan (SCP) that meets the criteria in the most recent version of the BASMAA Post Construction Manual and any Technical Bulletins, and shall implement conditions of approval that reduce stormwater pollutant discharges through the construction, operation and maintenance of source control measures, low impact development design, site design measures, stormwater treatment

measures and hydromodification management measures. Increases in runoff shall be managed in accordance with the post construction requirements.

- b. The SCP is separate and distinct from the ESCP requirements described in Section 13.32.090(D).
- c. Where projects are required to have a SCP, project applicants shall follow the appropriate SCP template, based on the project type, in the BASMAA Post Construction Manual and any Technical Bulletins.
- d. Implementation of an approved SCP and submittal of an approved Stormwater Facilities Operation and Maintenance Plan by the applicant shall be a condition precedent to the issuance of a building permit or a construction permit for a project subject to this section.
- e. When any work is being done contrary to the provisions of this article, the enforcement official may order the work stopped by notice in writing served on any persons engaged in doing or causing the work to be done. Such work shall stop until the enforcement official authorizes the work to proceed. This remedy is in addition to and do not supersede or limit any and all other remedies, both civil and criminal provided in the City of St. Helena Municipal Code.
- f. Financial security may be required to ensure that stormwater management facilities operate and are maintained following construction for a period which may be determined by the agency. Financial security shall consist of an irrevocable letter of credit, cash deposit, or performance bond as determined by the agency.
- g. All stormwater management facilities shall be designed in a manner to minimize the need for maintenance and reduce the chances of failure. Design guidelines are outlined in the BASMAA Post Construction Manual and any Technical Bulletins.
- h. All stormwater management facilities shall be maintained according to the BASMAA Post Construction Manual and the approved Stormwater Facilities Operation and Maintenance Plan. The person(s) or organization(s) responsible for maintenance shall be designated in the plan. Unless a different time period is provided for in the plan, those responsible for maintenance shall inspect the stormwater management facilities at least annually. The Stormwater Facilities Operation and Maintenance Plan shall describe how the maintenance costs will be funded. Upon the failure of a responsible person to maintain the stormwater management facilities in accordance with this chapter or the plan,

the City may perform the maintenance and recover its costs from the responsible person as provided in Section 13.32.160.

- i. For each new development and redevelopment project subject to the post construction measures requirements, or where deemed appropriate by the agency, access by the City to stormwater management facilities for inspections, as provided in Section 13.32.110 and through such means as may be appropriate, including, but not limited to, legal agreements, recorded covenants or easements, shall be provided by the property owner.
- j. All project proponents and their successors, or successors in fee title, in control of a new development and redevelopment project subject to the post construction measures requirements, shall submit one of the following as a condition prior to final inspection and approval of building permit closure:
 - i. The project proponent's signed statement accepting responsibility for the operations and maintenance of stormwater management facilities until such responsibility is legally transferred to another entity;
 - ii. Written conditions in the sales or lease agreements or deed for the project that requires the buyer or lessee to assume responsibility for the operations and maintenance of the stormwater management facilities until such responsibility is legally transferred to another entity;
 - iii. Written text in project deeds, or conditions, covenants and restrictions for multi-unit residential projects that require the homeowners association or, if there is no association, each individual owner to assume responsibility for the operation and maintenance of the stormwater management facilities until such responsibility is legally transferred to another entity; or
 - iv. Any other legally enforceable agreement or mechanism, such as recordation in the property deed, that assigns the operation and maintenance of the stormwater management facilities to the project owner(s) or the Permittee.

~~D. Compliance with Best Management Practices. Every person undertaking any activity or use of a premises which may cause or contribute to stormwater pollution or contamination, illicit discharges, or nonstormwater discharges shall comply with best management practices guidelines or pollution control requirements as may be established by resolution of the city council.~~

D. Best Management Practices for Ground Disturbing Activities

1. Any person performing construction activities in the City shall implement appropriate BMPs to prevent the discharge of construction wastes or contaminants from construction materials, tools and equipment from entering a City storm drain or watercourse.
2. All construction plans and applications submitted to the city pursuant to any permit applications shall implement appropriate BMPs to prevent the discharge of construction wastes or contaminants from construction materials, tools, and equipment from entering a City storm drain or watercourse.
 - a. Construction-phase BMPs include erosion and sediment controls and pollution prevention practices. Erosion control BMPs may include, but are not limited to, scheduling and timing of grading activities, timely revegetation of graded areas, the use of hydroseed and hydraulic mulches, and installation of erosion control blankets. Sediment control may include properly sized detention basins, dams, or filters to reduce entry of suspended sediment into the storm drain system and watercourses, and installation of construction entrances to prevent tracking of sediment onto adjacent streets. Pollution prevention practices may include designated washout areas or facilities, control of trash and recycled materials, tarping of materials stored on-site, and proper location of and maintenance of temporary sanitary facilities. The combination of BMPs used, and their execution in the field, must be customized to the site using up-to-date standards and practices. The agency will provide references to current guidance manuals and BMP information on request.
 - b. Financial security may be required to insure that temporary measures to control stormwater pollution are implemented and maintained during construction and after construction for a period determined by the agency. Financial security shall consist of an irrevocable letter of credit, cash deposit, or performance bond as determined by the agency.
 - c. When any work is being done contrary to the provisions of this article, the enforcement official may order the work stopped by notice in writing served on any persons engaged in doing or causing the work to be done. Such work shall stop until the enforcement official authorizes the work to proceed. This remedy is in addition to and do not supersede or limit any and all other remedies, both civil and criminal provided in the City of St. Helena Municipal Code.
 - d. The City has the authority to review designs and proposals for construction activities and new development and redevelopment sites to determine whether adequate BMPs will be installed, implemented, and maintained during construction and after final stabilization (post-construction).
 - e. All construction plans and applications for construction activity submitted to the City shall consider the potential for erosion and

sedimentation at the construction site, and shall include appropriate erosion and sedimentation controls.

3. Erosion and Sediment Control Plan Requirements:

a. An Erosion and Sediment Control Plan (ESCP) shall be required for:

- i. Any project subject to a grading permit under Chapter 15.12 ;
- ii. Any project subject to another City permit that has the potential for significant erosion and/or significant non-stormwater discharges of sediment and/or construction site waste including:
 - (a) Projects within 50 feet of the storm drain system, or
 - (b) Project disturbing 10,000 square feet (sf) of soil or more, or
 - (c) Projects installing new storm drains that discharge to the storm drain system or watercourse, or
 - (d) Projects on slopes of 5% or more; or
- ii. Any other project as required by the enforcement official considering factors such as whether the project involves hillside soil disturbance, rainy season construction, construction near a watercourse or any other condition or construction site activity that could lead to a non-stormwater discharge to a storm drain if not managed by effective implementation of an ESCP.

b. The ESCP shall be submitted for review and approval by the enforcement official. The project applicant shall follow the most recent version of the Napa Countywide Erosion and Sediment Control Plan Model Template and any issued Technical Bulletins to prepare the ESCP. At a minimum, the ESCP shall include:

- i. Description of the proposed project and soil disturbing activity.
- ii. Site specific construction-phase BMPs.
- iii. Rationale for selecting the BMPs, including if needed, soil loss calculations.
- iv. List of applicable permits associated with the soil disturbing activity, such as: Construction General Permit (CGP); Clean Water Act Section 404 Permit; Clean Water Act Section 401 Water Quality Certification; Streambed/Lake Alteration Agreement (1600 Agreements).
- v. Proof that the applicant has obtained the applicable permits associated with the soil disturbing activity must be submitted prior to approval of the ESCP.

- vi. Project information as required by the ESCP applicant checklist provided in the Napa Countywide Erosion and Sediment Control Plan Model Template and any issued Technical Bulletins;
 - (a) Owner and contractor contact information
 - (b) Site information (location, status, size of project, size of disturbed area)
 - (c) Project watershed
 - (d) Planned start date and anticipated completion date (as may be revised from time to time).
- c. For projects subject to the State's General Construction Activity Stormwater Permit (CGP), project applicants may submit a Stormwater Pollution Prevention Plan developed pursuant to the CGP in lieu of submitting an ESCP.
- d. Implementation of an approved ESCP shall be a condition of the issuance of a building permit, a grading permit, or other permit issued by the City for a project subject to this section. The ESCP shall be implemented year round and must be updated to reflect changing conditions on the project site. Any modifications to the ESCP shall be submitted to the City for review and approval.

E. Compliance with General Permit.

Each industrial discharger, discharger associated with construction activity, or other discharger described in any general stormwater permit addressing such discharges, as may be adopted by the United States Environmental Protection Agency, the sState waWater rResources cControl bBoard or the Regional Water Quality Control Board, shall provide Permit Registration Documents, shall comply with, and shall undertake all other activities required by any general stormwater permit applicable to such discharges.

13.32.100 Containment and notification of spills.

Any person owning or occupying a premises who has knowledge of any release of any pollutant or illicit discharge from or across those premises which might enter the stormwater conveyance system, other than a release or discharge that is permitted by this chapter, shall immediately take all reasonable action to contain and abate the release of pollutants or illicit discharge, and also shall promptly notify the enforcement agency within twenty-four (24) hours of the release of any pollutant or illicit discharge.

13.32.110 Inspection authority.

Whenever necessary to make an inspection to enforce any of the provisions of this chapter, or whenever the enforcement official has reasonable cause to believe that there exists in any building or upon any premises any condition which constitutes a

violation of this chapter, the enforcement official may enter such building or premises at all reasonable times to inspect the same or perform any duty imposed upon the officer by this chapter. Any request for entry shall state that the property owner or occupant has the right to refuse entry and that in the event such entry is refused, inspection may be made upon issuance of a warrant issued by a court of competent jurisdiction. In the event the owner or occupant refuses entry after such request has been made, the enforcement official is empowered to seek assistance from any court of competent jurisdiction in obtaining such entry. Inspections shall be based upon such reasonable selection processes as may be deemed necessary to carry out the objectives of this chapter, including but not limited to, random sampling and/or sampling in areas with evidence of stormwater contamination, illicit discharge, non-stormwater discharge to the stormwater conveyance system, or similar factors.

- A. **Sampling Authority.** During any inspection, the enforcement official may take samples as necessary in order to implement and enforce the provisions of this chapter. This authority may include the installation of sampling and metering devices on private property, or requiring the person owning or occupying the premises to supply samples.
- B. **Monitoring, Analysis and Reporting Authority.** The enforcement official may require monitoring, analysis and reporting of discharges from any premises to the stormwater conveyance system. Upon service of written notice by the enforcement official, the burden, including cost, of these activities, analyses and reports, incurred in complying with the requirement shall, to the extent permitted by law, be borne by the property owner or occupant of the facility or activity for which testing and monitoring has been requested.
- C. **Fee Authority.** The enforcement agency has the authority to conduct inspections and collect fees for the purpose of ensuring compliance with this chapter from any person or business issued one or more of the following permits:
 - 1. Hazardous material business plan;
 - 2. Food establishments except restricted food service transient occupancy establishments;
 - 3. Building permits;
 - 4. Grading permits.

A fee schedule for the purpose of enforcing this chapter shall be set by council resolution.

D. Records Review. The enforcement official may demand the production of such records as is necessary to determine compliance with the provisions of this chapter and for the purpose of examination and copying.

13.32.120 Enforcement authority.

The enforcement official is authorized to enforce the provisions of this chapter and to exercise any enforcement powers authorized or provided in this chapter, including without limitation the imposition of administrative requirements, orders and penalties pursuant to this chapter, as may be necessary to effectively implement and enforce this

chapter. Without limitation on the enforcement authority set forth in this section, the enforcement official is authorized to exercise any and all of the following supplemental enforcement powers as he or she determines may be necessary or appropriate in the enforcement official's judgment under the circumstances:

A. Administrative Actions. In addition to any other enforcement powers and/or remedies provided in this chapter, an authorized enforcement official may issue an order to a person to cease and desist from the discharge, practice, operation or other activity causing or likely to cause a violation of this chapter. Such order shall be directed to those persons in violation of the chapter stating clearly and concisely the nature of the violation, the requirements for compliance, a timetable for compliance and such other remedial and/or preventive action as may be necessary. Upon the violator's failure to comply with such an order, the city shall take further enforcement action as specified in this chapter, or in accordance with any other appropriate provision of local, state or federal law. At the discretion of the authorized enforcement official, enforcement may take the following forms:

1. Verbal Warnings, as may be issued during inspections;
2. Warning Letters and Orders to Abate Pollution;
3. Warning Letters with requirements to submit written reports;
4. Civil Actions or Criminal Enforcement actions as authorized by the City Municipal Code.

AB. Notice of Violation (NOV). Whenever the enforcement official determines that any person ~~owning or occupying a premises~~ has violated or is violating this chapter or order issued hereunder, the enforcement official may serve, by personal service, or by registered or certified mail, upon the person a written NOV. Within thirty (30) days of the receipt of this notice, or shorter period as may be prescribed in the NOV, the person to whom the NOV has been issued shall provide the enforcement official a written explanation or denial of the violation and, if the person does not deny the violation, a plan for the satisfactory correction and prevention thereof, which shall include without limitation specific actions or mitigations required by the enforcement official in the NOV. Submission of this plan shall in no way relieve the person of liability for any violation before or after receipt of the NOV.

BC. Cease and Desist Orders. The enforcement official may require any person ~~owning or occupying a premises~~ to cease and desist all activities that may cause or contribute to discharge in violation of this chapter. This order may also require such person to: (i) comply with the applicable provisions of this chapter within a designated period of time or; (ii) take such other appropriate remedial or preventative action the enforcement official determines to be necessary to prevent the violation from recurring .

GD. Notice to Clean and Abate. The enforcement official may require any person ~~owning or occupying a premises~~ to clean up and abate any release of one or more pollutants on those premises, which otherwise would result in a violation of

this chapter. The enforcement official may also order abatement of activities or practices, which otherwise reasonably would result in such a violation.

~~D~~E. Mitigation. The enforcement official shall have authority to order the mitigation of any condition, activity or circumstance which otherwise would result in or contribute to illicit discharges.

~~E~~F. Stormwater Pollution Prevention Plan. The enforcement official shall have the authority to establish elements of a stormwater pollution prevention plan, and to require any business or person to adopt and implement such a plan, as may be reasonably necessary to fulfill the purposes of this chapter.

~~F~~G. Best Management Practices. The enforcement official may establish and impose the requirements of best management practices for any premises.

~~H~~I. Seasonal and Recurrent Nuisance. If any violation of this chapter constitutes a seasonal and recurrent nuisance, the enforcement official shall so declare. Thereafter such seasonal and recurrent nuisance shall be abated every year without the necessity of any further hearing.

~~J~~I. Emergency Orders and Abatements. The enforcement official may order the abatement and cleanup of any discharge from any source to the stormwater conveyance system when, in the opinion of the enforcement official, the discharge causes or threatens to cause a condition which presents an imminent danger to the public health, safety, or welfare, or the environment. Discharges in violation of this Chapter are considered as presenting an imminent danger to the environment. In ~~emergency~~ situations where the property owner or other responsible party is unavailable and time constraints are such that service of a notice and order to abate cannot be effected without presenting an immediate danger to the public health, safety, or welfare, or the environment or a violation of a NPDES permit, the city may perform or cause to be performed such work as shall be necessary to abate the threat or danger. The costs of any such abatement shall be borne by the owner and shall be collectable in accordance with the provisions of this chapter.

~~I~~J. Contents of Notice. Any NOV, cease and desist order, or other civil notice or civil order issued by the enforcement official pursuant to this chapter shall include a copy of Section 13.32.130 of this chapter outlining appeal rights.

~~L~~K. The city is authorized to file a citizen suit pursuant to CWA Section 505(a), seeking penalties, damages and orders compelling compliance and other appropriate relief.

~~K~~L. The city may notify EPA Region IX, the regional board, or any other appropriate state or local agency, or any alleged violation of this chapter, including without limitation regarding notices and orders issued by the city, the timeframe for cleanup, and, if the parties agree that cleanup activities cannot be completed within the original timeframe, notification to such state or local agency within five business days that such timeframe requires revision.

13.32.130 Appeal.

Any person served with a NOV, who is subject to a cease and desist order, who is subject to an abatement order, who is required to perform monitoring, analyses, reporting and/or corrective activities by an authorized enforcement official, or who is otherwise aggrieved by any decision of the enforcement official, may appeal the decision to the city council. Such appeal shall be in writing, shall fully state all legal and factual bases for the appeal, and shall be filed with the city clerk within ten (10) calendar days following the service of the NOV or decision on the person~~receipt of the NOV or decision was served on the person~~. Upon receipt of such appeal, the city clerk shall set the matter for hearing by the city council at the earliest practical date, and notice of the hearing shall be provided to the person appealing. At the hearing, the city council may hear additional evidence, and shall overrule, affirm or modify the enforcement official's decision. The decision by the city council shall be in writing, shall set forth the city council's findings, and shall be final. Any appeal that does not satisfy all of the requirements of this chapter shall be invalid, and shall not be heard or considered by the city council, in which case the enforcement official's decision shall be final.

13.32.140 Violations constituting misdemeanors.

Any violation of this chapter may be punishable as a misdemeanor.

13.32.150 Remedies not exclusive.

Remedies under this chapter are in addition to and do not supersede or limit any and all other remedies, civil or criminal. The remedies provided for in this section shall be cumulative and not exclusive.

13.32.160 Costs and expenses of enforcement—Civil penalties—Authorization for special assessment against subject property—Notice.

- A. The city shall be entitled to reimbursement from any person violating any requirement or provision of this chapter for all costs and expenses incurred in connection with the enforcement of this chapter. Such reimbursable costs and expenses shall include, but are not limited to, costs of investigation, administrative overhead, out-of-pocket expenses, costs of administrative hearings, costs of suit, salaries, attorney's fees, expert fees, testing and monitoring expenses, and other expenses recoverable under state law, incurred during any inspection or investigation conducted pursuant to this chapter. In addition to any and all other costs and expenses, any person who or entity that violates any provision of this chapter shall be liable and responsible for, and shall pay to the city, a civil penalty of one thousand dollars (\$1,000.00) for each violation
- B. The enforcement officer shall keep an itemized statement of costs and expenses as set forth in Section 1.12.120 of this code.
- C. If the property owner does not pay the costs , expenses and civil penalties in full within thirty (30) days after receipt of the statement of costs pursuant to subsection B of this section or, if requested, after any decision on appeal by the city council pursuant to this subsection which confirms in whole or in part the costs, expenses and civil penalties, the costs, expenses and civil penalties shall become a special assessment against the real property upon which the violation(s) of this chapter

occurred. A special assessment may be filed against the property as set forth in Sections 1.12.220 and 1.12.230 of this code.

- D. Any monies recovered under this section shall be used exclusively for costs and programs associated with monitoring and establishing stormwater discharge pollution control systems, implementing or enforcing the provisions of this chapter and/or creating educational and/or remedial programs relating to stormwater discharge pollution.

13.32.170 Civil actions.

In addition to any other remedies provided in this chapter, any violation of this chapter may be enforced by civil action brought by the city attorney. In any such action, the city attorney shall be authorized to any or all of the following remedies:

1. A temporary restraining order and/or preliminary and/or permanent injunction;
2. Assessment of the violator for the costs of any investigation, inspection, or monitoring survey which led to the establishment of the violation, and for the reasonable costs of preparing and bringing legal action under this subsection;
3. Costs incurred or required to remove, correct, or terminate the adverse effects resulting from the violation;
4. Compensatory damages for loss or destruction to water quality, wildlife, fish and aquatic life;
5. Attorney's fees.

13.32.180 Violations deemed a public nuisance.

In addition or as an alternative to the penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this chapter is a threat to the public health, safety or welfare and is thus deemed a nuisance. Any such nuisance may be abated and/or restored by the enforcement official and also may be abated pursuant to Chapter 8.461.12 of this code. The city attorney also is authorized to pursue any remedy he or she deems necessary or appropriate to abate, enjoin, or otherwise compel the cessation of the nuisance

SECTION 2: Severability. If any section, sub-section, subdivision, paragraph, clause or phrase in this ordinance, or any part thereof, is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this ordinance or any part thereof. The city council hereby declares that it would have passed each section, sub-section, subdivision, paragraph, sentence, clause or phrase of this ordinance, irrespective of the fact that any one or more sections, sub-sections, subdivisions, paragraphs, sentences, clauses or phrases may be declared invalid or unconstitutional.

SECTION 3: The City Council hereby finds that the action to adopt this Ordinance to amend Chapter 13.32 of the St. Helena Municipal Code is not a project within the meaning of Section 15378 of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.) (CEQA), because it has no potential for resulting in physical change to the environment, directly or ultimately. In addition, the

action to adopt this Ordinance is exempt from CEQA because there is no possibility that the adoption of the Ordinance may have a significant effect on the environment. (Cal. Code Regs., tit. 14, §15061(b)(3)). Further, the action to adopt this Ordinance is exempt from CEQA because it is action taken to benefit natural resources and the environment. (Cal. Code Regs., tit. 14, §§15307, 15308.)

SECTION 4: This ordinance shall take effect and be in force 30 days after its adoption, and a summary of this ordinance shall be published once with the names of the members of the Council voting for and against the ordinance in the St. Helena Star, a newspaper of general circulation published in the city of St. Helena.

THE FOREGOING ORDINANCE was introduced with first reading waived at a regular meeting of the St. Helena City Council on the 24th day of February, 2015, and was adopted at a regular meeting of the St. Helena City Council on the _____ day of _____, 2015, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

ATTEST:

Alan Galbraith
Mayor

Cindy Black
City Clerk

THIS PAGE IS
INTENTIONALLY
BLANK



Report to the City Council
Council Meeting March 10, 2015

Agenda Section: Public Hearing

Subject: Public Hearing to Approve the Annexation of Territory into the St. Helena Municipal Sewer District No. 1, MSD Annexation No. 117 (395 S. Crane Ave. St Helena, CA. APN. 009-350-029-000).

CEQA Status: **Categorically Exempt, CEQA Guidelines Section 15319, Annexations of Existing Facilities and Lots for Exempt Facilities, and Section 15061(b)(3), No Possibility of Significant Effect on the Environment**

Prepared By: Steven Palmer, PE, Director of Public Works/City Engineer

Approved By: Jennifer Phillips, City Manager

BACKGROUND

Ashley Hepworth & Greg Scheinfeld, the owners of 395 S. Crane Ave, Napa County Assessor Parcel Number (APN) 009-350-029-000 (collectively, "Applicant"), have applied to be annexed in to the St. Helena Municipal Sewer District No. 1. A location map for the property is shown in Attachment 1. City Council approval of the connection is the formal administrative process to change the property's tax rate area code from septic to sanitary sewer for tax purposes.

DISCUSSION

A couple of years ago, construction for extending the sewer main from Grayson Ave. to the rear property line of 1819 Vallejo on South Crane Ave. was performed at the request and expense of Mr. and Mrs. Smithers. At the end of the sewer extension a clean-out was installed at the northern property line of 395 South Crane Ave.

The Applicant is currently on a septic system and desires to hook-up to the City sewer. It is City policy that residential properties be connected to city sewer. The Applicant is responsible for reimbursing the Smithers for a share of the cost for the previous sewer extension in the amount of \$13,224.30, as described in the reimbursement agreement in Attachment 2. The Applicant is also responsible for extending the City sewer to their southern property line; and paying fees for annexation, connection, and sewer impact. The sewer impact fee will be paid prior to the physical hook-up and is calculated on the livable area currently on file with the Napa County Assessor's office. At the time of connection to the City sewer, the existing septic system will be destroyed in accordance with Napa County Department of Environmental Management guidelines.

On January 27, 2015, in accordance with Health & Safety Code §§ 4641 et seq., the City Council adopted Resolution No. 2015-11, to provide notice for this public hearing regarding the proposed annexation. . The purpose of the public hearing is to hear from persons interested in the proposed annexation, and consider approval of this second resolution to approve the annexation. This second resolution for annexation requires at least four affirmative votes. (Health & Saf. Code §§ 4645-47.)

If the City Council approves this resolution, City staff will then process the annexation with Napa County and the State Board of Equalization to change the tax rate area code for the property and record the resolution. Staff will work with the Applicant to obtain required encroachment and sewer connection permits.

FISCAL IMPACT

The Applicant is responsible to reimburse the Smithers for the previous sewer extension, extend the City sewer along their property frontage, and pay annexation, connection, and impact fees.

RECOMMENDED ACTION

Adopt Resolution Approving the Annexation of Territory to the St. Helena Municipal Sewer District No. 1, MSD Annexation No. 117 (395 S. Crane Ave. St Helena, CA. APN. 009-350-029-000).

ATTACHMENTS

1. Location Map
2. Reimbursement Agreement with Smithers
3. Resolution



St. Helena Municipal Sewer District No. 1, MSD Annexation No. 117



Legend
☐ Parcels

Disclaimer: This map was prepared for informational purposes only.
 No liability is assumed for the accuracy of the data delineated hereon.

573.4 0 286.70 573.4 Feet

This map was printed on 1/15/2015

Notes

395 S. Crane Avenue
 APN. 009-350-028-000



2012-0024895

Recorded	REC FEE	0.00
Official Records		
County of	CCN1-NO FEE COH	0.00
Napa		
JOHN TUTEUR		
Assessor-Recorder-Cou		
	JH	
08:19AM 20-Sep-2012	Page 1 of 17	

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

City Clerk
City of St. Helena
1480 Main Street
St. Helena, California 94574

**EXEMPT FROM RECORDING FEES -
SECTION 27383 GOVERNMENT CODE**

REIMBURSEMENT AGREEMENT

Public Improvement Reimbursement Agreement _____ Sewer Main Extension Along
Crane Avenue

THIS REIMBURSEMENT AGREEMENT (the "Agreement") is made and entered into this 26th day of June, 2012, by and between MARK B. SMITHERS and PAMELA F. SMITHERS, as trustees of the Smithers Family Trust U/T/A dated September 14, 2010 (collectively, "Smithers"), and the CITY OF ST. HELENA, a California Municipal Corporation ("City" and collectively with Smithers, the "Parties").

RECITALS

A. Smithers is the owner of real property in the City, located at 1819 Vallejo Street, City of St. Helena, Napa County AP No. 009-350-028, more particularly described in Exhibit A attached hereto (the "Smithers Property").

B. Smithers wishes to obtain approvals for and install certain improvements on the Smithers Property, which require connection to the City's municipal sewer system.

C. Extending the municipal sewer system from the system's existing terminus on Crane Avenue is the most suitable method of facilitating the connection of the Smithers Property to the municipal sewer system. This extension would provide benefit to other properties in the vicinity if they subsequently connected to the extension.

D. The City and Smithers concur that a reimbursement agreement pursuant to Chapter 17.176 of the St. Helena Municipal Code would be an appropriate mechanism whereby the City would require additional property owners to contribute to Smithers' financing costs when and if their properties are connected to the City's sewer system by use of the Crane Avenue Extension.

E. In May 2012, a comprehensive Crane Avenue Sewer Extension Plan for extension of the municipal sewer system from its existing terminus on Crane Avenue to the Smithers Property was submitted to the City on behalf of Smithers (the "Plan"). The

Plan, prepared by licensed civil engineers at no cost to the City, included detailed drawings for the Crane Avenue Sewer Extension and for connecting the Smithers Property to the Crane Avenue Sewer Extension. The City is prepared to consider the Plan following approval and execution of this Agreement.

F. Smithers has submitted documents to the City which show that the total engineering design and construction costs of the Crane Avenue Sewer Extension and connection of the Smithers Property are estimated to be Sixty-six Thousand One Hundred Twenty-one Dollars Fifty Cents (\$66,121.50). Smithers has agreed to fund the Crane Avenue Sewer Extension and is referred to herein as the "**Financing Party**."

G. The City's Director of Public Works has evaluated the feasibility of additional property owners connecting to the Crane Avenue Sewer Extension without having to construct additional public facilities. Based on that evaluation, the Director has determined that the Crane Avenue Sewer Extension has been designed and constructed with sufficient capacity to serve additional residential properties.

H. On June 26, 2012, and pursuant to Section 17.176.030, the City Council held a noticed public hearing and adopted Resolution No. 2012-45 in which the City Council found that: (1) the Crane Avenue Sewer Extension is a public improvement which will, upon completion, be accepted by the City; (2) the Crane Avenue Sewer Extension has the capacity and capability of serving and is designed to serve additional properties not within the proposed development due to the supplemental size and capacity of the improvement; (3) the proposed benefit district represents a geographical area of property which will benefit directly and substantially by the public improvement; and (4) the method of determining contribution and the amount of contribution is fair and reasonable to both the Financing Party and the benefited property owners and fairly distributes the charge among all subject parcels in proportion to the estimated benefit each will receive from the proposed improvement. A map showing the benefited properties and a list of each property by County Assessor parcel number (each "**Benefited Property**" and collectively the "**Benefited Properties**") is attached hereto as **Exhibit B**.

I. The Crane Avenue Sewer Extension is located as shown on the map attached hereto as **Exhibit D**. The City has determined that the Crane Avenue Sewer Extension has been designed and constructed to enable connection and service to properties not owned by the Parties to this Agreement but lying within an area that could be served by the Crane Avenue Sewer Extension.

J. The City has concluded that it would be fair and reasonable for Smithers, as Financing Party, to be reimbursed a total sum of Fifty-two Thousand Eight Hundred Ninety-seven Dollars Twenty Cents (\$52,897.20), which sum represents the cost allocated to the Crane Avenue Sewer Extension, less the portion allocated to the Smithers Property, which is Thirteen Thousand Two Hundred Twenty Four Dollars Thirty Cents (\$13,224.30). The contribution costs for each Benefited Property are depicted on **Exhibit C**.

K. In the event that the cost of the Crane Avenue Sewer Extension exceeds Sixty-six Thousand One Hundred Twenty-one Dollars Fifty Cents (\$66,121.50) the excess cost would be divided equally between the five (5) properties that make up the Smithers Parcel and the Benefited Properties and shall be added to the amounts depicted in **Exhibit C** in order to determine the contribution amount for each parcel.

L. The administrative costs to be charged by the City to administer the Reimbursement Agreement are shown in **Exhibit C**.

M. This Agreement is entered into pursuant to the authority of Chapter 17.176 of the St. Helena Municipal Code relating to reimbursement for public improvements and is intended to ensure that Smithers is reimbursed the amounts to which it is entitled from the owners or developers of the Benefited Properties, insofar as they become connected to the City's sewer system via the Crane Avenue Sewer Extension subsequent to the execution of this Agreement.

NOW THEREFORE, FOR VALUABLE CONSIDERATION, the Parties hereto agree as follows:

AGREEMENT

1. **Financing Party's Right to Reimbursement.** City shall reimburse to Smithers (the "**Financing Party**") the "Contribution Charges" (as defined in Section 2) collected from the owners of the Benefited Properties, without offset, prior notice or demand, on the terms and conditions set forth herein.

2. **Method and Timing of Payment.** City agrees to collect the contribution charges set forth in **Exhibit C** of this Reimbursement Agreement, plus a pro rata share of any cost over runs plus interest at the rate of one and one-half percent (1.5%) per annum from the date of the Agreement (collectively "**Contribution Charges**"), from a Benefited Property as follows:

(a) The City shall collect the Contribution Charges at the time a Benefited Property connects to the Crane Avenue Sewer Extension, pursuant to the provisions of Section 17.176.050 of the St. Helena Municipal Code relating to Reimbursement for Public Improvements, as may be amended from time to time;

(b) If the owner of a Benefited Property owner secures a Land Use Entitlement, as defined by Section 17.176.020 of the St. Helena Municipal Code, and the value of the improvements to the Benefited Property permitted by the Land Use Entitlement exceed fifty percent (50%) of the total assessed value of the Benefited Property (as determined by the most current Assessor's rolls at the time the Land Use Entitlement is secured), the City shall require such Benefited Property to connect to the Crane Avenue Sewer Extension;

(c) The City shall pay any such Contribution Charges collected under the this Agreement to the Financing Party within thirty (30) days of receipt, after City reimburses itself for the administrative cost as shown in **Exhibit C**; and

(d) Notwithstanding the above, no Contribution Charges may be distributed to the Financing Party until the Crane Avenue Sewer Extension is completed and accepted by the City.

3. **Term.** This Agreement shall be effective upon execution by Smithers and approval by the City Council and shall remain in effect for thirty (30) years from the date of City Council approval or until the Financing Party has been reimbursed in full, whichever is earlier.

4. **Construction of Improvement.** Smithers shall be solely responsible for the design, financing and construction of the Crane Avenue Sewer Extension, which shall be to the satisfaction of the City in the City's sole discretion.

5. **Indemnity and Insurance.** Smithers shall defend, indemnify and hold City, its elected officials, officers, employees, and agents free and harmless from any and all liability from loss, damage, or injury to or death of persons or property in any manner arising out of or incident to Smithers' performance of this Agreement, including without limitation all consequential damages, attorney's fees and court costs, whether or not resulting from the negligence of Smithers or Smithers' agents. This indemnity shall extend to any legal action commenced by any third party against City challenging the terms of this agreement or seeking judicial review. Smithers shall require all persons doing work on the Crane Avenue Sewer Extension, including its contractors and subcontractors, to obtain and maintain insurance of the types, in the amounts, in a form and with carriers satisfactory to City.

6. **Acceptance of Work.** Upon completion of the Crane Avenue Sewer Extension to the satisfaction of City, it shall be presented to the City Council for dedication and acceptance and for authorization to file a Notice of Completion. The City Council shall accept the Crane Avenue Sewer Extension if it determines that the improvements were constructed in accordance with the approved plans, specifications and contract documents, that they operate satisfactorily, and that all other requirements of this Agreement have been satisfied. City agrees that it will act in good faith in making the determination whether the improvements were constructed in accordance with the approved plans, specifications and contract documents, that they operate satisfactorily, and City will not unreasonably withhold acceptance of the Crane Avenue Sewer Extension. Upon the City's acceptance of the improvements, Smithers shall assign to City all of Smithers' rights and remedies, including warranties, as set forth in the approved contract documents, and thereafter City shall have the same recourse under said contract documents that City would have had if City itself had engaged Smithers' contractor to construct the improvements. Until the City Council has formally accepted the Crane Avenue Sewer Extension, Smithers shall be solely responsible for all damage to the work, regardless of cause, except damage due to the sole negligence of City, or its

employees. From and after acceptance of the Crane Avenue Sewer Extension by formal action of the City Council, ownership shall be vested exclusively in City.

7. **City Liability.** Reimbursement to the Financing Party shall be paid only from Contribution Charges from the Benefited Properties collected by City under this Agreement. City shall use its good faith, best efforts to collect the Contribution Charges from the Benefited Properties and shall not waive the Contribution Charges or offset any Contribution Charges against any other obligations, and shall not permit, during the term of this Agreement, any Benefited Property to connect to the Crane Avenue Sewer Extension unless and until such Benefited Property pays its Contribution Charge in full to the City. No funds shall be collected from any Benefited Party following thirty (30) years after the effective date of this Agreement. No funds shall be collected from any Benefited Party for sewer connections that were made prior to the execution of this Agreement. After formation of the Benefit District and City's good faith, best efforts to secure payment of Contribution Charges as provided herein, City shall not be liable to the Financing Party for failure of City to collect a Contribution Charge due from a Benefited Property or from legal inability to collect the charge from a Benefited Property. Nothing in this Agreement shall be construed as preventing any Benefited Property from constructing its own sewer system connection, in accordance with the laws, ordinances and regulations then in effect, if so permitted by the City to meet the sewer system requirements imposed by the City.

8. **Binding Upon Successors.** This Agreement and all of the rights, duties, and liabilities contained herein shall inure to the benefit of, and is binding upon, the heirs, personal representatives and successors of the parties hereto. The Contribution Charges shall be paid to the Financing Party or to his lawful heirs, successors or assigns. The Financing Party or their lawful heirs, successors or assigns shall notify City in writing of any change of address, in the manner set forth in Notice section below. If the City is unable to deliver Contribution Charges to the Financing Party or their lawful heirs, successors or assigns because of an invalid address, such charges shall escheat to the State of California in accordance with state law. Any assignment of the Financing Party's interests shall be effective for reimbursement payment purposes only after notice in writing shall have been delivered to the City Manager of the City of St. Helena in the manner set forth below. Thereafter, reimbursement shall then be made to the assignee and City shall be discharged and relieved of any further obligation to make reimbursement payments to the assignor. The obligations of the Benefited Properties to pay the Contribution Charges to the City upon connecting to the Crane Avenue Sewer Extension shall run with the land with respect to the Benefited Properties and shall bind and inure to the benefit of successive owners of the Benefited Properties. For this reason, this Agreement is being recorded in the Official Records of the Recorder's Office of Napa County.

9. **Interpretation.** This Agreement is entered into under, and shall be construed and interpreted according to, the laws of the State of California.

10. **Attorney's Fees.** Should any legal action be brought by any party because of breach of the Agreement or to enforce any provision of this Agreement, the prevailing party in such action shall be entitled to all reasonable attorney's fees, court costs and necessary disbursements in connection with such litigation.

11. **Integrated Agreement.** This Agreement contains all of the agreements of all of the parties and supersedes all negotiations, previous agreements and conditions of development approval by and between the parties with respect to the parties' rights and obligations concerning the Crane Avenue Sewer Extension. This Agreement cannot be amended or modified except in writing signed by all parties.

12. **Severability.** The enforceability or validity or illegality of any provision of the Agreement shall not render the other provisions unenforceable, invalid or illegal.

13. **Notice.** Any demand or notice which any party hereto desires or may be required to make or deliver to the others shall be in writing and shall be deemed delivered when personally served or when deposited, prepaid in the United States mail, registered or certified, return receipt requested, addressed as follows:

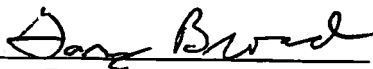
City: City Manager
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Financing Party: Mark B. Smithers, as trustee of the Smithers Family Trust U/T/A
dated September 14, 2010
Pamela F. Smithers, as trustee of the Smithers Family Trust U/T/A
dated September 14, 2010
1819 Vallejo Street
St Helena, CA 94574

{Signature Page Follows}

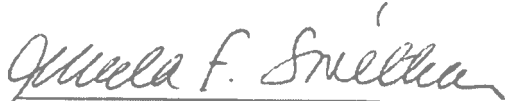
This Reimbursement Agreement is executed on the 13th day of Sept., 2012, at St. Helena, California.

CITY OF ST. HELENA

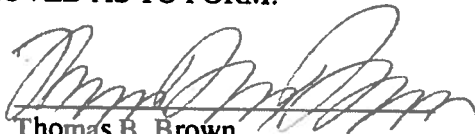
By 
Gary Broad
City Manager, St. Helena

FINANCING PARTY

By 
MARK B. SMITHERS, as
trustee of the Smithers
Family Trust U/T/A dated
September 14, 2010

By 
PAMELA F. SMITHERS, as
trustee of the Smithers
Family Trust U/T/A dated
September 14, 2010

APPROVED AS TO FORM:

By 
Thomas B. Brown
City Attorney, St. Helena

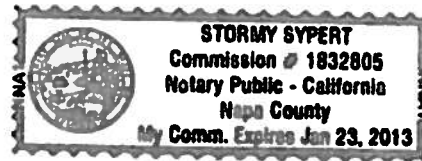
STATE OF CALIFORNIA)
COUNTY OF NAPA)

On September 4, 2012, before me, Stormy Syper, Notary Public
personally appeared MARK B. SMITHERS, who proved to me on the basis of
satisfactory evidence to be the person whose name is subscribed to the within instrument
and acknowledged to me that he executed the same in his authorized capacity, and that by
his signature on the instrument the person, or entity upon behalf of which the person
acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that
the foregoing paragraph is true and correct.

Witness my hand and official seal.

Stormy Syper
Notary Public



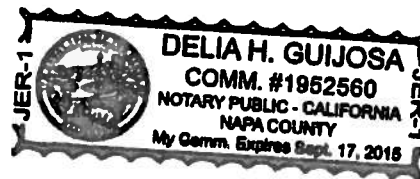
STATE OF CALIFORNIA)
COUNTY OF NAPA)

On September 13, 2012, before me, Delia H. Guijosa,
personally appeared PAMELA F. SMITHERS, who proved to me on the basis of
satisfactory evidence to be the person whose name is subscribed to the within instrument
and acknowledged to me that she executed the same in her authorized capacity, and that
by her signature on the instrument the person, or entity upon behalf of which the person
acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that
the foregoing paragraph is true and correct.

Witness my hand and official seal.

Delia H. Guijosa
Notary Public



STATE OF CALIFORNIA)
COUNTY OF NAPA)

SS:

On September 13, 2012, before me, Delia H. Guijosa, Notary Public
personally appeared personally appeared Gary Broad, who
proved to me on the basis of satisfactory evidence to be the person whose name is
subscribed to the within instrument and acknowledged to me that he executed the same in
his authorized capacity, and that by his signature on the instrument the person or the
entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that
the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Delia H. Guijosa
Notary Public

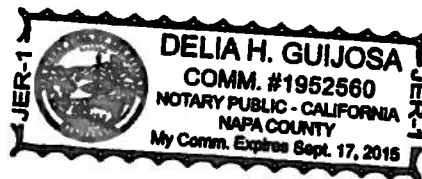


EXHIBIT A

(Legal Description of Smithers Property)

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAINT HELENA, COUNTY OF NAPA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL ONE, AS SHOWN ON THE MAP ENTITLED, "RECORD OF SURVEY MAP OF THE LANDS OF WILLIAM II. REED, ET UX", FILED JANUARY 3, 1963 IN BOOK 10 OF SURVEYS, AT PAGE 7, IN THE OFFICE OF THE RECORDER OF NAPA COUNTY, CALIFORNIA.

APN: 009-350-028-000

EXHIBIT B

(Map showing the Benefited Properties)

PARCEL TABLE

PARCEL #	APN	ADDRESS
1	008-350-028	1819 VALLEJO STREET
2	008-350-021	487 CRANE AVENUE
3	008-350-022	475 CRANE AVENUE
4	008-350-023	453 CRANE AVENUE
5	008-350-029	385 CRANE AVENUE

NOTES:

1. THIS EXHIBIT IS BASED ON GOOGLE EARTH PRO TOPOGRAPHICAL, IMAGERY, COUNTY ASSESSOR'S PARCEL MAP DATA, AND SURVEY DATA PROVIDED BY TERRA FORMA SURVEYS. DELTA CONSULTING & ENGINEERING MAKES NO WARRANTY AS TO THE COMPLETENESS OR CORRECTNESS OF INFORMATION PROVIDED BY OTHERS.
2. THIS EXHIBIT IS INTENDED TO IDENTIFY PARCELS OF LAND THAT MAY, IF SO DESIRED, CONNECT TO THE CITY SEWER SYSTEM BY IMPLEMENTATION OF THE PLANNED SEWER MAIN EXTENSION IN CRANE AVENUE.
3. THIS ANALYSIS IS BASED ON APPROPRIATE AERIAL, TOPOGRAPHIC DATA AND IS NOT MEANT TO GUARANTEE THAT ANY CERTAIN PARCEL MAY CONNECT TO THE CITY SEWER SYSTEM.
4. ADDITIONAL ANALYSIS AND DESIGN WILL BE REQUIRED FOR EACH PARCEL THAT PROPOSES TO CONNECT TO THE CITY SEWER SYSTEM TO DETERMINE FEASIBILITY.
5. ADDITIONAL LEGAL REQUIREMENTS (E. AMENDATIONS, EASEMENTS, ETC.) MAY BE REQUIRED FOR ANY GIVEN PARCEL TO CONNECT TO THE CITY SEWER SYSTEM.

SEWER SERVICE BENEFIT DISTRICT MAP



BENEFIT DISTRICT MAP
CRANE AVENUE SEWER EXTENSION
ST. HELENA, CA

DELTA CONSULTING & ENGINEERING
OF ST. HELENA
1184 ADAMS STREET, SUITE 203 ST. HELENA, CALIFORNIA 94774
707-943-6358 • 707-943-6323 FAX

DATE: 5/21/12
SCALE: 1"=200'
JOB #: L-108
APN:

This page may not be reproducible

BY:

[Signature]

EXHIBIT C
(Calculations of Contribution Charges)

Parcel Number shown on Exhibit B	Address	Assessor's Parcel Number	Calculated Fair Share	Contribution Charges to be Collected by City (see Note #1)	Administrative Costs to be Reimbursed to City (See Note #1)	Contribution Charges to be Reimbursed to Smithers (see Note #2)
1 (Smithers Property)	1819 Vallejo Street	009-350-028	\$13,224.30	-	-	-
2	497 Crane Street	009-350-021	\$13,224.30	\$13,324.30	\$100	\$13,224.30
3	475 Crane Street	009-350-022	\$13,224.30	\$13,324.30	\$100	\$13,224.30
4	453 Crane Street	009-350-023	\$13,224.30	\$13,324.30	\$100	\$13,224.30
5	395 Crane Street	009-350-029	\$13,224.30	\$13,324.30	\$100	\$13,224.30
Total			\$66,121.50	\$53,297.20	\$400	\$52,897.20

NOTES:

- 1) Calculated Fair Share costs for Benefited Parcels shall be increased by any excess cost as provided in Recital K above and by a \$100 administrative cost per parcel to be reimbursed to City; the resulting total Contribution Charge shall be increased by an interest rate of 1.5% per annum from the date of the Agreement.
- 2) Contribution Charges reimbursed to Smithers shall include any excess costs as provided in Recital K above and accrued interest.

EXHIBIT D

(Plans for Crane Avenue Sewer Extension)

[illegible][illegible][illegible]

1. The following information was obtained from the records of the Federal Bureau of Investigation, Bureau of Prisons, and the United States Department of Justice, Office of the Inspector General, regarding the activities of the following individuals:

2. [REDACTED]

3. [REDACTED]

4. [REDACTED]

5. [REDACTED]

6. [REDACTED]

7. [REDACTED]

8. [REDACTED]

9. [REDACTED]

10. [REDACTED]

11. [REDACTED]

12. [REDACTED]

13. [REDACTED]

14. [REDACTED]

15. [REDACTED]

16. [REDACTED]

17. [REDACTED]

18. [REDACTED]

19. [REDACTED]

20. [REDACTED]

21. [REDACTED]

22. [REDACTED]

23. [REDACTED]

24. [REDACTED]

25. [REDACTED]

26. [REDACTED]

27. [REDACTED]

28. [REDACTED]

29. [REDACTED]

30. [REDACTED]

31. [REDACTED]

32. [REDACTED]

33. [REDACTED]

34. [REDACTED]

35. [REDACTED]

36. [REDACTED]

37. [REDACTED]

38. [REDACTED]

39. [REDACTED]

40. [REDACTED]

41. [REDACTED]

42. [REDACTED]

43. [REDACTED]

44. [REDACTED]

45. [REDACTED]

46. [REDACTED]

47. [REDACTED]

48. [REDACTED]

49. [REDACTED]

50. [REDACTED]

51. [REDACTED]

52. [REDACTED]

53. [REDACTED]

54. [REDACTED]

55. [REDACTED]

56. [REDACTED]

57. [REDACTED]

58. [REDACTED]

59. [REDACTED]

60. [REDACTED]

61. [REDACTED]

62. [REDACTED]

63. [REDACTED]

64. [REDACTED]

65. [REDACTED]

66. [REDACTED]

67. [REDACTED]

68. [REDACTED]

69. [REDACTED]

70. [REDACTED]

71. [REDACTED]

72. [REDACTED]

73. [REDACTED]

74. [REDACTED]

75. [REDACTED]

76. [REDACTED]

77. [REDACTED]

78. [REDACTED]

79. [REDACTED]

80. [REDACTED]

81. [REDACTED]

82. [REDACTED]

83. [REDACTED]

84. [REDACTED]

85. [REDACTED]

86. [REDACTED]

87. [REDACTED]

88. [REDACTED]

89. [REDACTED]

90. [REDACTED]

91. [REDACTED]

92. [REDACTED]

93. [REDACTED]

94. [REDACTED]

95. [REDACTED]

96. [REDACTED]

97. [REDACTED]

98. [REDACTED]

99. [REDACTED]

100. [REDACTED]

101. [REDACTED]

102. [REDACTED]

103. [REDACTED]

104. [REDACTED]

105. [REDACTED]

106. [REDACTED]

107. [REDACTED]

108. [REDACTED]

109. [REDACTED]

110. [REDACTED]

111. [REDACTED]

112. [REDACTED]

113. [REDACTED]

114. [REDACTED]

115. [REDACTED]

116. [REDACTED]

117. [REDACTED]

118. [REDACTED]

119. [REDACTED]

120. [REDACTED]

121. [REDACTED]

122. [REDACTED]

123. [REDACTED]

124. [REDACTED]

125. [REDACTED]

126. [REDACTED]

127. [REDACTED]

128. [REDACTED]

129. [REDACTED]

130. [REDACTED]

131. [REDACTED]

132. [REDACTED]

133. [REDACTED]

134. [REDACTED]

135. [REDACTED]

136. [REDACTED]

137. [REDACTED]

138. [REDACTED]

139. [REDACTED]

140. [REDACTED]

141. [REDACTED]

142. [REDACTED]

143. [REDACTED]

144. [REDACTED]

145. [REDACTED]

146. [REDACTED]

147. [REDACTED]

148. [REDACTED]

149. [REDACTED]

150. [REDACTED]

151. [REDACTED]

152. [REDACTED]

153. [REDACTED]

154. [REDACTED]

155. [REDACTED]

156. [REDACTED]

157. [REDACTED]

158. [REDACTED]

159. [REDACTED]

160. [REDACTED]

161. [REDACTED]

162. [REDACTED]

163. [REDACTED]

164. [REDACTED]

165. [REDACTED]

166. [REDACTED]

167. [REDACTED]

168. [REDACTED]

169. [REDACTED]

170. [REDACTED]

171. [REDACTED]

172. [REDACTED]

173. [REDACTED]

174. [REDACTED]

175. [REDACTED]

176. [REDACTED]

177. [REDACTED]

178. [REDACTED]

179. [REDACTED]

180. [REDACTED]

181. [REDACTED]

182. [REDACTED]

183. [REDACTED]

184. [REDACTED]

185. [REDACTED]

186. [REDACTED]

187. [REDACTED]

188. [REDACTED]

189. [REDACTED]

190. [REDACTED]

191. [REDACTED]

192. [REDACTED]

193. [REDACTED]

194. [REDACTED]

195. [REDACTED]

196. [REDACTED]

197. [REDACTED]

198. [REDACTED]

199. [REDACTED]

200. [REDACTED]

201. [REDACTED]

202. [REDACTED]

203. [REDACTED]

204. [REDACTED]

205. [REDACTED]

206. [REDACTED]

207. [REDACTED]

208. [REDACTED]

209. [REDACTED]

210. [REDACTED]

211. [REDACTED]

212. [REDACTED]

213. [REDACTED]

214. [REDACTED]

215. [REDACTED]

216. [REDACTED]

217. [REDACTED]

218. [REDACTED]

219. [REDACTED]

220. [REDACTED]

221. [REDACTED]

222. [REDACTED]

223. [REDACTED]

224. [REDACTED]

225. [REDACTED]

226. [REDACTED]

227. [REDACTED]

228. [REDACTED]

229. [REDACTED]

230. [REDACTED]

231. [REDACTED]

232. [REDACTED]

233. [REDACTED]

234. [REDACTED]

235. [REDACTED]

236. [REDACTED]

237. [REDACTED]

238. [REDACTED]

239. [REDACTED]

240. [REDACTED]

241. [REDACTED]

242. [REDACTED]

243. [REDACTED]

244. [REDACTED]

245. [REDACTED]

246. [REDACTED]

247. [REDACTED]

248. [REDACTED]

249. [REDACTED]

250. [REDACTED]

251. [REDACTED]

252. [REDACTED]

253. [REDACTED]

254. [REDACTED]

255. [REDACTED]

256. [REDACTED]

257. [REDACTED]

258. [REDACTED]

259. [REDACTED]

260. [REDACTED]

261. [REDACTED]

262. [REDACTED]

263. [REDACTED]

264. [REDACTED]

265. [REDACTED]

266. [REDACTED]

267. [REDACTED]

268. [REDACTED]

269. [REDACTED]

270. [REDACTED]

271. [REDACTED]

272. [REDACTED]

273. [REDACTED]

274. [REDACTED]

275. [REDACTED]

276. [REDACTED]

277. [REDACTED]

278. [REDACTED]

279. [REDACTED]

280. [REDACTED]

281. [REDACTED]

282. [REDACTED]

283. [REDACTED]

284. [REDACTED]

285. [REDACTED]

286. [REDACTED]

287. [REDACTED]

288. [REDACTED]

289. [REDACTED]

290. [REDACTED]

291. [REDACTED]

292. [REDACTED]

293. [REDACTED]

294. [REDACTED]

295. [REDACTED]

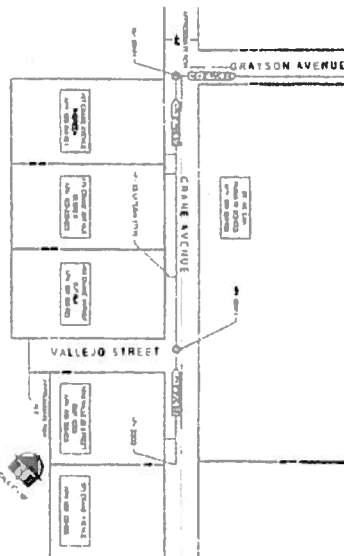
296. [REDACTED]

297. [REDACTED]

298. [REDACT

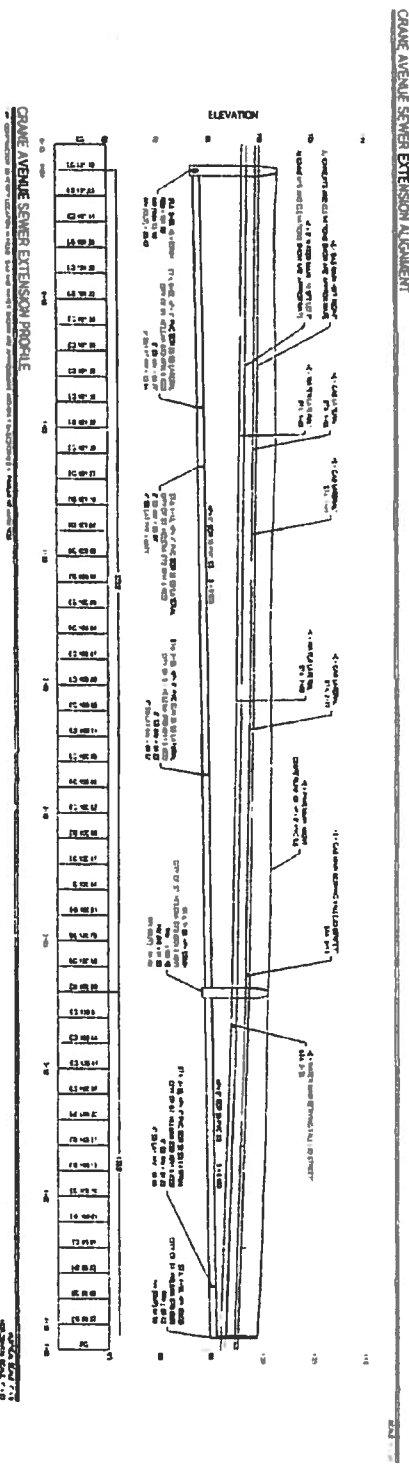
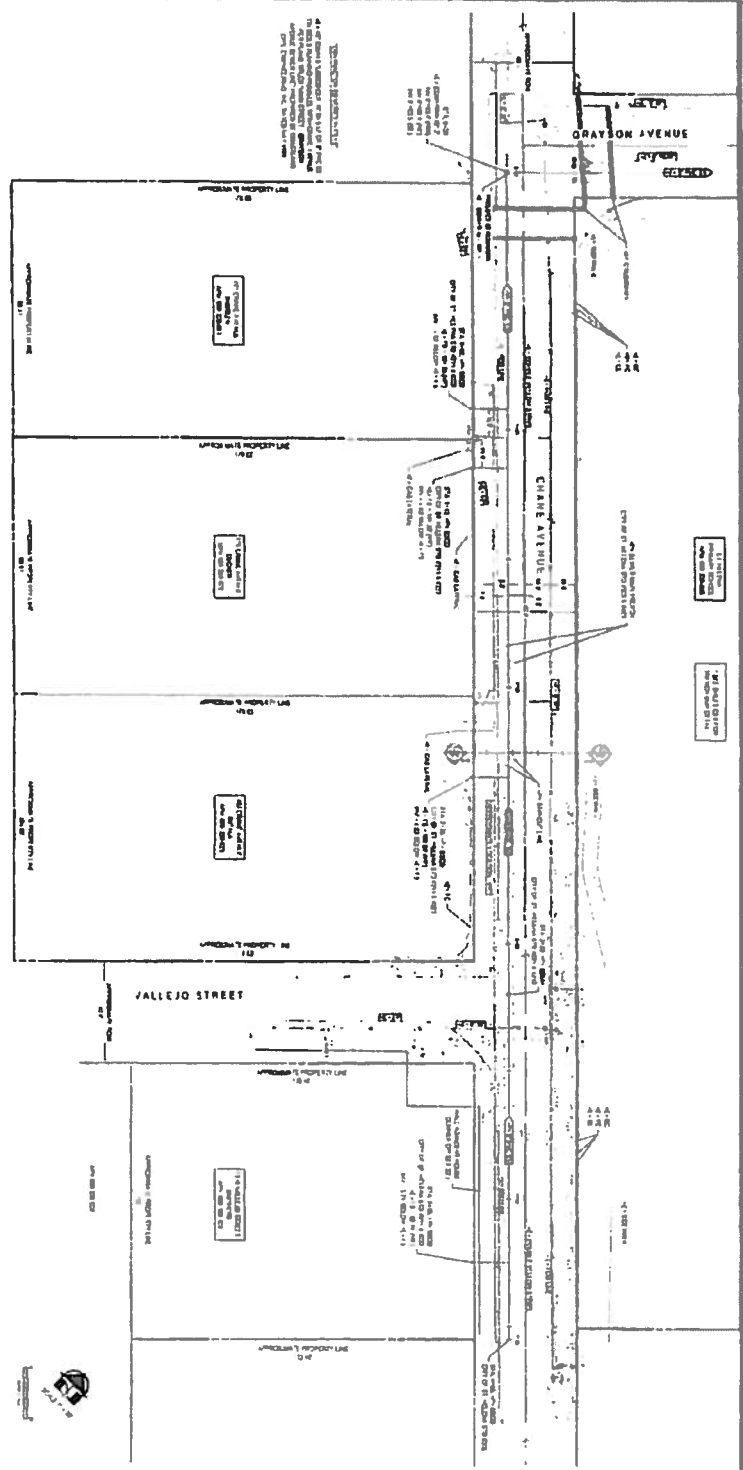
Year	Country	Population (millions)	Urban population (millions)	Urban population (%)	Population density (per sq km)	Population density (per sq mile)
1950	United States	150.7	80.0	53.1	26.7	69.1
1950	France	45.7	24.0	52.5	200.0	520.8
1950	Germany	68.7	35.0	50.9	234.0	604.4
1950	Italy	45.3	24.0	53.0	201.0	521.4
1950	Japan	83.8	45.0	53.7	333.0	866.4
1950	China	554.0	100.0	18.0	120.0	311.3
1950	India	361.0	60.0	16.6	160.0	414.7
1950	U.S.S.R.	167.0	50.0	29.9	8.6	22.2
1950	Canada	24.0	10.0	41.7	3.2	8.3
1950	South Africa	10.0	4.0	40.0	2.8	7.3
1950	Argentina	16.0	7.0	43.8	1.8	4.6
1950	Brazil	70.0	20.0	28.6	0.5	1.3
1950	Mexico	20.0	8.0	40.0	0.4	1.0
1950	Colombia	10.0	4.0	40.0	0.3	0.8
1950	Venezuela	5.0	2.0	40.0	0.2	0.5
1950	Peru	10.0	4.0	40.0	0.2	0.5
1950	Ecuador	5.0	2.0	40.0	0.2	0.5
1950	Guatemala	5.0	2.0	40.0	0.2	0.5
1950	Honduras	2.0	1.0	50.0	0.1	0.3
1950	El Salvador	2.0	1.0	50.0	0.1	0.3
1950	Nicaragua	2.0	1.0	50.0	0.1	0.3
1950	Panama	1.0	0.5	50.0	0.1	0.3
1950	Cuba	7.0	3.0	42.9	0.1	0.3
1950	Dominican Republic	2.0	1.0	50.0	0.1	0.3
1950	Haiti	2.0	1.0	50.0	0.1	0.3
1950	Jamaica	0.5	0.2	40.0	0.0	0.1
1950	Trinidad and Tobago	0.5	0.2	40.0	0.0	0.1
1950	Guyana	0.5	0.2	40.0	0.0	0.1
1950	Suriname	0.5	0.2	40.0	0.0	0.1
1950	French Guiana	0.5	0.2	40.0	0.0	0.1
1950	Guadeloupe	0.1	0.0	0.0	0.0	0.0
1950	Martinique	0.1	0.0	0.0	0.0	0.0
1950	Reunion	0.1	0.0	0.0	0.0	0.0
1950	Mayotte	0.1	0.0	0.0	0.0	0.0
1950	French Polynesia	0.1	0.0	0.0	0.0	0.0
1950	Wallis and Futuna	0.1	0.0	0.0	0.0	0.0
1950	French Southern Territories	0.1	0.0	0.0	0.0	0.0
1950	British Virgin Islands	0.1	0.0	0.0	0.0	0.0
1950	U.S. Virgin Islands	0.1	0.0	0.0	0.0	0.0
1950	Puerto Rico	1.0	0.5	50.0	0.0	0.1
1950	Guam	0.1	0.0	0.0	0.0	0.0
1950	Northern Mariana Islands	0.1	0.0	0.0	0.0	0.0
1950	Marshall Islands	0.1	0.0	0.0	0.0	0.0
1950	Palau	0.1	0.0	0.0	0.0	0.0
1950	Micronesia	0.1	0.0	0.0	0.0	0.0
1950	Marshall Islands	0.1	0.0	0.0	0.0	0.0
1950	Palau	0.1	0.0	0.0	0.0	0.0
1950	Micronesia	0.1	0.0	0.0	0.0	0.0
1950	Marshall Islands	0.1	0.0	0.0	0.0	0.0
1950	Palau	0.1	0.0	0.0	0.0	0.0
1950	Micronesia	0.1	0.0	0.0	0.0	0.0
1950	Marshall Islands	0.1	0.0	0.0	0.0	0.0
1950	Palau	0.1	0.0	0.0	0.0	0.0
1950	Micronesia	0.1	0.0	0.0	0.0	0.0
1950	Marshall Islands	0.1	0.0	0.0	0.0	0.0
1950	Palau	0.1	0.0	0.0		

1. 下列各数中，最小的数是 () A. -2 B. -1 C. 0 D. 1	2. 下列各数中，最大的数是 () A. -2 B. -1 C. 0 D. 1	3. 下列各数中，最小的数是 () A. -2 B. -1 C. 0 D. 1	4. 下列各数中，最大的数是 () A. -2 B. -1 C. 0 D. 1
5. 下列各数中，最小的数是 () A. -2 B. -1 C. 0 D. 1	6. 下列各数中，最大的数是 () A. -2 B. -1 C. 0 D. 1	7. 下列各数中，最小的数是 () A. -2 B. -1 C. 0 D. 1	8. 下列各数中，最大的数是 () A. -2 B. -1 C. 0 D. 1
9. 下列各数中，最小的数是 () A. -2 B. -1 C. 0 D. 1	10. 下列各数中，最大的数是 () A. -2 B. -1 C. 0 D. 1	11. 下列各数中，最小的数是 () A. -2 B. -1 C. 0 D. 1	12. 下列各数中，最大的数是 () A. -2 B. -1 C. 0 D. 1

[illegible]

This page may not be reproducible
BY: Debra L. Williams


 This page may not be reproducible
 BY:





CRANE AVENUE SEWER
ST. HELENA, CA 94544
000-250-028

CIVIL IMPROVEMENT PLANS
PLAN & PROFILE

DELTA CONSULTING & ENGINEERING
OF CALIFORNIA

BY: [Signature]
DATE: 10/1/00



CITY OF ST. HELENA RESOLUTION NO. 2015-

**APPROVE THE ANNEXATION OF TERRITORY INTO THE ST.
HELENA MUNICIPAL SEWER DISTRICT NO. 1**

MSD ANNEXATION NO. 117

395 S. Crane Ave. St Helena, CA. APN. 009-350-029-000

RECITALS

- A. The property at 395 S. Crane Avenue, St Helena, California, APN. 009-350-029-000 will benefit from annexation into the St. Helena Municipal Sewer District No. 1; and
- B. The owners of 395 S. Crane Avenue have requested annexation into the St. Helena Municipal Sewer District No. 1; and
- C. The legal description and boundary for the territory to be annexed is "Parcel Two, as shown on the map entitled "Record of Survey Map of the Lands of William H. Reed, et ux," filed January 3, 1963, in Book 10 of Surveys at page(s) 7, in the office of the County Recorder of Napa County;"
- D. A public hearing regarding this proposed annexation was ordered on January 27, 2015, and duly noticed and held on March 10, 2015 at a regular meeting of the City Council of the City of St. Helena; and
- E. All annexation fees have been paid.
- F. The City has complied with all laws applicable to these annexation proceedings, including without limitation Health & Safety Code sections 4641 et seq.

RESOLUTION

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

- 1. The territory described as "Parcel Two, as shown on the map entitled "Record of Survey Map of the Lands of William H. Reed, et ux," filed January 3, 1963, in Book 10 of Surveys at page(s) 7, in the office of the County Recorder of Napa County," commonly known as 395 S. Crane Avenue, St. Helena, CA, APN. 009-350-029-000, is hereby ordered annexed.
- 2. The City Clerk shall cause a certified copy of this Resolution to be recorded with the official records of the County of Napa, pursuant to section 4647 of the Health & Safety Code.

Approved at a Regular Meeting of the St. Helena City Council on March 10, 2015
by the following vote (at least four affirmative votes required):

Mayor Galbraith:	_____
Vice Mayor White:	_____
Councilmember Crull:	_____
Councilmember Dohring:	_____
Councilmember Pitts:	_____

APPROVED:

Alan Galbraith, Mayor

ATTEST:

Cindy Black, City Clerk



Report to the City Council

Council Meeting March 10, 2015

Agenda Section: Public Hearings

Subject: Request by Guneet Bajwa on behalf of the Las Alcobas Hotel (also known as the Grandview Hotel) for Use Permit and Design Review approval to add a total of thirteen (13) new hotel rooms to the fifty seven (57) rooms already approved, for a total of seventy (70) hotel rooms at 1915 Main Street in the SC: Service Commercial District. The Proposed Project also includes a request to increase the limit on the total number of hotel rooms allowed Citywide by thirteen (13) rooms, thereby raising the limit from 329 rooms to 342 rooms

CEQA Status: An Addendum has been prepared to the previously approved Negative Declaration for this Project

Prepared By: Victor Carniglia, Planning Consultant

Approved By: Jennifer Phillips, City Manager

BACKGROUND

History:

The Grandview Inn project was originally approved by the City Council in May 2006. Approvals at that time included converting the historic single-family dwelling and 40 existing multi-family dwellings into a mixed-use commercial hotel and residential project, containing a hotel with 35 guest rooms and 22 studio apartments.

In April, 2010, new owners of the Grandview property submitted revised plans that proposed increasing the number of hotel rooms by 22 to a new total of 57 rooms, while eliminating the 22 studio apartment dwellings from the plan. To meet City's housing requirements and help offset the removal of the 22 studio apartment units from the plans, the owners agreed to pay an enhanced housing impact fee to the City's Housing Trust Fund of \$750,000. In August 2010 the City Council approved the 57 room hotel project. At the same time, City Council also approved a rezoning of the site from MR:

Medium Density Residential to SC: Service Commercial, and raised the limit on the number of hotel room allowed in the City by 57 rooms.

Subsequent to this August 2010 approval, the owner of the project determined that additional hotel rooms were needed to enhance the efficiency and competitiveness of the Grandview/Las Alcobas hotel in the Napa Valley market area. In late 2014 the project owner submitted a Use Permit/Design Review application to add 13 additional hotel rooms to the project.

On February 17, 2015, the Planning Commission reviewed the proposal currently before Council, and recommended by a 5-0 vote that City Council approve the plans. During the Commission hearing a number of comments were raised by those in attendance including among others:

- Concern over a large oak tree had been removed from the site, along with other vegetation.
- Concerns by residents of the adjacent Quail Meadows development over possible visual impacts resulting from the hotel project, and the need for visual screening.
- A concern that the additional 13 hotel rooms would increase the demand for employee housing.
- That the applicant should be required to pay an appropriate housing mitigation fee applicable to the 13 additional hotel rooms, and
- Concerns were expressed over a purported agreement between the City and the property owner, which allowed the owner of the Las Alcobas property to receive a loan secured by the City's TOT revenue from the hotel.

Concerning the purported loan agreement, it is important to note that while such a loan was discussed during the entitlement process for the 57 rooms, no such loan agreement was ever executed. The other concerns raised during the Planning Commission hearing are addressed elsewhere in this report,

Construction History:

The Las Alcobas Hotel is currently under construction. This construction is moving forward according to the plans that were previously approved by the City Council in 2010 for the 57 unit hotel project. As part of this construction process a couple of issues have recently arisen, as discussed briefly below:

- **Tree Removal:** One issue of concern that was raised at the Commission hearing by the Tree Committee and others has to do with trees that were removed from the site as part of the construction process, including in particular one very large oak tree. Staff in researching this issue, determined that there was an inherent conflict between the plans that were previously approved for the site, as compared to the graphic that depicted the trees that were to be preserved. In short, the grading and trenching required to build the structures as shown on the approved plans created impacts on a number of the trees, either due to a structure being located within the canopy of a tree to be preserved, or the structure required trenching/digging within

the “drip line” of a tree, thereby undermining the tree’s root system. In order to resolve this issue, the applicant has been working closely with the City’s Tree Committee to come up with a tree mitigation plan acceptable to the Tree Committee to mitigate for the trees removed. An agreement has been reached between the Las Alcobas developer and the Tree Committee on this issue. This agreement is reflected as a condition of project approval, specifically Condition #2 of the “Planning Conditions” as contained in the attached resolution.

A related tree/landscaping issue involves the concerns expressed by residents of the Quail Meadows project, and their interest in additional landscape planting to screen their homes. Subsequent to the February 17, 2015 Planning Commission meeting, the applicant met with residents of Quail Meadows, and agreed to add additional tree planting to better screen the hotel from their homes. A condition has been added to the attached Resolution requiring that such planting be installed (see Condition #3 of the “Planning Conditions”).

- **York Creek:** The Palm Building is being built where a previous structure was located directly adjacent to, and within the flood plain of York Creek. The Palm Building is being constructed entirely within the footprint of this older building, and as such its location adjacent to the creek is “grandfathered”. While the lower floor of the previous structure was located within the 100 year flood plain of York Creek, the elevation of the new “Palm Building” is being raised such that its lower floor is being raised out of the 100 year flood plain.

The City has recently received comments from residents concerned about construction activity occurring within and adjacent to York Creek. This observed construction activity consists of the lower floor of the Palm Building being built within the footprint of the older building, as alluded to previously. State Fish and Game is aware of this construction activity, as is the State Water Board.

DISCUSSION:

Proposed Project:

The applicant is requesting Use Permit and Design Review Approval. The proposed changes to the previously approved plans for the Grandview/Las Alcobas Hotel are identified and summarized below. It should be noted that the thirteen (13) additional rooms requested result in only minor changes to the approved site plan, as the majority of the added rooms are added as an additional story to an already approved “Palm Building”.

- Twelve (12) new guest rooms are proposed to be added to the two story “Palm Building” located on the northern side of the site adjacent to York Creek. The addition of the twelve units will add a third floor to this two story building. This will increase the height of the “Palm Building” from the previously approved height of twenty six (26) feet to thirty five (35) feet, which is the maximum height allowed in the Service Commercial zone. This additional story is largely screened from view to

the north (the Palm Building is located on the northern portion of the site), given the vegetation in and around York Creek and the significant distance the Palm Building is located from the property located on the north side of York Creek.

- One additional guest room is proposed to be added to the old, historic Acacia House building, for a total of thirteen new hotel rooms. This new room is being built within the existing footprint of the Acacia House.
- Thirteen additional parking spaces are proposed to accommodate the thirteen new rooms. The location of these additional spaces is shown on the enclosed site plan.

Other portions of the approved project will not change from the earlier approval. The applicant does not anticipate hiring any additional employees as a result of the addition of 13 hotel rooms.

Citywide Limit on Number of Hotel Rooms:

In addition to the Use Permit and Design Review requests just described and discussed, the applicant is requesting that the upper limit on the total number of hotel rooms allowed in the City be increased from the current limit of 329 rooms, to a total of 342 rooms, to reflect the 13 new rooms proposed. This action to increase the hotel room limit does not require a formal General Plan or Zoning change, but may be increased by Council resolution.

General Plan/Zoning:

The project site is designated Service Commercial in the St. Helena General Plan and is also zoned "Service Commercial." These land use designations provide for service and retail uses, restaurants, lodging, auto service, public and quasi-public and similar uses. Hotel uses in this zone require a Use Permit. The proposed request to add 13 hotel rooms and associated parking meets all the requirements and provisions of the Service Commercial zone (setbacks, building height, FAR etc).

Traffic/Parking:

The addition of thirteen hotel rooms will have no measureable traffic impact, given the very small incremental increase in traffic (6 additional trips peak hour) as compared to the much higher existing and projected traffic flows on Main St/Hwy 29. A total of 13 new parking spaces are proposed to be added to the site (for a total of 70 spaces) consistent with the parking requirement for the additional rooms proposed.

Water/Wastewater:

In terms of water use, the applicant has prepared a "Water Use Report", a copy of which is attached. This report concludes that the 13 additional hotel rooms will not increase the amount of water usage over that originally allocated to the project in the previously approved "Water Allocation Agreement" for the project. This is largely due to the use of the latest higher efficiency fixtures, requiring lower overall water demand. It is important to emphasize that the hotel's water usage is regulated by the water

allowance specified for the hotel in the previously approved and executed "Water Allocation Agreement". Any exceedance of the limits stipulated in the previously approved "Water Allocation Agreement", as a result of the additional 13 hotel rooms or for any other reason, will trigger the penalties contained in the Agreement.

Design/Architecture:

The proposed project is straightforward from a design and architectural standpoint, as the additional story being added to the Palm building will match the materials and architecture previously approved for the Palm building. This will ensure compatibility with the approved project.

Housing Mitigation:

As noted previously in the "Background" section of this report, the applicant as part of the previous approval process for the 57 hotel rooms, agreed to pay to the City \$750,000 in housing mitigation fees for the 57 Las Alcabas Project in order to address affordable housing issues in the City. This issue of housing mitigation came up at the February 17, 2015 Planning Commission hearing on the project, but the Commission deferred resolution of the issue to City Council.

A consistent methodology to determine what the appropriate Housing Mitigation Fee would be for the 13 additional rooms, would be to pay housing fees to the City at the same rate per hotel room as the \$750,000 paid previously. This approach would result in a housing impact fee of \$171,000 for the new 13 hotel rooms, which in conjunction with the \$750,000 already paid, would result in a total housing payment by the Las Alcabas project of \$921,000.

The applicant, in considering the need for more affordable housing expressed at the February 17, 2015 Planning Commission meeting, combined with the applicant's awareness of the importance of affordable housing to the City, has indicated to City staff that they intend to increase their housing mitigation payment over and above the rates utilized previously for the initial 57 hotel rooms. Specifically, the applicant is proposing to pay a total of \$300,000 in housing mitigation fees for the 13 added rooms, which calculates to a housing mitigation fee per room that is over 75% higher than for the first 57 rooms. A condition of approval has been added reflecting this higher amount.

FISCAL IMPACT:

It is estimated that the additional 13 hotel rooms will increase the projected Transient Occupancy Tax (TOT) the City expects to receive from Las Alcabas by an average approximately \$320,000/year. The 57 rooms already approved are projected to generate \$1,410,000/year. The complete 70 room Las Alcabas project is therefore estimated to generate an annual average of \$1,730,000/year in new General Fund revenue to the City. Attached is a one page spreadsheet containing the breakdown of the estimated future TOT revenue from Las Alcabas, along with the assumptions on which the calculations are based.

It should be noted that the assumptions used in this analysis, namely the projected occupancy rates and room rates, are higher than the current averages for St Helena. As a result, the preceding estimates could be considered to be at the higher end, with more conservative estimates roughly 20% less. Assuming 20 % lower TOT revenues as being the lower end of the scale, the 13 additional rooms would bring approximately \$256,000/year in new General Fund revenue to the City, with the 70 unit Las Alcabas project generating an average of \$1,384,000/year of new General Fund revenue.

In addition to TOT revenue, the Las Alcabas project will increase the City property tax revenue, and sales tax revenue.

RECOMMENDED ACTION

Staff recommends that the City Council adopt the attached resolution:

- 1) Finding the attached Addendum to the previously approved Mitigated Negative Declaration as adequate to address the environmental impacts of the project, a copy of which is attached,
- 2) Approving an increase in the upper limit on the total number of hotel rooms allowed in the City by 13 rooms, from the current maximum of 329 rooms to 342 rooms,
- 3) Approving the Use Permit and Design Review applications for the 13 additional hotel rooms, subject to the conditions in the attached Resolution, and
- 4) Setting forth findings in support of the Council's actions and decision

ATTACHMENTS

Resolution
Addendum to Mitigated Negative Declaration
Water Use Report
TOT Revenue Spreadsheet
Plans

**CITY COUNCIL RESOLUTION 2015-
APPROVING A REQUEST BY GUNEET BAYWA TO INCREASE THE TOTAL
NUMBER OF HOTEL ROOMS ALLOWED WITHIN THE CITY OF ST HELENA FROM
329 ROOMS TO 342 ROOMS, AN INCREASE OF 13 ROOMS, AND APPROVING A
USE PERMIT AND DESIGN REVIEW APPLICATION, FILE NO. PL14-037, TO ALLOW
THIRTEEN (13) ADDITIONAL HOTEL ROOMS, ALONG WITH RELATED PARKING
AND ASSOCIATED SITE PLAN MODIFICATIONS, TO THE PREVIOUSLY APPROVED
PLANS FOR THE GRANDVIEW/LAS ALCOBAS HOTEL LOCATED AT 1915 MAIN
STREET, APN 009-400-009**

WHEREAS, an application was submitted by Guneet Bajwa on behalf of the Las Alcobas Hotel (also known as the Grandview Hotel) to increase upper limit on the total number of hotel rooms allowed in the City by 13 rooms, along with a Use Permit and Design Review application to add a total of thirteen (13) new hotel rooms to the fifty seven (57) rooms already approved, for a total of seventy (70) hotel rooms at 1915 Main Street in the SC: Service Commercial district, and

WHEREAS, an Addendum to a previously adopted Mitigated Negative Declaration was prepared for the project pursuant to the California Environmental Quality Act ("CEQA"), and

WHEREAS, the Planning Commission on February 17, 2015 recommended to the City Council approval of the applicant's requests by a 5-0 vote

WHEREAS, the City Council of the City of St. Helena, State of California, held a noticed public hearing on March 10, 2015, and considered all comments presented at the public hearing

Resolution

NOW, THEREFORE, BE IT RESOLVED that the City Council find that the Addendum to the previously approved Mitigated Negative Declaration adopted for the project as adequate to address the environmental impacts of the project, that the Addendum demonstrates that the present revisions to the project create no substantial new or different adverse environmental impacts, and that no further or additional environmental review is required by CEQA, and

BE IT FURTHER RESOLVED that pursuant to St. Helena Municipal Code ("SHMC") 17.52.030 section the City Council hereby approves an increase in the number of permitted hotel rooms in the City from 329 rooms to 342 rooms, an increase of 13 rooms, and

BE IT FURTHER RESOLVED that the City Council hereby makes the following Use Permit findings required by SHMC section 17.168.050:

1. That, as conditioned and with the recommended mitigations place, the proposed use would not generate odors, fumes, dust, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community.

Conditions of approval required with this project in conjunction with City ordinances regulating construction related impacts, and light and glare, will address any such impacts.

2. That the proposed use would not generate levels of noise that adversely affect the health, safety, or welfare of neighboring properties or uses.
The adding of 13 hotel rooms will not increase the project's ambient noise level.
3. That the proposed use would not generate traffic noise in excess of the "normally acceptable" range identified in the General Plan.
The addition of 13 hotel rooms will increase peak hour traffic by 6 vehicles hour, which is well within the capacity of Hwy 29.
4. That the proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection.
The water analysis prepared for this project documents that the increase in 13 hotel rooms will not increase the projects total water/ sewer demand due to use of low flow fixtures. No added public services to serve the site will be required.
5. That the proposed use would provide adequate ingress and egress to and from the proposed location.
The plan is designed to handle the very small incremental increase in traffic due to the addition of 13 hotel rooms.
6. That allowing the proposed use would not conflict with the City's goal of maintaining the economic viability of a local serving economy.
The added hotel rooms will result in an increase in the number of tourists and others staying in St Helena, which will enhance local businesses.
7. That the proposed use would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located.
A 57 room hotel has already been approved for the site, which is compatible with the addition of 13 hotel rooms.
8. That the proposed use would not be in conflict with the City's General Plan.
Hotel rooms are allowed in the General Plan Service Commercial Zone
9. That the proposed use would not be injurious to public health, safety, or welfare.
The addition of 13 hotel rooms will not impact the public health safety and welfare.
10. That granting the use permit would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the City or would be in conflict with the General Plan.
The addition of 13 hotel rooms will not set a precedent that would be detrimental to the City
11. That, as demonstrated on a detailed plan submitted by the applicant to include up to 70 off-street parking spaces, adequate off-street parking to accommodate the long term parking needs of residents, employees and customers is available.
A total of 13 parking spaces are proposed to be added which meets City requirements.
12. That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use.

The capacity of Hwy 29 greatly exceeds the small incremental increase in traffic created by the 13 added rooms.

BE IT FURTHER RESOLVED the City Council finds and determines the project is in compliance with the following Design Review criteria of Municipal Code Section 17.164.030:

1. Consistency and compatibility with applicable elements of the general plan;
Addressed under Use Permit Findings
2. Compatibility of design with the immediate environment of the site;
The design of the 13 rooms will match the already approved design.
2. Relationship of the design to the site;
The additional of a 3rd story is compatible with the design of the site, as it does not change the footprint.
3. Determination that the design is compatible in areas considered by the board as having a unified design or historical character;
The design of the added 13 rooms is the same as the already approved project
4. Whether the design promotes harmonious transition in scale and character in areas between different designated land use;
The design of the 13 rooms will match the already approved design
5. Compatibility with future construction both on and off the site;
The additional of a 3rd story is compatible with the design of the site, as it does not change the footprint
7. Whether the architectural design of structures and their materials and colors are appropriate to the function of the project;
The design of the 13 rooms will match the already approved design
8. Whether the planning and siting of the various functions and buildings on the site create an internal sense of order and provide a desirable environment for occupants, visitors and the general community;
The additional of a 3rd story is compatible with the design of the site, as it does not change the footprint
9. Whether the amount and arrangement of open space and landscaping are appropriate to the design and the function of the structures;
The only additional landscaping this is proposed adds to screen the site from neighboring uses
10. Whether sufficient ancillary functions are provided to support the main functions of the project and whether they are compatible with the project's design concept;
11. Whether access to the property and circulation systems are safe and convenient for pedestrians, cyclists and vehicles;
The added 13 rooms does not change the site plan, therefore does not impact access.
13. Whether natural features are appropriately preserved and integrated with the project;
The added 13 rooms does not change the site plan, and therefore has no impact on natural features.
14. Whether the materials, textures, colors and details of construction are an appropriate expression of its design concept and function and whether they are compatible with the adjacent and neighboring structure and functions;
The design of the 13 rooms will match the already approved design

15. In areas considered by the board as having a unified design character or historical character, whether the design is compatible with such character;
The design of the 13 rooms will match the already approved design
16. Whether the landscape design concept for the site, as shown by the relationship of plant masses, open space, scale, plant forms and foliage textures and colors create a desirable and functional environment and whether the landscape concept depicts an appropriate unity with the various buildings on the site;
Conditions of approval require appropriate site landscaping
16. Whether plant material is suitable and adaptable to the site, capable of being properly maintained on the site, and is of a variety which is suitable to the climate of St. Helena;
The addition of 13 rooms does not impact the site landscaping
17. Whether sustainability and climate protection are promoted through the use of green building practices such as appropriate site/architectural design, use of green building materials, energy efficient systems and water efficient landscape materials.
The project will meet Title 24 and all State require green construction standards

BE IT FURTHER RESOLVED the City Council hereby approves the Use Permit and Design Review applications for the above-described project subject to the following conditions of approval. The project shall be in conformance with all city ordinances, rules, regulations and policies in effect at the time of issuance of a building permit. The conditions noted below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.

1. The Use Permit/Design Review shall be vested within one (1) year from the date of final action. A building permit for the use allowed under this approval shall have been obtained within one (1) year from the effective date of this action or the approval shall expire, provided however that the approval may be extended for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 17.08.130, Extension of Permits and Approvals. Any request for an extension of this approval shall be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.
2. All required fees, including planning fees, development impact fees, residential in-lieu housing fees, building fees, toilet retrofit fees, and St. Helena Unified School District fees shall be paid prior to issuance of a building permit. Fees shall be those in effect at the time of the issuance of the building permit.
3. In any action or proceeding to attack, challenge, invalidate, set aside, void or annul the City's approval of applicant's Project, in whole or in part, applicant shall defend, at its own expense and without any cost to the City, and with counsel acceptable to the City, and shall fully and completely indemnify and hold the City, its agents, officers, and employees harmless from and against any and all claims, causes of action, damages, costs, attorney's fees and liability of any kind, so long as the City reasonably promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.

4. Provided they are in general compliance with this approval, minor modifications may be approved by the Planning Director.
5. Pursuant to St. Helena Municipal Code Section 17.08.110, this permit shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.
6. The primary purpose of this review is for compliance with the General Plan and Zoning Ordinance. The property owners or their designee shall be responsible for meeting with the Building Official, Fire Inspector and or Public Works Department to review compliance with Building Codes, Fire Codes and specific Public Works Standards including fire protection systems and any applicable accessibility standards of Title 24.
7. Construction shall be in compliance with plans submitted and reviewed and approved by the City Council on March 10, 2015, except as modified herein. The Planning Director may authorize minor modifications to the approved plans.
8. Exterior lighting shall be directed or shielded to prevent glare onto the public roadway or adjacent properties.
9. To reduce disturbance of residents in the project vicinity, construction activities which generate noise that can be heard at the property line of any parcel of real property within the City limits shall be limited to 8:00 a.m. to 5:00 p.m. Monday through Saturday. Delivery of materials/equipment and cleaning and servicing of machines/equipment shall be limited to 7:00 a.m. to 6:00 p.m. Exceptions to these time restrictions may be granted by the Public Works Director for one of the following reasons: (1) inclement weather affecting work, (2) emergency work, or (3) other work, if work and equipment will not create noise that may be unreasonably offensive to neighbors as to constitute a nuisance. The City Engineer must be notified and give approval in advance of such work. No construction activities shall occur on Sundays or federal or local holidays that generate noise that can be heard at the property line of any parcel of real property within the City limits
10. That all conditions of the previous August 2010 Use Permit for the 57 room Las Alcabas Project shall be complied with, unless such a condition explicitly conflicts with a condition of approval contained in this resolution, in which case the Condition of approval in this resolution shall take precedence.
11. That all requirements of the Addendum prepared for the previous Negative Declaration be complied with.

Public Works Conditions

1. Approval of this project shall be subject to the requirements of, and designed and constructed in accordance with the most current version of municipal codes, and all current federal, state and county codes governing such improvements at the time of improvement plan submittal.

2. The improvement plans shall include all grading, hardscape, landscape, drainage and utilities as shown on the Design Review package as well as those agreed to in public hearings and those required by the municipal codes.
3. The developer shall construct all on and offsite improvements in accordance with improvement plans and supporting calculations and documentation that are prepared by a registered Civil Engineer and reviewed and approved by the City of St. Helena Public Works Department. The improvement plans shall include detailed designs for all on and off site utilities, water, sewer, grading, drainage, erosion control and paving. The improvement plans and calculations must be approved by the City Engineer prior to the approval of the Final Map.
4. An encroachment permit shall be required for any work performed in the public right of way.
5. No added drainage from new hardscape, roofs or pool improvements shall be allowed to leave the site; improvement plans shall show how drainage will be treated/infiltrated on site and at the property lines to prevent inundation of neighboring properties. 10-year and 100-year storm event overflow site drainage shall be directed in to an existing storm drain or gutter through City standard undersidewalk drains or infiltration pit where applicable. If needed, a system to detain the post-developed flows shall be designed in accordance with City/County/State standards at the direction of the City Engineer.
6. Stormwater treatment shall be designed and constructed in accordance with St. Helena Development Manual Stormwater Standards and the State of California standards for the stormwater run-off for 85th percentile storm event.
7. The developer shall repair all public improvements that are damage by the construction process in accordance with the City of St. Helena Water/Sewer/Street/Storm Drain/Sidewalk Standards.
8. New and existing private water and sewer lines shall be shown on the site improvement plans.
9. That prior to occupancy the developer shall mitigate the increase in waste water generation on the downstream sewer system by constructing a new six (6) inch force main with a ten (10) inch containment pipe from the Crinella Pump Station to the existing sewer system at Railroad and Fulton Avenues (approximately 1210 lineal feet) at the developer's expense. A reimbursement district shall be established by the City that includes those properties that benefit from the extension of the six (6) inch force main required by this Condition. Properties that connect to the City's sewer system that benefit from the construction of this force main, shall reimburse the Developer of the Las Alcabas project in proportion to their relative.

The boundaries, requirements, and provisions of this reimbursement district shall be determined by the City Engineer. Cost of the formation of such a district shall be borne by the Developer.

Planning Department Conditions

1. That prior to the issuance of building permits for the additional thirteen (13) hotel rooms the Developer shall pay in full to the City a Housing Mitigation Fee in the amount of \$300,000. This housing mitigation fee of \$300,000 is over and above the amount of the Housing Mitigation Fee paid by the Developer (\$750,000) for the first 57 rooms of the project.
2. In consideration of the lost mature Oak Tree on the property, the Developer is required to plant three (3) additional 36" box oak trees (two at SW corner and one at NE corner of property), and upsize five (5) additional oak trees (from 24" to 36" box size). In addition, the Developer shall work with the Quail Meadow HOA to provide sufficient tree screening for the Quail Meadow property to protect their privacy, and buffer the view of the hotel from the Quail Meadow residents. The landscape plan depicting the tree planning necessary to offset the removal of the lost mature oak tree, and depicting the landscaping necessary to screen the Quail Meadows Development, is subject to the review and approval of the Planning Director. All such trees and landscaping shall be installed prior to occupancy of the site.

I HEREBY CERTIFY that the foregoing increase to the total number of hotel rooms allowed in the City by 13 rooms and the Use Permit and Design Review was duly approved by the City Council of the City of St. Helena at a regular meeting of said City Council held on March 10, 2015 by the following roll call vote:

Mayor Galbraith: _____

Vice Mayor White: _____

Councilmember Crull: _____

Councilmember Dohring: _____

Councilmember Pitts: _____

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Black, City Clerk

CEQA ADDENDUM FOR THE LOS ALCOBAS PROJECT
UP/DRB- 2014-20
February 17, 2015

On May 23, 2006, the St. Helena City Council adopted Resolution No. 2006-63, approving a Mitigated Negative Declaration and Use Permit to allow construction of a lodging facility at 1915 Main Street consisting of 35 rooms and 22 studio apartment units. The approvals included renovating the historic Acacia House and incorporating this into the facility, relocating the existing drive onto Main Street to the south, providing on-site parking and making a payment into the City's Affordable Housing Trust Fund.

In 2010, new property owners requested a Use Permit Amendment to construct 57 lodging rooms on the site with no studio apartments. The renovated Acacia House was included in the revised proposal as well as additional on-site parking. An enhanced payment to the City's Affordable Housing Trust Fund was also proposed.

On August 24, 2010, the St. Helena City Council adopted Resolution No. 2010-88 that rescinded the earlier resolution adopting the 2006 MND and adopted a new Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Grandview project. Resolution No. 2010-88 also approved the Use Permit Amendment to increase the number of dwellings and making other changes in the project, including a larger contribution to the City's Affordable Housing Trust Fund.

This Addendum has been prepared pursuant to CEQA Guidelines Section 15164 for the project, as described below.

Project Description

The proposed project includes a number of minor changes to the project approved in 2010, now known as the Los Alcobas project. Project changes include.

- Twelve guest rooms would be added to the two buildings on the western side of the site, increasing the height of the building from two to three stories. This would increase the total number of guest rooms from 57 to 70 rooms. The Palm Buildings are being constructed within the footprint of an existing building that was located within a portion of York Creek. One new lodging room would be added in the Acacia House by rearranging interior walls.
- The site plan is proposed to be modified to accommodate the additional thirteen parking spaces required by the additional thirteen hotel rooms.

Other portions of the approved project would not significantly change. The main historic building (the Acacia House) is in the process of being restored as the main office with five guest rooms (6 proposed), guest rooms would be located in three free-standing buildings along the north and west perimeters of the site, a conference room would be

W

Prior CEQA Analyses and Determinations

Z

Current CEQA Analysis and Determination that an Addendum is Appropriate for this Project.

Updated Initial Study

Z

:

Are there substantial changes to the Project involving new or more severe significant impacts?

Z

Z

Are there substantial changes in the conditions which the Project is undertaken involving new or more severe significant impacts

Is there new information of substantial importance, which was not known and could not have been known at the time of the previous EIR that shows the Project will have a significant effect not addressed in the previous EIR; or previous effects are more severe; or, previously infeasible mitigation measures are now feasible but the applicant declined to adopt them; or mitigation measures considerably different from those in the previous EIR would substantially reduce significant effects but the applicant declines to adopt them

If no subsequent EIR-level review is required, should a subsequent negative declaration be prepared

City of St. Helena
Planning Department
1480 Main Street, St. Helena, CA 94574
(707) 967-2792



INITIAL STUDY OF ENVIRONMENTAL SIGNIFICANCE

PROJECT NAME: Los Alcobas Hotel Project

FILE NUMBER: PL14-037

SITE ADDRESS: 1915 Main Street

APN: 009-490-009

GENERAL PLAN: Service Commercial

ZONING: SC:PD:HP--Service Commercial/Planned Development/Historic Preservation

PROPONENT: Presidio Companies
1011 10th St.
Sacramento, CA 95814

CONTACT: Guneet Bajwa, Managing Principal
(707) 429 6000 X 110

PROJECT DESCRIPTION

Overview. The proposed project would include minor changes to the former Grandview Inn project, now known as the Los Alcobas project. The project is currently under construction and the owner is requesting minor changes to building siting and to add 13 additional lodging rooms to the project. This would include adding 12 rooms in the Palm Building and increasing the height of the approved Palm Building from two to three stories in height. One lodging room would also be added in the main Acacia building.

Background. The Grandview Inn project was approved by the City in May 2006. Approvals included converting the historic single-family dwelling on the site (the Acacia House) and 40 multi-family dwellings into a mixed-use commercial inn and residential project containing 35 guest rooms and 22 studio apartments. A mitigation measure of the CEQA document prepared for the project required that the studio apartments be rented as below market rates to income qualified tenants.

In April, 2010, new owners of the site (Jeff Feeney and Todd White) submitted revised plans for the site that increased the number of lodging rooms to 57 and eliminated the 22 studio dwellings. To meet City housing requirements, the owners agreed to pay an enhanced housing impact fee to the City's Housing Trust Fund.

As part of the resubmitted application, the City Council approved a rezoning of the site from MR: Medium Density Residential to the current SC:PD:HP configuration and allowed special events to be increased from 60 persons to 97 persons. Project approval included 57 on-site parking spaces.

Previous CEQA document. Two Previous Mitigated Negative Declarations were prepared and adopted by the City to ensure consistency with the California Environmental Quality Act and associated Guidelines, as follows:

- **2006 MND.** City Council Resolution No. 2006-63, adopted on September 14, 2006, adopted a Mitigated Negative Declaration for the Grandview Project.

- **2010 MND.** By adopting City Council Resolution No 2010-88, the St. Helena City Council rescinded the 2006 MND and adopted a new MND for the site that analyzed the new project and included a rezoning of the site to the SC:PD:HP Districts, increased the city-wide maximum cap on lodging rooms from 307 to 329, approved a Use Permit Amendment to eliminate 22 studio units, reduced the amount of on-site parking to 57 and increased the number of attendees for special events.

Proposed project. Plans have been submitted to the City to allow minor changes to the project that was approved by the City in 2010. these changes include:

- Twelve guest rooms would be added to the Palm Building on the western side of the site, increasing the height of the building from two to three stories using the same design as approved. One guest room would be added into the interior of the Acacia building by rearranging interior walls. This would increase the total number of guest rooms from 57 to 70 rooms. The Palm Building is being constructed within the footprint of an existing building that was located within a portion of York Creek. The existing building has been largely demolished in order to accommodate the new Palm Building.
- The site plan will be modified to accommodate the additional thirteen parking spaces required by the additional thirteen hotel rooms.

Other portions of the approved project would not significantly change—the main historic building (the Acacia House) is in the process of being restored as the main office with five guest rooms (proposed to be increased to six), guest rooms would be located in three free-standing buildings along the north and west perimeters of the site, a conference room would be constructed in the approximate center of the site, a restaurant and associated kitchen, a swimming pool and spa building would also be completed. Minor changes are proposed to on-site landscaping to accommodate additional parking spaces needed to support the additional lodging rooms.

Building design features. Each building would be constructed as currently approved by the City. The Acacia House is being renovated in a manner consistent with the historic character of the house. The architecture of the twelve room addition to the Palm Building would be consistent with the design and materials being utilized for the approved Palm Buildings. The height of the Palm building would increase but the additional story would replicate the overall design of the approved building.

Circulation, access and parking. Vehicular access into and out of the site would be provided by one driveway from Main Street (State Route 29). The applicant is in the process of relocating the driveway closer to the northern property line to improve sight lines and traffic safety.

The proposed plans show that 73 on-site spaces would be constructed, which would be greater than the 70 spaces currently approved. Parking spaces would include a combination of self-park stalls and valet spaces.

Full vehicular paved access would be provided through the site as was approved in 2010.

Landscaping. The site would be landscaped as per the approved plans, with changes as proposed to accommodate the additional parking spaces.

Special events. No changes are proposed to the number and maximum capacity of special allowed by the existing Use Permit Amendment approved in 2010.

Utility services. Potable water service and wastewater service would continue to be provided to the project site by the City of St. Helena. Landscaping on the site would be irrigated by an existing on-site well. In 2008, the property owner and City signed a Water Agreement whereby the City agreed to provide up to 2,082,432 gallons of potable water per year. This agreement remains in place, and may need to be updated to address the thirteen additional hotel rooms proposed.

The project applicant will be required by the City to ensure that stormwater runoff is collected and transported off of the site in a manner consistent with City of St. Helena engineering standards and requirements. The project applicant is required to comply with City of St. Helena surface water quality requirements during building demolition, grading and construction through implementation of an erosion control plan. Long-term water quality features would also be installed as required by the City of St. Helena.

Restricted housing component. The project applicant is required to pay enhanced in-lieu fees to the City's Housing Trust Fund. Approximately \$750,000 has been paid to date for in lieu fees. Additional in lieu fees may be required for the added thirteen hotel rooms.

ENVIRONMENTAL SETTING

The project site contains 3.83 acres of land located on the west side of Main Street (State Route 29) in the northern portion of St. Helena. The street address for the site is 1915 Main Street and the Assessor's Parcel Number is 009-490-009.

The site contains an historic single-family dwelling (the Acacia House) which was constructed in approximately 1907. The current owners of the site are implementing the site development plan approved by the City in 2010. An older building located on the north side of the property has been largely removed, new buildings have been recently framed and other site improvements are being installed.

The project site is bounded on the north by York Creek, which also served as a boundary between the project site and Beringer Winery north of the creek. Other land uses in the vicinity include active vineyards to the west and a large single-family dwelling, known as the Sherwood Estate, to the south. A combination of residential and agricultural lands are located east of the site, on the east side of Main Street.

GENERAL PLAN AND ZONING

The City of St. Helena General Plan provides the vision for the community's natural and built environment through a series of goals and policies. To ensure that this desired vision is realized, the General Plan has been designed to be internally consistent and cross-referenced with other documents, including the City's Zoning Ordinance which guides, controls and regulates future growth and development in a sound and orderly manner.

The project site is designated for Service Commercial uses in the St. Helena General Plan and is zoned as "Service Commercial." These designations provide for service and retail uses, restaurants, lodging, auto service, public and quasi-public and similar uses. Such uses are intended to provide adequate sites for service and retail uses that are auto-oriented with operational characteristic and space needs that are not considered appropriate for the downtown area.

The City has also included a "Planned Development" overlay zoning designation on the site to allow the property owner a degree of flexibility in implementing this project. The PD overlay restricts future development to a specific development plan approved on this site. The City has also applied a "Historic Preservation" overlay zoning designation on the property recognizing the preservation and enhancement of the historic Acacia house on the property.

REQUIRED DISCRETIONARY ACTIONS

Approval of the proposed project will require the following discretionary actions:

- Use Permit Modification and Design Review by the St Helena Planning Commission.

- Approval by the City Council to increase the Citywide limit on the maximum number of hotel rooms.

- The existing Water Agreement between the property owner and City may need to be amended.

OTHER PUBLIC AGENCY REVIEW

In addition to the required City entitlements identified above, there are no other agencies that have discretionary authority to undertake or approve all or some portion of the proposed project (and which are considered Responsible Agencies under CEQA).

An encroachment permit will also be required for work with the Main Street right-of-way, which is under State of California jurisdiction.

DOCUMENTS INCORPORATED BY REFERENCE

CEQA Guidelines Section 15150 recognizes the desirability of reducing the volume of documentation necessary for environmental review and authorizes incorporation by reference any portion of relevant documents that provide general background to the environmental document. As such, this Initial Study incorporates the following documents, which were reviewed as part of the analysis of certain topical sections provided herein:

- City of St. Helena, General Plan Policy Document (1993 and amendments through 2008)
- City of St. Helena, Zoning Ordinance (1994 and amendments through 2008)

Additional documents not reflected in this section are identified and analyzed within the Initial Study. These documents are available for review at the City of St. Helena Planning Department, 1480 Main Street, St. Helena, CA 94574 (707) 967-2792.

PURPOSE OF INITIAL STUDY

The fundamental premise on which CEQA is based is that environmental protection can be achieved through informing decision-makers and the public about a project's potential environmental effects and identifying ways to reduce them. As a public disclosure document, an Initial Study must identify all effects on the environment resulting from a project and indicate the manner in which these effects can be mitigated or avoided to a less-than-significant level. Where it is uncertain that a significant effect on the environment may occur, or where a significant effect is found to exist but cannot be mitigated to a less-than-significant level, an Environmental Impact Report (EIR) must be prepared.

ENVIRONMENTAL PROCEDURES AND CHECKLIST

This Initial Study presents a preliminary evaluation of the potential environmental impacts resulting from the project. The Initial Study was prepared in accordance with the California Environmental Quality Act (Public Resources Code Section 21000-21178.1) and the Guidelines for Implementation of the California Environmental Quality Act (Chapter 3, Title 14, California Code of Regulations (*CEQA Guidelines*)). This Initial Study considers all aspects of the proposed project, as required by Section 15063(a) (1) of the CEQA Guidelines¹.

The Environmental Checklist provided below, as contained in Appendix G of the CEQA Guidelines, was utilized to focus this Initial Study on the environmental factors that may be impacted or further impacted by implementation of the proposed project. Following each of the topical areas presented in the Environmental Checklist, a brief discussion is presented regarding the topical environment setting, the relevance of the proposed project to the topical environment setting, any and all potential impacts within the topical area and, as appropriate and mitigation measures necessary to reduce potentially significant impacts to a less-than-significant level.

SUMMARY OF ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below identify "Potentially Significant Impacts" affected by this project, as indicated by the checklist on the following pages. However, as demonstrated in this Initial Study in the applicable topical sections mitigations are proposed for incorporation into the project that will reduce or eliminate these impacts to "Less Than Significant" or "No Impact."

¹ Section 15063(a) (1) of the CEQA Guidelines requires that all phases of project planning, implementation, and operation must be considered in the Initial Study of the project.

- | | | |
|--|---|---|
| ☐ Aesthetics | ☐ Agricultural Resources | ☐ Air Quality/GHG |
| ☐ Biological Resources | ☐ Cultural Resources | ☐ Geology/Soils |
| ☐ Hazards & Hazardous Materials | ☐ Hydrology/Water Quality | ☐ Land Use/Planning |
| ☐ Mineral Resources | ☐ Noise | ☐ Population/Housing |
| ☐ Public Services | ☐ Recreation | ☐ Transportation/Traffic |
| ☐ Utilities/Service Systems | ☐ Mandatory Findings of Significance | |

DETERMINATION:

On the basis of information found in this initial evaluation, the City of St. Helena finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.
- ☐ Although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because revisions in the project have been made or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed Project could have a significant effect on the environment, there **will not** be a significant effect in this case because all potentially significant effects: a) have been analyzed adequately in an earlier EIR pursuant to applicable standards; and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed on the proposed Project. **An Addendum to the 2010 Mitigated Negative Declaration will be prepared.**
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a significant effect(s) on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards; and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Victor Carniglia, Interim Planning Director
City St. Helena

Date: February 17, 2015

ENVIRONMENTAL CHECKLIST

This Environmental Checklist Form has been provided to assist in the analysis of the environmental issues associated with the project. The following standard rules, generated from the CEQA Guidelines, apply when completing and reviewing the Environmental Checklist Form:

1. *A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).*
2. *All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.*

3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, "Earlier Analysis," may be cross-referenced).
5. Earlier analysis may be used where an effect has been adequately analyzed in an earlier EIR or Negative Declaration. In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This checklist is only a suggested form, and lead agencies are free to use different formats. However, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The analysis of each issue should identify: (a) the significance criteria or threshold used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to a level of less-than-significant.

Environmental Issue Area	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No New Impact
1. AESTHETICS. Would the project:				
a. Have a substantial adverse effect on a scenic vista?				✓
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?				✓
c. Substantially degrade the existing visual character or quality of the site and its surroundings?				✓
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?				✓
<u>Previous Mitigation Measure:</u> The 2010 MND contained the following mitigation measure pertaining to aesthetics. MM.1: The applicant shall prepare a lighting plan for review and approval of the Planning Commission prior to receipt of a building permit.				

Environmental Issue Area	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No New Impact
<u>Discussion:</u> The 2010 MND found that construction of the proposed hotel complex on the site would result in less-than-significant impacts in terms of a substantial adverse impact on a scenic vista, substantial damage to scenic resources within a state scenic highway or significantly degrade the visual character or quality of the site. Much of the proposed project improvements would occur at the back of the site and would not be significantly visible from Main Street. The project frontage would largely remain landscaped in a manner similar to pre-project conditions and the retention and enhancement of the Acacia House as part of the project was identified as a community benefit. The 2010 MND noted that construction of the proposed lodging facility would increase visible light on the site which could be a significant impact. This impact was reduced to a less-than-significant level by adherence to the Mitigation Measure listed above. This measure has been met. <u>Conclusion:</u> There would be no new or more severe significant impacts with respect to the visual character of the project site or significantly degrade the visual character or quality of the site or light and glare impacts than was analyzed in the 2010 MND and no new analysis is required. The current project developer is required to adhere to all previous mitigation measures.				
2. AGRICULTURAL & FORESTRY RESOURCES. <i>Would the project:</i>				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				✓
b. Conflict with existing zoning for agricultural use or a Williamson Act Contract?				✓
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?				✓
d. Result in the loss of forest land or conversion of forest land to non-forest use?				✓
e. Involve other changes in the existing environment that, due to their location or nature, could result in conversion of farmland to a non-agricultural use or conversion of forestland to a non-forest use?				✓
<u>Discussion:</u> The 2010 MND found that approval and construction of the project would have no impact with respect to conversion of prime agricultural lands, conflict with a Williamson Act Contract or forestry resources. <u>Conclusion:</u> There would be no new or more severe significant impacts with respect to agricultural resources or forestlands than was analyzed in the 2010 MND and no new analysis is required.				
3. AIR QUALITY & GREENHOUSE GAS EMISSIONS. [Significance criteria established by the BAAQMD may be relied upon to make the following determinations] <i>Would the project:</i>				
a. Conflict with or obstruct implementation of the applicable air quality plan?				✓
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				✓
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				✓

Environmental Issue Area	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No New Impact
d. Expose sensitive receptors to substantial pollutant concentrations?				✓
e. Create objectionable odors or dust affecting a substantial number of people?				✓
f. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment or conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				✓
Previous Mitigation Measure: The 2010 MND contained the following mitigation measure pertaining to air quality and greenhouse gasses. - MM 1: This measure required that construction and remodeling of the project be done in compliance with the California Green Building Code and other Green building practices that have been adopted by the City at time of building permit issuance. - MM 2: This required hotel management to provide hybrid or electric vehicle shuttle vehicles between the hotel and destinations within a 3-mile radius of the hotel. - MM 3: This mitigation measure required that all grading and construction equipment be shut down when not in use. - MM 4: Grading and excavation operations were prohibited during windy periods. - MM 5: Required that exposed soil services be sprinkled at least twice daily with non-potable water. - MM 6: Mandated that that demolition materials be properly managed to prevent the accumulation of dust that can degrade air quality. - MM 7: Required that reusable materials be recycled to the fullest extent practicable. - MM 8: Prohibited grinding of broken asphalt, concrete, wood or other materials on the site. - MM 9: Prohibited collection of materials, such as construction debris or loose dirt, within the adjacent public right-of-way. - MM 10: This measure required all haul trucks using the site to maintain an adequate freeboard when leaving the site. - MM 11: Required hydroseeding or application of similar soil stabilizer to construction areas that remain inactive for a period of 10 days or more to reduce accumulation of dust. - MM 12: Mandates that the property owner comply with Bay Area Air Quality Management District requirements, City demolition permit requirements and to obtain permits from the BAAQMD. Discussion: The 2010 MND noted that demolition of existing buildings on the site, construction and operation of the proposed lodging facility would generally have a less-than-significant impact on the environment in terms of air quality and greenhouse gas emissions. This included possible conflicts with the regional air quality plan, result in contribution of cumulative considerable air pollutants, expose sensitive receptors to substantial pollutant contributions or emit significant odors. With adherence to the twelve air quality and greenhouse gas emissions, summarized above, violations of air quality standards were reduced to a less-than-significant level. The Bay Area Air Quality management District (BAAQMD) recently (2011) established minimum screening standards for development projects determine, if based on the relatively small size of a project, such projects would not generate significant quantities of air pollutants or greenhouse gasses. These screening standards are shown on Table 3-1 of the District's <u>2011 California Environmental Quality Act Air Quality Guidelines</u>. The table shows that hotels containing 83 rooms or fewer fall below the District's threshold for emitting potentially significant air pollutants or greenhouse gasses. Since the proposed project would contain up to 70 rooms, the project would not emit significant air pollutants or greenhouse gasses. The project applicant has complied with or is complying with each of the above measures. Conclusion: There would be no new or more severe significant impacts with respect to air quality or greenhouse gas emissions than were analyzed in the 2010 MND and no new analysis is required. The current project developer is required to adhere to all previous air quality and greenhouse gas emission mitigation measures.				
4. BIOLOGICAL RESOURCES. Would the proposal result in:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans,				✓

Environmental Issue Area	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No New Impact
policies, or regulations, or by the California Department of Fish and Game (CDFG) or U.S. Fish and Wildlife Service (USFWS)?				
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the CDFG or USFWS?				✓
c. Have a substantial adverse effect on Federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, etc.) through direct removal, filling, hydrological interruption, or other means?				✓
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				✓
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				✓
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan?				✓
Previous Mitigation Measure: The 2010 MND contained the following mitigation measure pertaining to biological resources. - MM 1: Modifications to the bank of York Creek required submittal of plans to the City and approval by both the City and the California Department of Fish and Game (now California Department of Fish & Wildlife). If necessary, approval of grading within York Creek by the US Army Corps may required. - MM 2: Required approval of a grading and drainage plan by the St. Helena Public Works Department before issuance of a grading permit. - MM 3: This mitigation measure required the applicant to obtain necessary approvals from the Regional Water Quality Control Board prior to commencement of grading operations. - MM 4: The applicant shall meet all state and federal requirements related to discharge of stormwater into local creeks. - MM 5: Required the applicant to incorporate Best Management Practices (BMPs) into the design of the project that are include but are not limited to covering of trash enclosures, proper collection of kitchen grease, providing secondary containment of outdoor stored materials, incorporation of efficient irrigation to minimize overspray, appropriate sweeping of paved surfaces and driveways including cleaning of drainage catch basins. - MM 6: Mandated that the project developer shall record a long-term maintenance agreement with the City for any structural stormwater devices. - MM 7: Required the installation of permanent erosion control measures be place on all slopes as well as temporary erosion control until vegetation can be established. Grading on the site is limited to April 15 to October 15. - MM 8: Mandated that all construction activities that minimizes pollutants entering the public storm drain system or local groundwater. The project developer is required to pay for any testing, cleanup or City costs related to this issue. - MM 9: Required that demolition materials and solid waste materials be properly managed to prevent accumulation of dust that can degrade water quality. The site shall be cleaned on a daily basis and materials properly placed in dumpsters for removal. - MM 10: Required that the retaining wall located between the Palm Building and Laurel Court be eliminated or relocated outside of the bank of York Creek. Discussion: Impacts of project construction on candidate, sensitive and other plant and wildlife species, riparian habitat, wetlands and movement of wildlife species through the site was found to be potentially significant in the 2010 MND. Adherence to the mitigation measures identified above reduced biological resource impacts to a less-than-significant level. The current project has been designed with generally the same building footprint as was approved in 2010. The additional lodging rooms would be constructed in upper floors of approved buildings so that no new undeveloped portions of the site would be disturbed. The applicant has complied or will be complying with all of the 2010 biological resource mitigation measures. Conclusion: There would be no new or more severe significant impacts associated with the current project with respect to biological				

Environmental Issue Area	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No New Impact
resources than were analyzed in the 2010 MND and no new analysis is required. The current project developer is required to adhere to all previous mitigation measures.				
5. CULTURAL RESOURCES. Would the project:				
a. Cause a substantial adverse change in the significance of an historical resource as defined in Sec.15064.5?				✓
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Sec. 15064.5?				✓
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				✓
d. Disturb any human remains, including those interred outside of formal cemeteries?				✓
<u>Previous Mitigation Measure:</u> The 2010 MND contained the following mitigation measure pertaining to cultural resources. - MM 1: Required the applicant to comply with the recommendations of the Architectural Resources Group historic resources report dated August 2005 when remodeling the Acacia House. - MM 2: Mandated that work near an archeological resource identified on the site be halted until the resource can be evaluated by a qualified archeologist. Recommendations made by the archeologist shall be followed by the project developer. <u>Discussion:</u> The 2010 MND found a potentially significant impact with respect to a significant change to an historic resource, specifically, the proposed remodeling of the 1907-era Acacia House on the site. A previous project applicant commissioned an report by a qualified architectural historian (Architectural Resources Group-ARG) to prepare a strategy for renovating the Acacia House in a manner that would be consistent with the Secretary of The Interior Standards of Rehabilitation. This report satisfied Mitigation Measure 1 of the 2010 MND. Work is currently proceeding to renovate the house, so that this topic remains less-than-significant. The project site is located adjacent to York Creek, which generally indicates that the site has a moderate to high potential for archeological, Native American or similar cultural resources to be found. The applicant has complied with Mitigation Measure 2 to ensure this impact would be less-than-significant. The applicant has complied or will be complying with all of the 2010 cultural resource mitigation measures. <u>Conclusion:</u> There would be no new or more severe significant impacts associated with the current project with respect to cultural resources than were analyzed in the 2010 MND and no new analysis is required. The current project developer is required to adhere to all previous mitigation measures.				
6. GEOLOGY AND SOILS. Would the project:				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Pub. 42)				✓
ii) Strong seismic ground shaking?				✓
iii) Seismic-related ground failure, including liquefaction?				✓
iv) Landslides?				✓
b. Result in substantial soil erosion or the loss of topsoil?				✓
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence,				✓

Environmental Issue Area	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No New Impact
liquefaction or collapse)?				
d. Be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code (1994), creating substantial risks to life or property?				✓
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				✓

Previous Mitigation Measure: The 2010 MND contained the following mitigation measure pertaining to geology and soils.

- MM 1: Recommendations included in the soils and geotechnical investigation submitted with the application shall be incorporated into all design and construction plans. The geotechnical engineer shall sign all improvement plans. assume inspection for work and certify to the City prior to acceptance that the work complies with recommendations.
- MM 2: Required approval of a grading and drainage plan by the St. Helena Public Works Department before issuance of a grading permit.
- MM 3: This mitigation measure required stormwater runoff to be directed to a subsurface or a properly surfaced in-street drainage system to avoid runoff of topsoil and soil erosion.
- MM 4: All construction shall meet Uniform Building Code regulations for seismic safety.
- MM 5: Required installation of permanent erosion control measures on all slopes. Temporary erosion control shall be installed until vegetation can be established on graded slopes.
- MM 6: Unless otherwise allowed by the City, grading shall be limited to the period of April 15 to October 15.

Discussion:

The 2010 MND found that impacts of the project related to seismic activity, landslides and effects of expansive soil were less-than-significant. There were potentially significant impacts with respect to the potential for substantial erosion or loss of topsoil from the site. This impact was reduced to a less-than-significant level with adherence to the mitigation measures listed above.

The current proposal has disturbed approximately the same amount of the site for buildings, parking, driveways, amenities and similar features as allowed in the approved plans. No new or more severe impacts are therefore anticipated with respect to soils or geotechnical impacts.

The applicant has complied or will be complying with all of mitigation measures imposed to reduce soil erosion to a less-than-significant level.

Conclusion:

There would be no new or more severe significant impacts associated with the current project with respect to geological and soil topics than were analyzed in the 2010 MND and no new analysis is required. The current project developer is required to adhere to all previous mitigation measures.

7. Hazards and Hazardous Materials

a. Create a significant hazard to the public or the environment through the routing, transport, use or disposal of hazardous materials?				✓
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				✓
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				✓
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				✓
e. For a project located within an airport land use plan, would the project result in a safety hazard for people residing or working in				✓

Environmental Issue Area	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No New Impact
the project area?				
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				✓
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✓
h. Expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?				✓
Previous Mitigation Measure: The 2010 MND contained the following mitigation measures related to hazards and hazardous materials. - MM 1: Required City approval of a plan for the storage of hazardous materials on the site, including but not limited to fuel, oil, paints, solvents, fertilizers, etc. The Plan shall include an identification of the types of materials to be stored on the site, their intended use during construction, a schedule for use on the site and the method of storage so as not to be susceptible to water infiltration. - MM 2: Required that, in the event of a hazardous spill, both the City Fire Department and the State Office of Emergency Services shall be contacted. Discussion: The 2010 MND found potentially significant impacts with the storage and use of potentially hazardous materials on the use as part of the construction process. With adherence to the above mitigation measures, this impact was reduced to a less-than-significant level. No impacts were identified with respect to handling hazardous materials near an existing or proposed school, location near a public or private airport or airstrip or the potential for exposure to wildfire. The current proposal includes the same type of land use as the approved project and would use approximate the same types and quantities of construction materials as was previously analyzed. The applicant has complied or will be complying with all mitigation measures imposed to reduce hazardous materials impacts to a less-than-significant level. Conclusion: There would be no new or more severe significant impacts associated with the current project with respect to hazards and hazardous materials than were analyzed in the 2010 MND and no new analysis is required. The current project developer is required to adhere to all previous hazardous materials mitigation measures.				
8. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements?				✓
b.) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted?				✓
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				✓
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				✓

Environmental Issue Area	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No New Impact
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?				✓
f) Otherwise substantially degrade water quality?				✓
g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				✓
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				✓
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				✓
j) Inundation by seiche, tsunami, or mudflow?				✓
Previous Mitigation Measure: The 2010 MND contained the following mitigation measure pertaining to hydrology and water quality. - MM 1: Required the project developer to submit a grading and drainage plan to be approved by the St. Helena Public Works Department. The Plan shall demonstrate that increased stormwater flows from the site will be reduced. - MM 2: The basement of the Palm Building shall be limited to non-residential uses such as laundry, storage, mechanical equipment. No storage is permitted outside of the basement of this building and essential equipment in the basement shall be flood proofed. - MM 3: A Notice of Intent (NOI) shall be filed with appropriate regulatory agencies. - MM 4: Required the developer to ensure that no construction material is conveyed into the local storm drain system. The developer shall pay for any cleanup, testing and City administrative costs resulting from deposition of construction materials in the storm drain system. - MM 5: All materials that could result in water pollution shall be stored and used in a manner that will not cause pollution. Discarded materials shall be properly disposed of in an approved site. - MM 6: Required that all construction activities be performed that minimizes any pollutants entering the storm drainage system or local groundwater. - MM 7: The developer shall comply with all requirements for discharging into a public storm drain system to ensure compliance with the Clean Water Act. A Stormwater Pollution Prevention Plan shall be prepared and implemented as approved by the City's Public Works Department. - MM 8: Mandated that all storm drain inlets be marked with a "No Dumping-Flows to River" permanent sign. - MM 9: Required that the project developer prepare and record a plan to ensure long-term private maintenance of structural stormwater pollution prevention removal devices. Appropriate easements shall be provided and recorded if necessary. - MM 10: Required preparation of a Stormwater Pollution Prevention Plan. - MM 11: Mandated that drainage facilities shall be designed to City standards. - MM 12: Required that demolition materials and solid waste to be properly managed to prevent accumulation of dust or material that could degrade water quality. The site shall be cleaned daily. - MM 13: Prohibited the collection of materials within public rights-of-way including Main Street. - MM 14: Required hydroseeding or application of non-toxic soil stabilizers on construction areas that remain inactive for a period of 10 days or more to reduce dust accumulation. Discussion: The 2010 MND identified potentially significant impacts with respect to violation of water quality standards, substantial alteration of drainage patterns, increases in the rate or amount of surface runoff as a result of constructing the Grandview hotel project. All of these impacts were reduced to a less-than-significant level by adherence to the mitigation measures identified above. Less-than-significant impacts were found with respect to depletion of groundwater resources, placement of housing within a 100-year flood hazard area or risk of seiche, tsunami or mudflows. The current project would include approximately the same amount of impervious surfaces as the approved project so that the rate and amount of stormwater runoff would be approximately the same as the approved project. The Palm Building was recently removed and is proposed to be rebuilt with a non-habitable basement area, as required by Mitigation Measure 2, above. The applicant has complied or will be complying with all other hydrology and water quality mitigation measures.				

Environmental Issue Area	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No New Impact
Conclusion: There would be no new or more severe significant impacts associated with the current project with respect to hydrology and water quality than were analyzed in the 2010 MND and no new analysis is required. The current project developer is required to adhere to all previous mitigation measures.				
9. LAND USE AND PLANNING. Would the project:				
a. Physically divide an established community?				✓
b. Conflict with any applicable land use plan, policy, or resolution of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				✓
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				✓
Previous Mitigation Measure: The 2010 MND contained the following mitigation measure pertaining to land use and planning. - MM 1: Required the owner/applicant to pay a housing fee of approximately \$40,000 (the exact amount to be calculated at the time of building permit issuance). t mitigate the housing impact of jobs to be generated by the hotel use.. - MM 2: The project owner/applicant shall make a \$750,000 contribution to the City's Housing Trust Fund prior to issuance of a building permit to mitigate the loss of 22 affordable studio apartments. The preference is that the contribution be earmarked for a non-for-profit housing developer to building affordable housing in the City. - MM 3: Required the owner/applicant to provide relocation assistance for any residence living in the facility prior to start of construction. Discussion: The 2010 MND found that construction and operation of the project would have no significant effects on land use, including physical division of a community, conflicts with an applicable land use plan or conflict with a habitat conservation plan. However, construction of the proposed lodging facility would result in potentially significant impacts with respect to the City's stock of housing affordable to lower income households. This impact was mitigated by requiring the project applicant to contribute to the City's Housing Trust Fund to assist in funding off-site affordable housing. The proposed project is very similar to the proposed project, although the number of dwellings would be increased from 57 to 70. The project site remains self-contained and no established communities would be divided. The applicant has not requested any changes to the St. Helena General Plan that would affect a land use plan or policy that provides environmental protection. No Habitat Conservation Plan would be affected with the project. The current project applicant is required to make a financial contribution to the City's Housing Trust Fund as mandated by the previous MND. Conclusion: There would be no new or more severe significant impacts associated with the current project with respect to land use than were analyzed in the 2010 MND and no new analysis is required. The project developer will be required to comply with previous mitigation measures contained in the 2010 MND.				
10. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?				✓
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				✓
Discussion: a. The St. Helena General Plan does not identify the presence of mineral resources on the project site. b. No locally important mineral resources are located on the site as identified in the General Plan.				

Environmental Issue Area	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No New Impact
Conclusion: There would be no new or more severe significant impacts associated with the current project with respect to land use than were analyzed in the 2010 MND and no new analysis is required.				
11. NOISE. Would the project result in:				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				✓
b. Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?				✓
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project				✓
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				✓
e. For a project located within an airport land use plan, would the project expose people residing or working in the project area to excessive noise levels?				✓
Previous Mitigation Measure: The 2010 MND contained the following mitigation measure dealing with noise impacts. - MM 1: Required the project developer to limit construction to the hours of between 7 am to 6 pm. Exceptions may be granted by the City's Public Works Director. - MM 2: Construction equipment is required to have state-of-the-art muffler systems that are properly maintained. - MM 3: Noisy construction stationary equipment shall be placed away from developed areas on and off the project site. - MM 4: Grading and construction equipment shall be shut down when not in use.				
Discussion: The 2010 MND noted that primary sources of noise on and near the project site included auto and truck traffic on nearby roads. Limited on-site noise was documented, primarily noise from recreational facilities. Future noise sources were anticipated to include additional on-site traffic and noise generated by on-site special events. These special events would include 12 special events per year with a maximum of 97 attendees at most events, but three special events would allow up to 125 attendees. Noise from special events were found not to be significant since noise increases would be consistent with normal noise within a typical urban area. The 2010 MND found that short-term construction noise would be potentially significant and the mitigation measures listed above were applied to reduce this impact to a less-than-significant level. The current project would include the same type of development as permitted in 2010, but with an additional 13 lodging units. The proposed small increase would not significantly increase as a result of adding proposed lodging units. The number of special events and attendance at these events would not change from the number currently approved. The applicant has complied or will be complying with adopted noise mitigation measures.				
Conclusion: There would be no new or more severe significant impacts associated with the current project with respect to noise than were analyzed in the 2010 MND and no new analysis is required. The current project developer is required to adhere to all previous noise mitigation measures.				
12. POPULATION AND HOUSING. Would the project:				
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads and other infrastructure)?				✓
b. Displacing substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				✓

Environmental Issue Area	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No New Impact
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				✓
<u>Discussion:</u> a. The project does not include a housing component that would include a population increase in the community. No impacts would result with respect to this impact. b. The project site is occupied by an historic house which is being renovated. Construction of lodging on the site is underway consistent with approved plans. No housing would be displaced by the proposed project. c. Refer to (b) above. <u>Conclusion:</u> There would be no new or more severe significant impacts associated with the current project with respect to population and housing than was analyzed in the 2010 MND and no new analysis is required.				
13. PUBLIC SERVICES. Would the project:				
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services including:				
i) Fire Protection?				✓
ii) Police Protection?				✓
iii) Schools?				✓
iv) Parks?				✓
v) Other Public Facilities?				✓
<u>Discussion:</u> The 2010 MND documented that adequate fire and police protection was available to serve the proposed project as well as other City services. All buildings would be equipped with fire sprinklers and fitted with smoke detectors, fire extinguishers and exit signs. The applicant will be required to pay impact fees, including school impact fees. Impacts to public services were found to be less-than-significant and no mitigation measures were required. The current project would include the same type of development as permitted in 2010, but with an additional 13 lodging units. The proposed small increase would not significantly increase demand for public services as a result of adding proposed lodging units. Costs to provide additional services associated with the increase in lodging units would be off-set by payment of additional impact fees and long-term tax revenues to the City of St. Helena. <u>Conclusion:</u> There would be no new or more severe significant impacts associated with the current project with respect to public services than were analyzed in the 2010 MND and no new analysis is required.				
14. RECREATION. Would the project:				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that a substantial physical deterioration of the facility would occur or be accelerated?				✓
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				✓
<u>Discussion:</u> The 2010 MND concluded that the proposed project would not adversely impact recreational facilities that serve the local population and would not require construction of new or expanded local recreational facilities. The project was noted as having the potential to provide limited special events for the community.				

Environmental Issue Area	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No New Impact
The current project would include the same type of development as permitted in 2010, but with an additional 13 lodging units. The proposed small increase would not increase demand for parks and recreational facilities, the same as noted in 2010. <u>Conclusion:</u> There would be no new or more severe significant impacts associated with the current project with respect to recreation than were analyzed in the 2010 MND and no new analysis is required.				
15. TRANSPORTATION/TRAFFIC. Would the project:				
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?				✓
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				✓
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?				✓
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersection) or incompatible uses (e.g., farm equipment)?				✓
e. Result in inadequate emergency access?				✓
f. Conflict with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				✓
<u>Previous Mitigation Measures:</u> The 2010 MND contained the following mitigation measure dealing with transportation and traffic impacts. - MM 1: Required that all required public frontage and street improvements be designed and built in accordance with approval from the California Department of Transportation in cooperation with the St. Helena Public Works Department. - MM 2: Required the project developer to enter into a deferred improvement agreement with the City to participate in a future for the design and installation of a traffic signal at Pratt Avenue and Main Street, should this improvement be needed in the future. - MM 3: Required the project developer to implement the recommendations of the 2005 project traffic report prepared by Crane Transportation Group dated November 2003 and Addendum (2005) prior to receipt of a final permit. - MM 4: Required the project applicant to provide a minimum of 57 on-site parking spaces based on a minimum of 1 space per room. - MM 5: Required the project applicant to prepare and implement a Traffic Control Plan to deal with on-site construction and truck traffic. This Plan shall be approved prior to issuance of a building or grading permit. <u>Discussion:</u> In terms of transportation and traffic, the 2010 document found that operation of the lodging facility would generate approximately 31 peak hour trips on a typical Friday afternoon peak hours and approximately 35 peak hour trips would be generated on weekends. No significant impacts were found in terms of added congestion at the nearby Madrona Avenue and Main Street. The MND stated that the Level of Service was expected to be at least a level "B" with or without the proposed project. The project included a left-hand turn lane for motorists traveling north-bound into the site which would provide a more efficient movement of vehicles and limit vehicle queuing on Main Street. The project applicant also proposed to consolidate two existing site driveways into a single drive to align with the intersection of main Street and Pratt Avenue. This measure would provide for an orderly intersection and would improve sight-line conditions for motorists exiting the site. Construction traffic associated with the project was deemed to be potentially significant, and the 2010 MND contained a mitigation measure that required the project applicant to prepare and implement a Traffic Control Plan to accommodate construction vehicles in a manner that would cause the least disruption to local traffic patterns. The current project would include the same type of development as permitted in 2010, but with an additional 13 lodging units.				

Environmental Issue Area	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No New Impact
Based on an industry standard trip rate of 0.49 PM peak hour trips from a hotel room (Institute of Traffic Engineers <i>Trip Generation</i>, 9th edition). The current project would generate an estimate 6 new PM peak hour trips from the approved (current) project. The 2012 Hunter project DEIR notes that the operation of the Fulton Lane/Main Street intersection is anticipated to operate at LOS B into the year 2030. Therefore, the addition of 13 rooms to the current project would not result in a significant impact to short-term or cumulative traffic conditions. The applicant has complied or will be complying with all existing traffic and transportation mitigation measures to ensure that construction impacts and impacts associate with traffic safety would continue to be less-than-significant. <u>Conclusion:</u> There would be no new or more severe significant impacts associated with the current project with respect to traffic and transportation than were analyzed in the 2010 MND and no new analysis is required. The current project developer is required to adhere to all previous transportation mitigation measures.				
16. Utilities and Service Systems. Would the project:				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				✓
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				✓
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				✓
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				✓
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				✓
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				✓
g. Impact with Federal, State, and local statutes and regulations related to solid waste?				✓
<u>Previous Mitigation Measures:</u> The 2010 MND contained the following mitigation measures with respect to Utilities and Service Systems - MM 1: Required that the project developer to ascertain the location of all underground utilities and design underground utilities to avoid disruption these systems. - MM 2: Required that water and energy conservation measures be incorporated into the design of the project in accordance with applicable codes and ordinances. - MM 3: Required that the project be connected to the City's potable water and sanitary sewer systems. The existing on-site well shall be protected from contamination and include installation of a City-approved backflow device - MM 4: Required the project be designed and built in accordance with City standards dealing with conveyance of stormwater. - MM 6: Required the project developer to use a franchised solid waste hauler during project demolition and construction to remove all solid waste. If solid waste is self-hauled, an appropriate landfill must be used. - MM 7: Source separation shall be implemented for wood waste material for recycling. - MM 8: Required the project developer to submit and have approved a source reduction plan that meets City requirements. - MM 9: A recycling and solid waste enclosure shall be provided in accordance with City standards. - MM 10: The project applicant is required to pay all water and sewer impact fees associated with increase in water use or the generation of wastewater. - MM 11: The applicant shall install a new 6-inch diameter force main with a 10-inch containment pipe from the Crinella pump station to the existing sewer system at the intersection of Railroad Avenue and Fulton Lane.				

Environmental Issue Area	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No New Impact
Discussion: The 2010 MND found that, generally, construction and operation of the hotel project would result in less-than-significant impacts with respect to utilities and service systems. A potentially significant impact was identified with respect to use of potable. The project applicant proposed to use an on-site water well for irrigation of exterior landscape; however, City potable water would be used for interior water demand. The City approved a Water Agreement with the City in 2008 that allows the City of St. Helena to provide up to 2,082,432 gallons of water per year to the approved project. The current applicant will be required to implement on-site water savings as part of the project to ensure that the terms of the Water Agreement are met. A revision to the existing Water Agreement may be requested. The applicant has complied or will be complying with all existing utility mitigation measures to ensure that construction impacts and these impacts will remain less-than-significant. Conclusion: There would be no new or more severe significant impacts associated with the current project with respect to utilities and service systems than were analyzed in the 2010 MND and no new analysis is required. The current project developer is required to adhere to all previous mitigation measures.				
XVII. Mandatory Findings of Significance.				
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	No			
b. Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	No			
c. Does the project have impacts which are individually limited, but cumulatively considerable? (<i>"Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in conjunction with the effects of past projects, the effects of other current projects and the effects of probable future projects.</i>)	No			
d. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	No			



**THEORETICAL
WATER USE REPORT**

FOR

LAS ALCOBAS

LOCATED AT

1915 MAIN STREET
ST. HELENA, CA 94574

COUNTY: NAPA

INITIAL SUBMITTAL: AUGUST 4, 2014

PREPARED FOR REVIEW BY:
CITY OF ST. HELENA DEPARTMENT OF PUBLIC WORKS
1480 MAIN STREET
ST. HELENA, CA 94574



TABLE OF CONTENTS

TABLE OF CONTENTS	I
I. BACKGROUND & INTRODUCTION	- 1 -
II. WATER-USE ANALYSIS	- 2 -
III. CONCLUSION	- 4 -



I. BACKGROUND & INTRODUCTION

Las Alcobas proposes to increase the number of hotel guest rooms located at 1915 Main Street in St. Helena. The City of Saint Helena (City) passed an ordinance that requires all projects to be water neutral. This means the post-construction water use of the property must be less than or equal to the pre-construction water use.

The property's current use consists of a spa building, a swimming pool, a conference building, and 57 guest rooms spread throughout five buildings across the property.

Las Alcobas proposes to add 13 hotel guest rooms of similar size to the property for a total of 70 hotel guest rooms. One hotel guest room will be added in the Acacia House, six hotel guest rooms will be added in Palm 1, and six hotel guest rooms will be added in Palm 2 (See **Appendix A** for the site plan).

This report specifically addresses the existing and proposed internal water demand for the hotel guest rooms. With respect to external water demand, the property utilizes an on-site well for all landscape irrigation as described and agreed upon in the City of St. Helena Resolution No. 2010-91. Therefore, City water is not utilized in either the existing or proposed conditions of the project. In addition, water usage in the spa building, swimming pool, and conference building will not be affected by the proposed increase in hotel rooms.



II. WATER-USE ANALYSIS

A. Baseline Water Use

Grandview Hotel, now called Las Alcobas, entered into a Water Use Agreement with the City of St. Helena, Resolution No. 2010-91 on September 14, 2010. The Water Use Agreement provided Las Alcobas with an allotted water use of 3,705 gallons per day or 1,352,325 gallons per year. See the table below for a summary of the allotted water use.

LAS ALCOBAS ALLOTTED WATER USE			
	Gallons		Acre Feet
	Daily	Annual	Annual
Las Alcobas	3,705	1,352,325	4.15
Total	3,705	1,352,325	4.15

In response to a letter from the City of St. Helena dated November 29, 2011, Chaudhary & Associates prepared a Municipal Water Usage Study dated December 16, 2011. The purpose of this study was to estimate the domestic water usage and compare it with the maximum allowable project water usage of 3,705 gallons per day or approximately 1,352,325 gallons per year.

Based on an average 65% occupancy rate, the report found the total estimated water usage to be in less than the maximum allowable water usage with 3,671 gallons per day or 1,339,915 gallons per year.

Within the total estimated water usage of 3,671 gallons per day, the report identified the estimated water usage for the proposed 57 hotel guest rooms to be 1,619 gallons per day. See the table below for a summary of the hotel guest room's water usage.

LAS ALCOBAS EXISTING HOTEL GUEST ROOMS WATER USAGE							
	Number of Rooms	Average Flow	Duration	Daily Use	Total Daily Water Use	Total Annual Water Use	Total Annual Water Use
Toilet	57	1.6 gal		7	638 gal	233,016 gal	0.72 af
Lavatory & Sink	57	2.5 gpm	1 min		143 gal	52,013 gal	0.16 af
Showers	57	2.5 gpm	12 min		1,710 gal	624,150 gal	1.92 af
Total					2,491 gal	909,179 gal	2.79 af
65% Occupancy					1,619 gal	590,966 gal	1.81 af

Per review of the above table, it is noted that Chaudhary & Associates did not utilize low-flow fixtures in their water usage estimation when determining the estimated average water use of 1,619 gallons per day.



B. Proposed Water Demand with Water Reduction Measures

Las Alcobas proposes to increase the number of hotel rooms on the property from 57 guest rooms to 70 guest rooms, an addition of 13 hotel rooms. To mitigate the increased water use from the additional 13 hotel guest rooms, Las Alcobas proposes to utilize low flow fixtures for all 70 hotel guest rooms, retrofitting all existing and proposed guest rooms.

The water fixtures in each hotel guest room consist of a toilet, a lavatory sink, and a shower head. The proposed water fixtures to be installed are as follows:

- Low Flow Toilet: 1.28 gallons per flush
- Low Flow Lavatory Sink: 0.5 gallons per minute
- Low Flow Shower Head: 1.5 gallons per minute

See **Appendix B** for more information on the low-flow water efficient fixtures proposed.

This report estimates that 2-person will occupy 70 guest rooms for a total of 140 guests and have an average 65% occupancy rate. Utilizing water efficient fixtures and technology in the proposed hotel guest room, the daily and annual water demands after construction is completed is able to be estimated as follows:

LAS ALCOBAS PROPOSED HOTEL GUEST ROOM'S WATER USAGE								
	Number of Rooms	Average Flow	Duration	Daily Use	Occupants	Total Daily Water Use	Total Annual Water Use	Total Annual Water Use
Low Flow Toilet	70	1.28 gal		3	140	538 gal	196,224 gal	0.60 af
Low Flow Lavatory Sink	70	0.5 gpm	0.25 min	3	140	53 gal	19,163 gal	0.06 af
Low Flow Shower Head	70	1.5 gpm	8 min	1	140	1,680 gal	613,200 gal	1.88 af
Total						2,270 gal	828,587 gal	2.54 af
65% Occupancy						1,476 gal	538,581 gal	1.65 af

Utilizing the proposed low flow fixtures in all 70 hotel guest rooms, the hotel guest rooms proposed water use is estimated at 1,476 gallons per day, or 538,581 gallons per year.

LAS ALCOBAS WATER SAVINGS			
	Gallons		Acre Feet
	Daily	Annual	Annual
Existing Water Use	1,619	590,966	1.81
Proposed Water use	1,476	538,581	1.65
Water Savings	144	52,385	0.16

Based on this report, by installing low-flow water-saving devices in all 70 guest rooms, the estimated reduction in water usage is 144 gallons per day or 52,385 gallons per year. See the table above for a water use comparison between the existing and proposed hotel guest rooms.



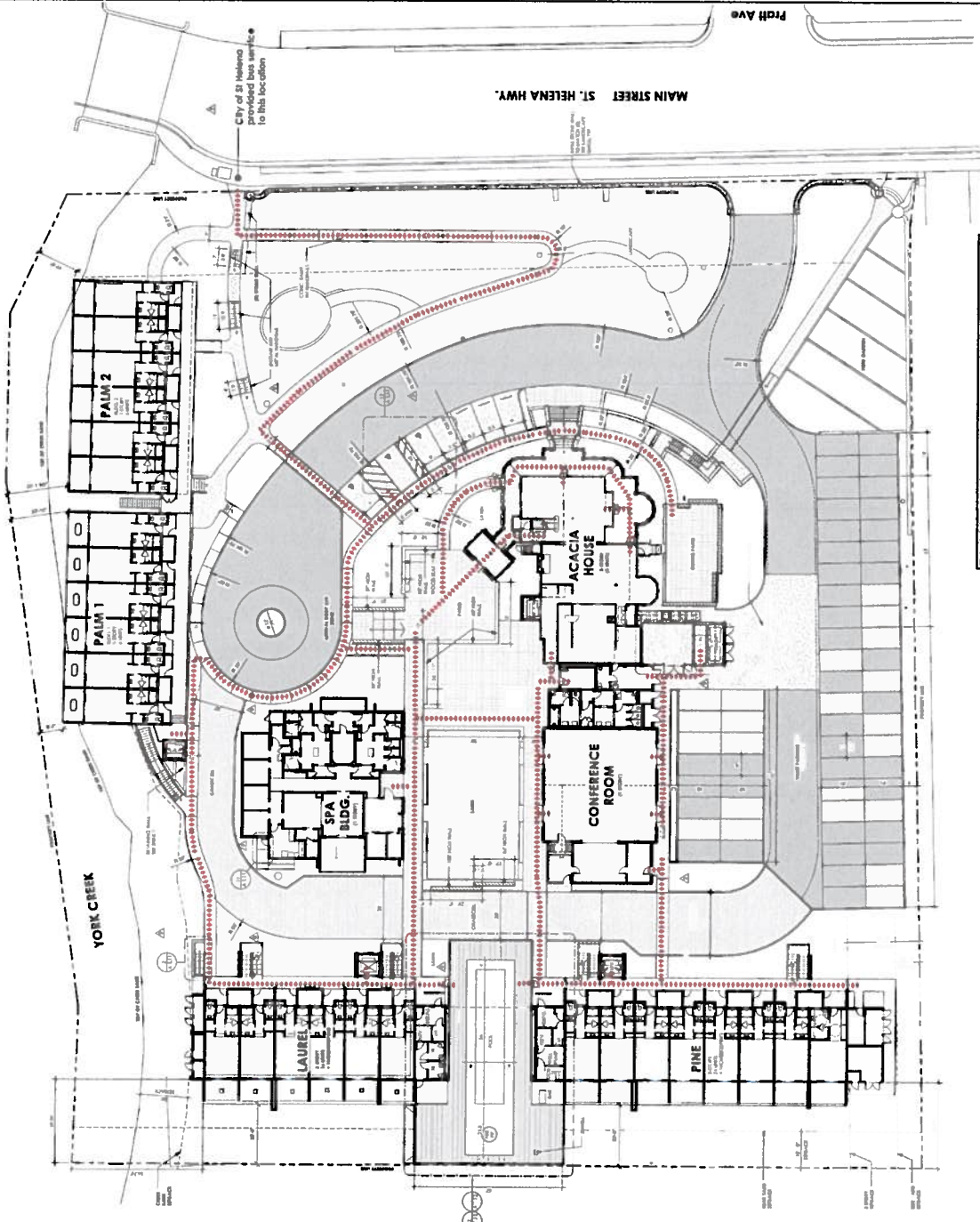
III. CONCLUSION

With the utilization of low-flow water fixtures in all 70 guest rooms, the addition of 13 hotel guest rooms to the property is not expected to increase the property's water. The estimated proposed water use of 1,476 gallons per day is less than the estimated existing water use of 1,619 gallons per day, saving approximately 144 gallons of water per day within the City's Municipal Water System. The post-construction water use will be less than the pre-construction water use and the project complies with the City of St. Helena's water neutral requirement.



APPENDIX A

Las Alcobas Site Plan



PLANS HAVE BEEN REDUCED FROM
ORIGINAL SIZE AND IS NOT TO SCALE.



APPENDIX B

Water Efficient Product Information

Model
WETS 9000-1.28
Two Piece Floor Mounted Elongated Toilet Tank System

DESCRIPTION

Complete two piece vitreous china, elongated, floor mounted toilet tank system.

Flush Cycle

□ Model WETS-9000.9010-1.28 gpf/4.8 Lpf (Left Handle)

- ST-9000-A 1.28 Bowl
- ST-9010-A 1.28 Left Handle Tank

□ Model WETS-9000.9110-1.28 gpf/4.8 Lpf (Right Handle)

- ST-9000-A 1.28 Bowl
- ST-9110-A 1.28 Right Handle Tank



Left Handle Model Shown

SPECIFICATIONS

Quiet, two piece toilet tank system with vitreous china floor mounted elongated water closet and compact tank for left handle or right handle with the following features:

Two Piece Toilet System

- Contemporary design
- Siphon jet flushing action
- Depending on model selected, available with a right or left handle
- Quiet powerful gravity flush
- Elongated bowl
- 12" rough-in
- 3" valve opening for better flush performance
- Vitreous china
- Integral trap
- Color matched floor caps
- 2 1/4" fully glazed trapway
- Water pressure range: 25 to 80 PSI
- Tank and bowl must be ordered as two (2) separate items
- Water spot area 7 1/8" x 6 1/4"
- Easy handle actuation
- Water supply not included
- Toilet seat not included
- Compatible with toilet seat models: Olsonite 10CT, Bemis 1955CT & Church Commercial 295CT
- Toilet tank system is in compliance to the applicable sections of ASME A112.19.2/CSA B45.0/CSA B45.1

FEATURES

Performance

Sloan's toilet tank system incorporates a high performance flapper flush valve to ensure an efficient and optimum flushing performance. 3" valve opening offers better waste removal and powerfully clears the bowl.

Colors and Accessories

Available in the color White with polished chrome left or right trip handle. For additional information refer to our price book.

Functional

The tank valve provides a 1.28 gpf low consumption flush. Durable construction provides non-corrosive dependability. Anti-siphon ballcock allows reliable operation at high or low water pressures. Adjustment screw allows water level adjustment for individual preference.

Economical

High Efficiency Toilet tank system provides additional savings in water usage. Reduces maintenance and operation costs. Designed for commercial use and also ideal for residential.

Warranty

3 year (limited)

Product Specification

Elongated toilet tank system shall be made of vitreous china. Toilet tank system shall be installed at required height of 29" from floor to top of tank fixture. Toilet tank system shall be floor mounted. Toilet tank system shall include floor mount bolts and caps. Toilet tank system shall be a high efficiency 1.28 gpf. Toilet tank system shall be Sloan model WETS-9000.9010-1.28 (left handle) or Sloan model WETS-9000.9110-1.28 (right handle).



Listed by I.A.P.M.O.

This space for Architect/Engineer approval

Job Name	Date
Model Specified	Quantity
Variations Specified	
Customer/Wholesaler	
Contractor	
Architect	

The information contained in this document is subject to change without notice.

SLOAN.

Sloan Valve Company
10500 Seymour Avenue
Franklin Park, IL 60131
Phone: 1-800-9-VALVE-9 (982-5839)
or 1-847-671-4300
Fax: 1-800-447-8329
or 1-847-671-4380
www.sloanvalve.com

Copyright © 2010 Sloan Valve Company
Rev. 0b (07/10)

DESCRIPTION

Complete two piece vitreous china, elongated, floor mounted toilet tank system.

Flush Cycle

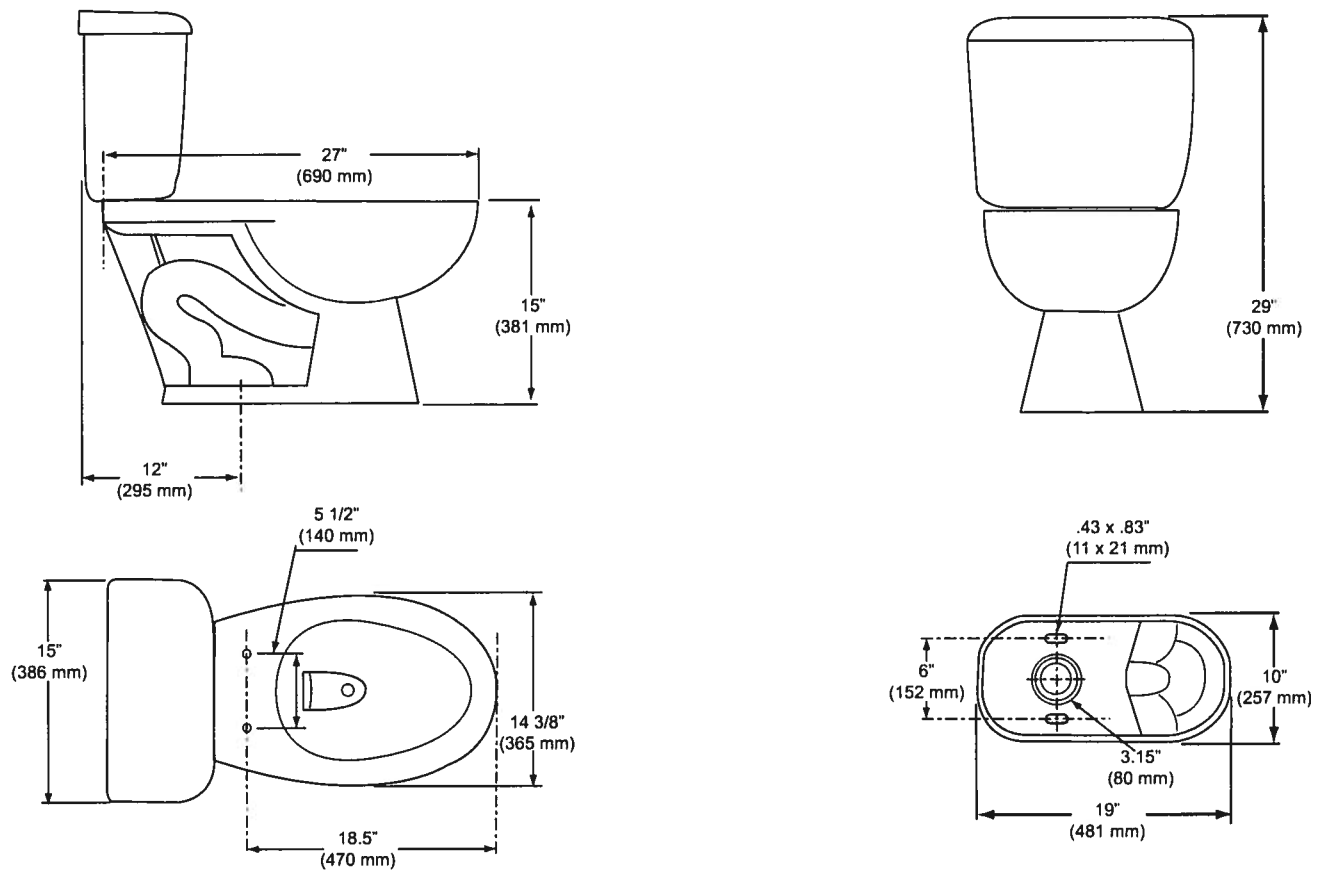
□ Model WETS-9000.9010-1.28 gpf/4.8 Lpf (Left Handle)

- ST-9000-A 1.28 Bowl
- ST-9010-A 1.28 Left Handle Tank

□ Model WETS-9000.9110-1.28 gpf/4.8 Lpf (Right Handle)

- ST-9000-A 1.28 Bowl
- ST-9110-A 1.28 Right Handle Tank

DIMENSIONS/ROUGH-IN

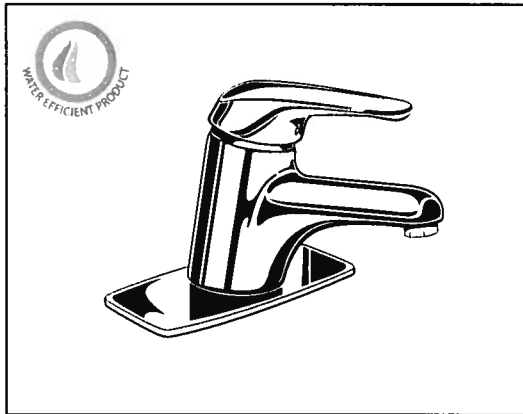


SLOAN VALVE COMPANY • 10500 SEYMOUR AVENUE • FRANKLIN PARK, IL 60131

Phone: 1-800-9-VALVE-9 or 1-847-671-4300 • Fax: 1-800-447-8329 or 1-847-671-4380 • www.sloanvalve.com

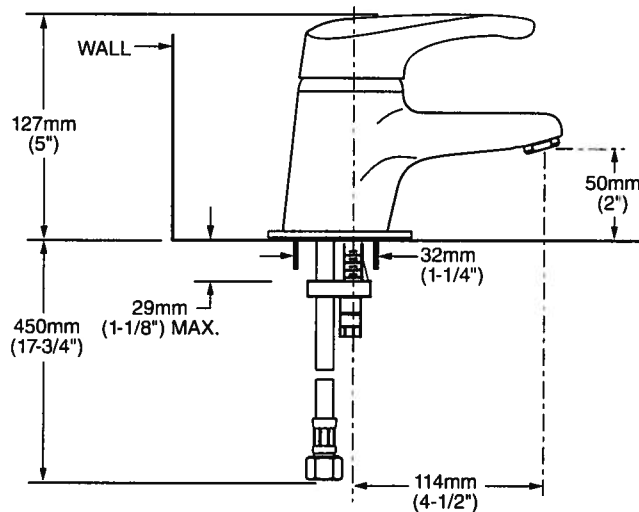


SEVA™ 0.5 GPM SINGLE CONTROL LAVATORY FAUCET



MODEL NUMBER:

- 1480.150 Seva Single Control Centerset
Less pop-up drain. Less pop-up hole. Escutcheon plate.
0.5 gpm Pressure Compensating Vandal Resistant Spray.



GENERAL DESCRIPTION:

Cast brass body and brass escutcheon with all metal handle. Washerless 47mm ceramic disc valve cartridge with integral hot limit safety stop. Braided flexible supply hoses with 3/8" compression connectors. Pressure compensating vandal resistant spray with 0.5 gpm/1.9L/min. maximum flow rate.

PRODUCT FEATURES:

Pressure Compensating Spray: Provides a constant water flow of 0.5 gpm through the pressure range.

Brass Construction: Durable. Easy to clean. Ideal for prolonged contact with water.

Ceramic Disc Valve Cartridge: Assures a lifetime of drip-free performance.

Adjustable Hot Limit Safety Stop: Limits the amount of hot water allowed to mix with cold. Reduces the risk of accidental scalding.

Lead Free: Faucet contains $\leq 0.25\%$ total lead content by weighted average.

Choice of Finishes: Choice of Polished Chrome or Satin Nickel (PVD).

SUGGESTED SPECIFICATION:

Single control lavatory fitting shall feature a cast brass body and escutcheon with all metal handle. Shall feature vandal resistant spray with 0.5gpm/1.9L/min. max flow rate. Shall also feature washerless ceramic disc valve cartridge with integral hot limit safety stop. Shall feature water conserving vandal resistant 0.5 gpm/1.9L/min. pressure compensating spray. Fitting shall be American Standard Model # 1480.150._____.

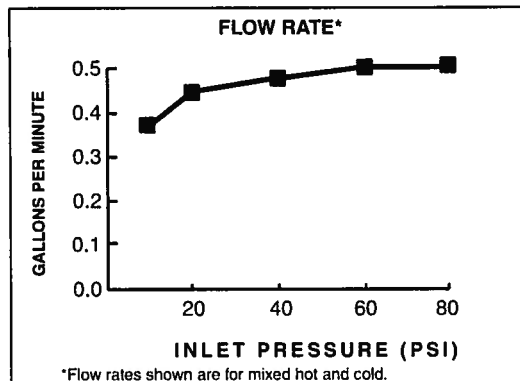


SEVA™ 0.5 GPM SINGLE CONTROL LAVATORY FAUCET

CODES AND STANDARDS

These products meet or exceed the following codes and standards:

ANSI A117.1
ASME A112.18.1
NSF 61/Section 9 and Annex G

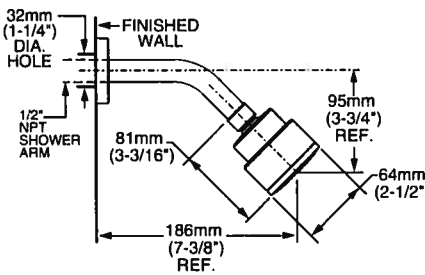
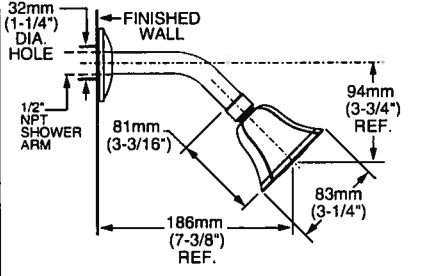
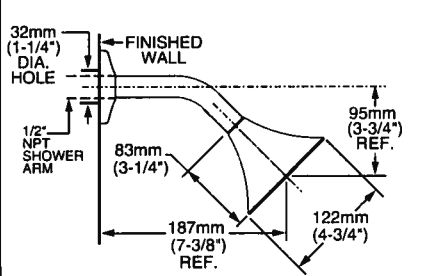
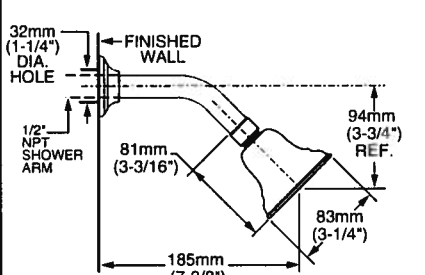
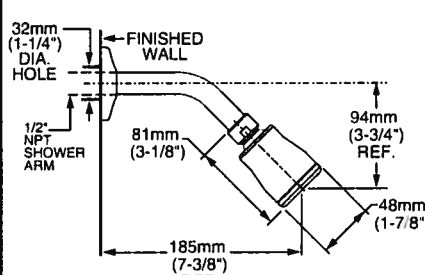


Product Number	Description	Finish Options	
		Polished Chrome	PVD Satin Nickel
		002	295
1480.150	Seva Single Control Centerset. Less pop-up drain. Less pop-up hole. Pressure compensating vandal resistant 0.5 gpm spray.		

N/A = NOT AVAILABLE



Meets the American Disabilities Act Guidelines and **ANSI A117.1** Requirements for the physically challenged.

Model #	Description	Finishes	Roughing-In Dimensions
1660.631 	MODERN FloWise® WATER SAVING SHOWERHEAD - Up to 40% water savings - Turbine Spray at Max. 1.5 gpm/5.7L/min. - Angle adjustable	.002 Polished Chrome .075 Stainless Steel (PVD) .295 Satin Nickel (PVD)	
1660.611 	MODERN FloWise® WATER SAVING SHOWERHEAD - Showerhead only - Max. 1.5 gpm/5.7L/min.		
1660.831 	SQUARE FloWise® WATER SAVING SHOWERHEAD - Up to 40% water savings - Turbine Spray at Max. 1.5 gpm/5.7L/min. - Angle adjustable	.002 Polished Chrome .068 Blackened Bronze (PVD) .295 Satin Nickel (PVD)	
1660.811 	SQUARE FloWise® WATER SAVING SHOWERHEAD - Showerhead only - Max. 1.5 gpm/5.7L/min.		
1660.732 	TRANSITIONAL FloWise® WATER SAVING SHOWERHEAD - Up to 40% water savings - Turbine Spray at Max. 1.5 gpm/5.7L/min. - Angle adjustable	.002 Polished Chrome .099 Polished Brass (PVD) .075 Stainless Steel (PVD) .295 Satin Nickel (PVD)	
1660.715 	TRANSITIONAL FloWise® WATER SAVING SHOWERHEAD - Showerhead only - Max. 1.5 gpm/5.7L/min.		
1660.131 	TRADITIONAL FloWise® WATER SAVING SHOWERHEAD - Up to 40% water savings - Turbine Spray at Max. 1.5 gpm/5.7L/min. - Angle adjustable	.002 Polished Chrome .068 Blackened Bronze (PVD) .295 Satin Nickel (PVD)	
1660.111 	TRADITIONAL FloWise® WATER SAVING SHOWERHEAD - Showerhead only - Max. 1.5 gpm/5.7L/min.		
1660.731 	FloWise® WATER SAVING SHOWERHEAD - Up to 40% water savings - Turbine Spray at Max. 1.5 gpm/5.7L/min. - Angle adjustable	.002 Polished Chrome .068 Blackened Bronze (PVD) .075 Stainless Steel (PVD) .099 Polished Brass (PVD) .295 Satin Nickel (PVD)	
1660.710 	FloWise® WATER SAVING SHOWERHEAD - Showerhead only - Max. 1.5 gpm/5.7L/min.		

ADR Growth Rate After Year 10

Year	1	2	3	4	5	6	7	8	9	10
Rooms	70	70	70	70	70	70	70	70	70	70
Occ %	69%	77%	79%	79%	79%	79%	79%	79%	79%	79%
ADR	603.20	627.33	652.42	678.52	705.66	733.89	763.24	793.77	825.52	858.54
Days Opened	365	365	365	365	365	365	365	365	365	365
Rooms Occupied	17,630	19,674	20,185	20,185	20,185	20,185	20,185	20,185	20,185	20,185
Total Room Rev	10,634,114	12,341,777	13,168,771	13,695,587	14,243,394	14,813,203	15,405,618	16,021,851	16,662,708	17,329,201
TOT/annum	1,276,094	1,481,013	1,580,253	1,643,470	1,709,207	1,777,584	1,848,674	1,922,622	1,999,525	2,079,504
TOTAL TOT	17,317,947									
Rooms	57	57	57	57	57	57	57	57	57	57
Occ %	69%	77%	79%	79%	79%	79%	79%	79%	79%	79%
ADR	603.20	627.33	652.42	678.52	705.66	733.89	763.24	793.77	825.52	858.54
Days Opened	365	365	365	365	365	365	365	365	365	365
Rooms Occupied	14,355	16,020	16,436	16,436	16,436	16,436	16,436	16,436	16,436	16,436
Total Room Rev	8,659,207	10,049,733	10,723,142	11,152,121	11,598,192	12,062,179	12,544,574	13,046,364	13,568,205	14,110,921
TOT/annum	1,039,105	1,205,968	1,286,777	1,338,254	1,391,783	1,447,462	1,505,349	1,565,564	1,628,185	1,693,310
TOTAL TOT	14,101,757									

DIFF 3,216,190



HRGA

LAS ALCOBAS

A1



HRGA
 THE CORP. & ASSOCIATES
 presidio companies

HRGA

LAS ALCOBAS

A2

2277 Via de la Amistad, Suite 200, San Antonio, Texas 78224
 Tel: 210-491-1111 Fax: 210-491-1112

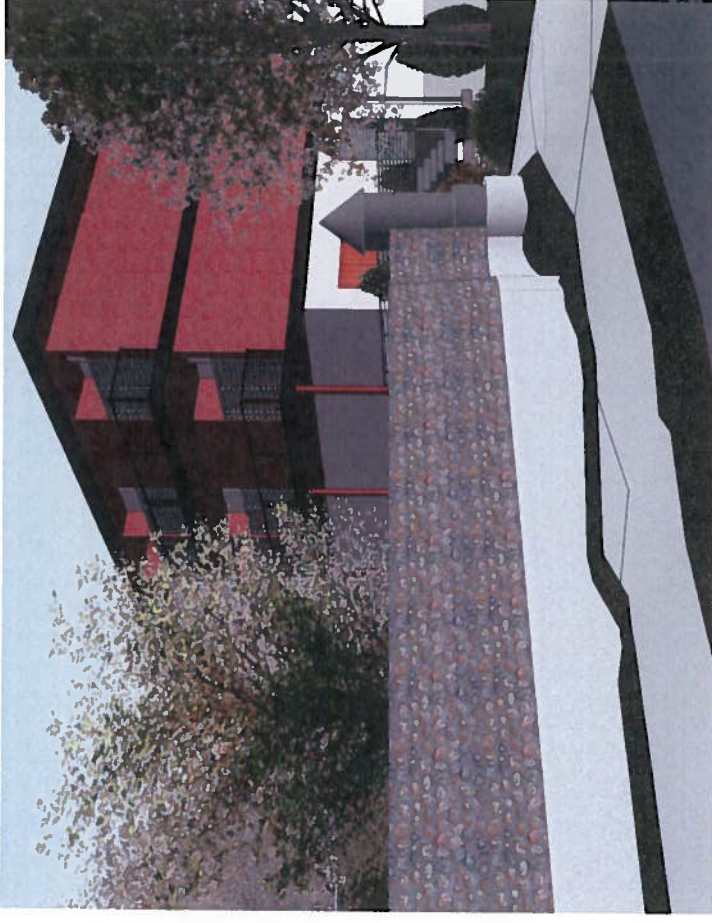
08/2018

LAS ALCOBAS

1915 Main Street, St. Helena , California



EXISTING



PROPOSED

PROPOSED PALM BLDGS. 3RD FLR. ROOM ADDITION

DESIGN REVIEW SUBMITTAL
2/17/2015

Design / Build Team

DEVELOPER

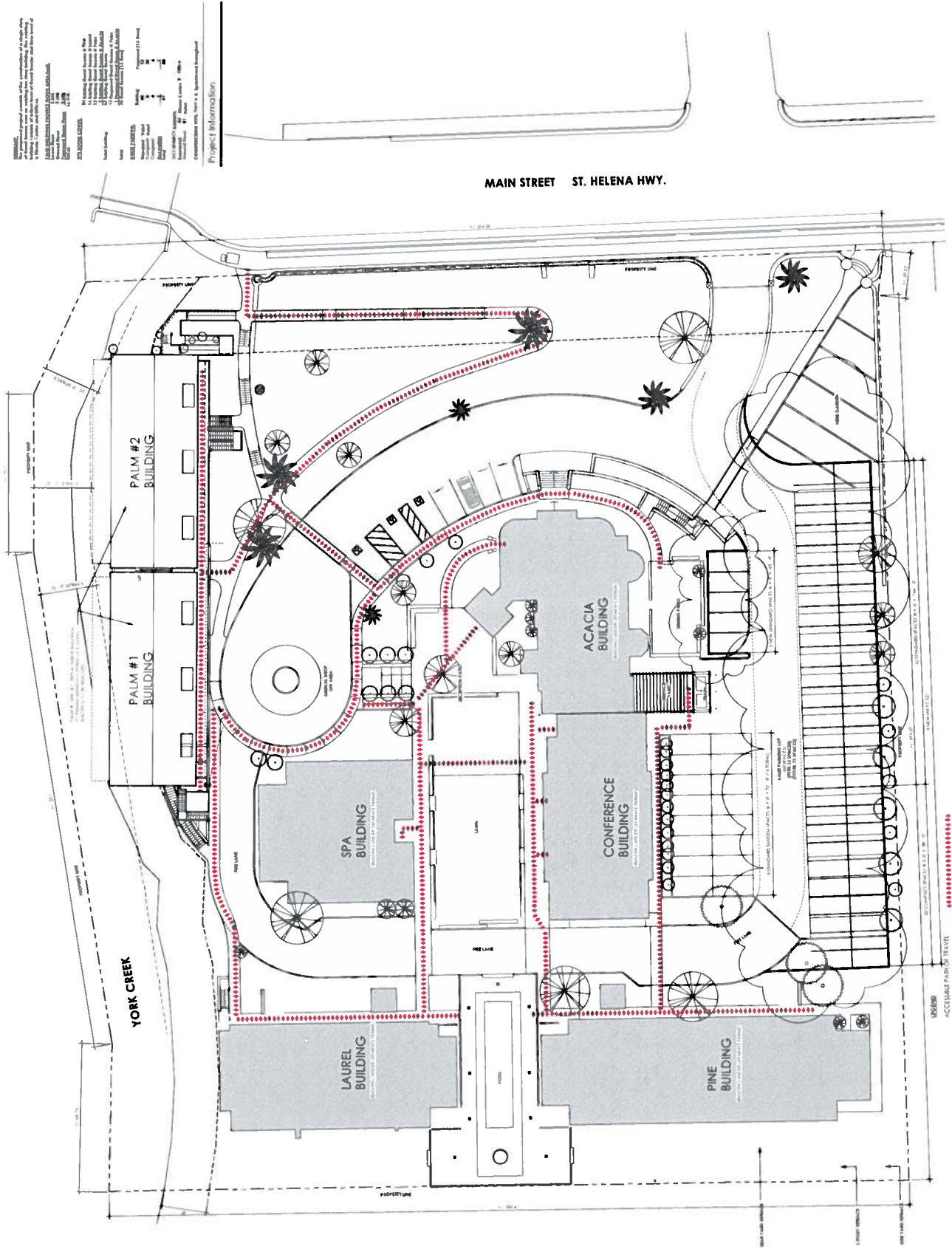
PRESIDIO COMPANIES
4705 Mangels Boulevard
Fairfield, California 94534
(707) 429-6000

CONTRACTOR

TRICORP HEARN CONSTRUCTION
11281 Pyrites Way, Suite A
Gold River, California 95670
(916) 779-8010

ARCHITECT

THE HR GROUP ARCHITECTS
2277 Fair Oaks Blvd., Studio 230
Sacramento, California 95825
(916) 993-4800

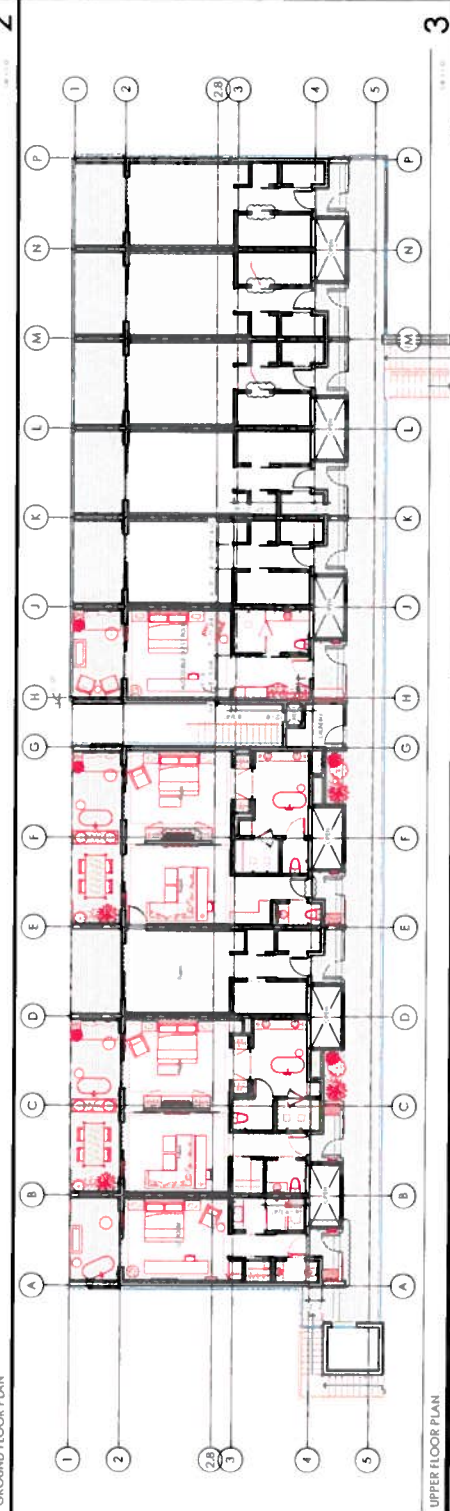
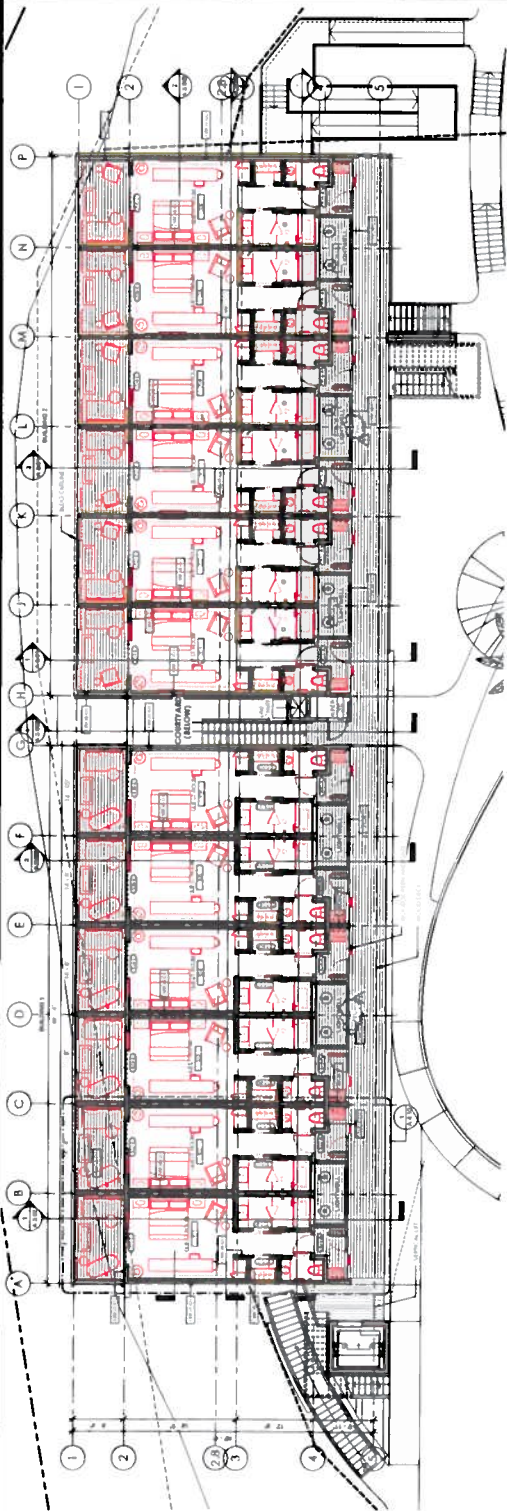
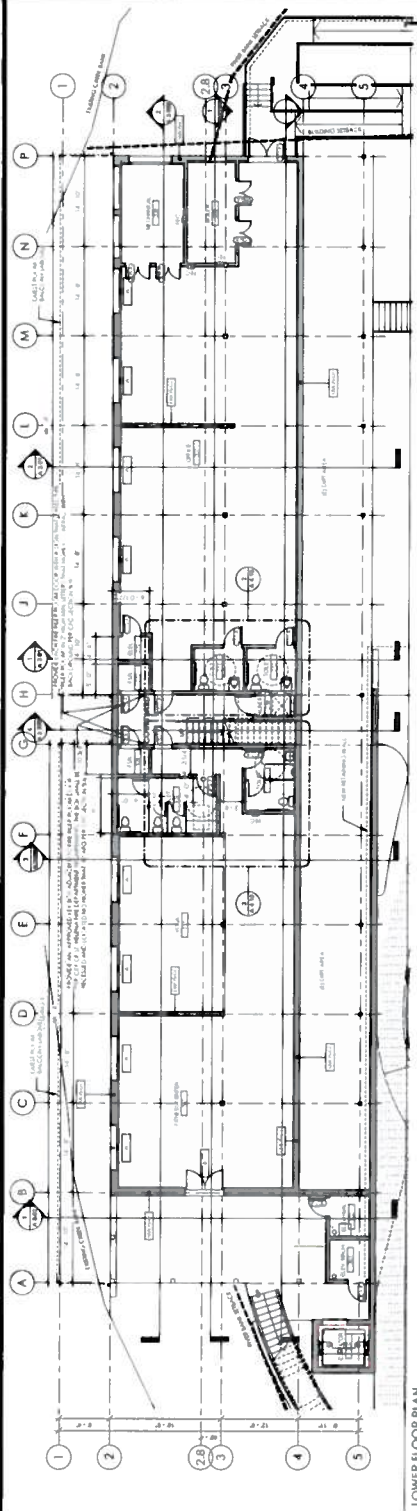


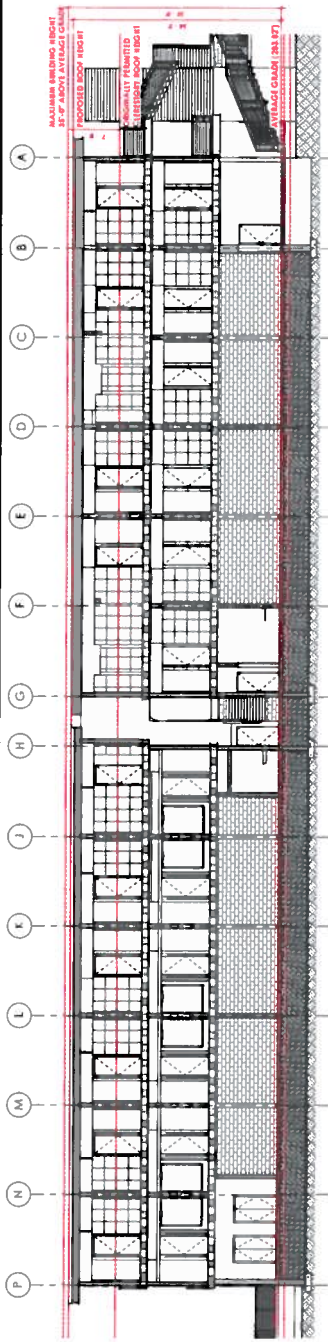
WALL TYPE LEGEND

1. UNFINISHED CONCRETE WALL (18" THICK) - SEE SECTION 101 FOR FINISHES
2. FINISHED CONCRETE WALL (18" THICK) - SEE SECTION 101 FOR FINISHES
3. FINISHED CONCRETE WALL (12" THICK) - SEE SECTION 101 FOR FINISHES
4. FINISHED CONCRETE WALL (8" THICK) - SEE SECTION 101 FOR FINISHES
5. FINISHED CONCRETE WALL (6" THICK) - SEE SECTION 101 FOR FINISHES
6. FINISHED CONCRETE WALL (4" THICK) - SEE SECTION 101 FOR FINISHES
7. FINISHED CONCRETE WALL (2" THICK) - SEE SECTION 101 FOR FINISHES
8. FINISHED CONCRETE WALL (1" THICK) - SEE SECTION 101 FOR FINISHES
9. FINISHED CONCRETE WALL (0.5" THICK) - SEE SECTION 101 FOR FINISHES
10. FINISHED CONCRETE WALL (0.25" THICK) - SEE SECTION 101 FOR FINISHES

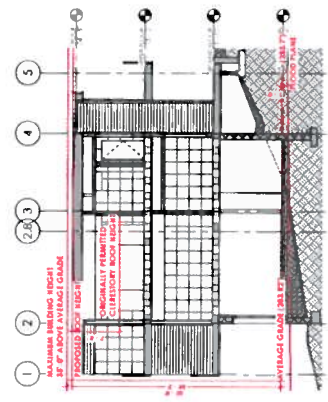
GENERAL NOTES

1. ALL WALLS SHALL BE CONCRETE UNLESS OTHERWISE NOTED.
2. ALL WALLS SHALL BE FINISHED WITH 1/2" PLASTER OVER 5/8" GYPSUM BOARD.
3. ALL WALLS SHALL BE FINISHED WITH 1/2" PLASTER OVER 5/8" GYPSUM BOARD.
4. ALL WALLS SHALL BE FINISHED WITH 1/2" PLASTER OVER 5/8" GYPSUM BOARD.
5. ALL WALLS SHALL BE FINISHED WITH 1/2" PLASTER OVER 5/8" GYPSUM BOARD.
6. ALL WALLS SHALL BE FINISHED WITH 1/2" PLASTER OVER 5/8" GYPSUM BOARD.
7. ALL WALLS SHALL BE FINISHED WITH 1/2" PLASTER OVER 5/8" GYPSUM BOARD.
8. ALL WALLS SHALL BE FINISHED WITH 1/2" PLASTER OVER 5/8" GYPSUM BOARD.
9. ALL WALLS SHALL BE FINISHED WITH 1/2" PLASTER OVER 5/8" GYPSUM BOARD.
10. ALL WALLS SHALL BE FINISHED WITH 1/2" PLASTER OVER 5/8" GYPSUM BOARD.





BUILDING SECTION A (Design Review)



BUILDING SECTION C - PALM BUILDING, L (Design Review)

THIS PAGE IS
INTENTIONALLY
BLANK



Report to the City Council Meeting of March 10, 2015

Agenda Section: New Business

Subject: 2015 City Council assignments to various City and Napa County Boards and Commissions

CEQA Status: Not a CEQA project

Prepared By: Cindy Black, City Clerk

Approved By: Jennifer Phillips, City Manager

BACKGROUND

Council Members sit on various collaborative agency committees which include:

- a. City/SHUSD/Chamber/NVC (Monrovia)
- b. St. Helena Sewer District No. 1
- c. Association of Bay Area Governments (ABAG) - Executive Board
- d. Association of Bay Area Governments (ABAG) - General Assembly
- e. Napa Valley Tourism Corporation/ St. Helena Tourism Improvement District (SHTID)
- f. League of California Cities – North Bay Division
- g. Napa County City Selection Committee
- h. Napa County Flood Control and Water Conservation District
- i. Napa County Gang & Youth Violence Commission
- j. Napa County Local Agency Formation Commission (LAFCO)
- k. Napa County Transportation and Planning Agency (NCTPA)
- l. Napa County Watershed Information Center & Conservancy (WICC)
- m. Upper Valley Waste Management Board

The City Council previously reviewed the various collaborative agency committee appointments/recommendations at their January 13, 2015 City Council meeting. However, additional information was necessary before appointments to Monrovia and the Upper Waste Management Board could be made. City Council recommended appointments to Monrovia and the Upper Waste Management Board at their February 10, 2015 City Council meeting. After further deliberation it was the consensus of the City Council to review all collaborative agency committee appointments at a future meeting.

DISCUSSION

It is appropriate for the City Council to annually review the intergovernmental City Council assignments.

FISCAL IMPACT

None

RECOMMENDED ACTION

Review appointments.

ATTACHMENTS

Attachment 1 – 2015 Intergovernmental City Council Assignments

2014 ST. HELENA INTERGOVERNMENTAL CITY COUNCIL ASSIGNMENTS

MAYOR/COUNCIL COMMITTEE ASSIGNMENTS:					700 Form Filers		
City/SHUSD/Chamber/NVC (Monrovia)		Date/Time & Location	Contact	Primary	Alternate		
- Meet to discuss interests in common - No Compensation		Meets: Qtrly	(707) 967-2701 Erica Medrigal	Mayor Galbraith Pitts Staff: City Manager Finance Director		Not Required	
St. Helena Sewer District No. 1				All			
- Meets as needed 11-08-1964 Resolution 1964-597 Establishing Sewer District No. 1 and 1964-598 Description							
Association of Bay Area Governments (ABAG) - Executive Board		101 Eighth St. Oakland CA 94607 Meets: 7:00 p.m., 3rd Thursday of every other month	(510) 464-7900	Mayor Galbraith Term Expires 06/30/16		Required Mail to: Fred Castro	
- Appointed by the City Selection Committee - To enhance the quality of life in the San Francisco Bay Area by leading the region in advocacy, collaboration, and excellence in planning, research and member services - Agency membership dues based on population - Compensation - \$150.00 per Meeting							
Association of Bay Area Governments (ABAG) - General Assembly		101 Eighth St. Oakland CA 94607 Meets: Annually	(510) 464-7900	Mayor Galbraith	Vice Mayor White	Required Mail to: Fred Castro	
- St. Helena City Council appoints member and alternate, no term limit - To enhance the quality of life in the San Francisco Bay Area by leading the region in advocacy, collaboration, and excellence in planning, research and member services - Agency membership dues based on population							
Napa Valley Tourism Corporation (Umbrella for Napa County)							
St. Helena Tourism Improvement District (SHTID) - Elected official appointed by the St. Helena City Council 7 members from St. Helena (4-members of lodging, 1-Chamber of Commerce, 1-Elected Official and 1-City Manager) Membership includes: - Kevin Dimond, Harvest Inn - Mark Hoffmeister, Wydown Hotel - Jennifer Phillips, City Manager - Chair - Marcelle Adderley, Inn at Southbridge - General Manager - Pam Simpson, Chamber Rep - Executive Director - Pirette Therene, El Bonita Hotel - GM - Sharon Crull, City Councilmember - No Compensation		Meets: Qtrly Southbridge	Catherine Heywood 707-260-0112	Crull Staff: City Manager		Not Required	

2014 St. HELENA INTERGOVERNMENTAL CITY COUNCIL ASSIGNMENTS

MAYOR/COUNCIL COMMITTEE ASSIGNMENTS:					Date/Time & Location			Contact	Primary	Alternate	700 Form Fillers
League of California Cities – North Bay Division					P.O. Box 458, Mill Valley, CA 94941 Meets: Quarterly			(415) 302-2032 Nancy Hall Bennett	All		Not Required
- To maintain a central office of information and research for matters pertaining to City government and to influence legislation that affects cities - Agency membership dues required - No Compensation											
Napa County City Selection Committee					1195 Third Street, Suite 310, Napa 94558 Meets: 1:00pm, 3rd Tuesday of the month, Quarterly			(707) 253-4580 Gladys Coil	Mayor Galbraith (Delegate)	Vice-Mayor White	Not Required
- In counties where 2 or more cities are incorporated, this Committee appoints city representatives to certain boards, commissions and agencies as prescribed by law (Section 50270, CA Gov't Code) - Representative must be Mayor (per above Gov't. Code) - No Compensation											
Napa County Flood Control and Water Conservation District					1195 Third Street, Room 305, Napa 94558 Meets: 1:30 a.m., 1st and 3rd Tuesday of the Month			(707) 253-4580 Gladys Coil	Mayor Galbraith	Vice-Mayor White	Required
- Mission is the conservation and management of flood and storm waters to protect life and property; the maintenance of the County watershed using the highest level of environmentally sound practices; and to provide coordinated planning for water supply needs for the community. - Representative must be Mayor - Bylaws - No Compensation											
Napa County Gang & Youth Violence Commission					Meets: 4:30 p.m. on 3rd Wednesdays, As needed/no less than quarterly			(707) 253-4211 Gary Lieberstein District Attorney	Mayor Galbraith Staff: Police Chief		Not Required
- Prevention, intervention & suppression of gang violence - City Council makes appointee recommendation to the Napa County Board of Supervisors - No Compensation											
Napa County League of Governments (NCLOG)					Meets: 6:00 p.m., 2nd Thursday of the month, Quarterly			(707) 253-4580 Gladys Coil	All		Not Required
- No Compensation - Bylaws - Mayors of the City and County rotate the Chair position											
Napa County Local Agency Formation Commission (LAFCO)					1195 Third Street, Napa 94558 Meets: 4:00p.m., 1st Thursday of the month			(707) 259-8645 Kathy Mabry	Pitts Term Expires 5/1/2017		Required Mail to: Kathy Mabry 1030 Seminary St, Suite B Napa CA 94558
- City Selection Committee makes appointment - Four-Year Term Gov Code, Informal Policy Two-Year Rotation \$125 per meeting											

014 ST. HELENA INTERGOVERNMENTAL CITY COUNCIL ASSIGNMENTS

AYOR/COUNCIL COMMITTEE ASSIGNMENTS:

Napa County Transportation and Planning Agency (NCTPA)

- 2 Members and 2 alternates (1-Mayor with City Council appointing the other/2 City Councilmember Alternates)
- Bylaws

Date/Time & Location		Contact	Primary	Alternate	700 Form Filers
625 Burnell Street, Napa 94559 Meets: 1:30p.m., 3rd Wednesday of the month		(707) 259-9834 Kate Miller Karrie Sanderlin (707) 259-9833	Mayor Galbraith Vice Mayor White Staff: City Manager Public Works Director	Dohring	Required Mail to: Board Secretary 625 Burnell Street Napa CA 94559

Napa County Watershed Information Center & Conservancy (WICC)

- City Council makes appointment recommendation to the Board of Supervisors
- No Compensation
- BOS Resolution 02-202

1125 Third Street, 2nd Floor Conference Room, Napa 94558 Meets: 4:00p.m., 4th Thursday of the month		(707) 259-5936 Jeff Sharp, Liaison Gladys or Nadine	Vice Mayor White		Not Required
---	--	---	------------------	--	--------------

Upper Valley Waste Management Board

- City Council makes appointment recommendation to the Board of Supervisors

Yountville Town Council Chambers Meets: 1:30p.m., 3rd Monday of the month		(707) 259-6716 Alice Ramirez, Board Clerk	Cruik	Vice Mayor White	Required
--	--	--	-------	------------------	----------

THIS PAGE IS
INTENTIONALLY
BLANK



**Report to the City Council
Council Meeting March 10, 2015**

Agenda Section: **New Business**

Subject: **Resolution adopting a New Schedule of Library fines and fees**

CEQA Status: **Not a CEQA project**

Prepared By: **Jennifer Baker, Library Director**

Approved By: **Jennifer Phillips, City Manager**

BACKGROUND

Per St. Helena Municipal Code 2.52.060, "the public library shall be forever free to the inhabitants and nonresident taxpayers of the city, subject always to such rules, regulations and bylaws as may be established by the board of library trustees, with the approval and confirmation thereof by the city council."

While the bulk of library services remain free, some specialty services incur a fee and the library also applies fines, also known as late fees or overdue fees, to borrowers after a book or other borrowed item is kept past its due date. Additionally when items in a borrowers possession are lost or damaged, the library charges a per item processing fee in addition to the cost of the item to cover the staffing and supply cost incurred in replacing or mending the item. Other examples of fees include monies collected for room rental and for photocopies. Monies collected for library fines and fees are returned to the City's General Fund.

The board of library trustees periodically reviews the schedule of library fines and fees and makes recommendations to City Council for adjustments. The most recent change was approved in 2004.

DISCUSSION

At its meeting in November 2014, the Library Board of Trustees reviewed the current schedule of fines and fees and made recommendations to update it. Below is a detailing of these recommendations:

Adult Materials (books, magazines, music, films, and juvenile films)

Current schedule: 20 cents per item per day. Maximum amount of fines charged at one time \$6.00

Recommended: 25 cents per item per day. Maximum amount of fines charged at one time \$10.00

Children's Materials

Current schedule: no fines are charged (excepting films).

Recommended: no fines are charged.

Interlibrary Loan material requests:

Current adopted schedule: no fee charged – This was changed at the beginning of the current fiscal year with the budget adoption wherein City Council approved the staff recommendation to charge \$10 for completed ILLs.

Recommended: \$10 for completed ILLs – brings policy in line with new practice.

Photocopies & Computer printouts:

Current: B&W: 10 cents per page; Color: \$1 per page – The reasoning for such a high cost for color came about because until recently providing color copies required staff assistance. The system is now automated and does not require regular assistance from staff.

Recommended: B&W: 10 cents per page; Color: 50 cents per page

Personal faxing from/to library:

Current adopted schedule: \$1 per page (cover page is free) – The library no longer offers fax services because we do not have a fax machine onsite.

Staff provides free assistance with scanning and electronic delivery of documents as needed.

Meeting Room Use Fees:

Current adopted schedule: \$20 for four hours or less, or \$35 for all day. The Meeting Room is free for non-profit use. – This was changed at the beginning of the current fiscal year with the budget adoption wherein City Council approved the staff recommendation to stop offering fee waivers to non-profits.

Recommended: \$25 per hour; \$15 per hour for certified non-profit organizations.

Floppy disks/writable CDR disks:

Current adopted schedule: \$1 each.

The library no long offers disks for purchase, nor do we maintain the technology for their use onsite.

Replacement of lost library cards:

Current adopted schedule: 50 cents. However, in practice the library does not charge for replacement cards.

Recommended: no charge.

Microfilm reader/printer copies:

Current: 25 cents or 50 cents each depending on the equipment used.

The machine that charged 25 cents was de-acquisitioned a few years ago. The replacement machine charges 50 cents per page as suggested by the manufacture to recoup the cost of use.

Recommended: 50 cents per page

Photo quality prints of library materials:

Current adopted schedule: \$25 each. – The library no longer offers this service.

Lost or Damaged material:

Current: Cost of the item plus a \$5 processing fee which is nonrefundable.

Recommended: Replacement cost of item plus a \$10 processing fee which is nonrefundable.

The library is considering the use of a third party collection service to prompt patrons to return materials to the library and resolve fees connected with lost items. This service has proved to be very successful for neighboring libraries. If implemented, this service would incur a \$10 per transaction cost to the library which we would pass on to the user.

Staff will retain the authority to waive fees and fees or make alternate payment arrangements on a case-by-case basis as deemed appropriate.

FISCAL IMPACT

There is no cost involved in making these changes. We anticipate a small increase in revenue associated with the change to the fee schedule.

It is understood that in our current fiscal climate there is a real need to increase revenues. However, City Council is discouraged from viewing library fines and fees as a source of revenue. As stated in the City's municipal code, the library is free. Fines and fees are not intended to be punitive. Library fines are an enforcement mechanism designed to encourage responsible and fair use of library materials, or in some cases when providing specialty services to recoup the cost of providing those services. Much research has been done which shows that excessive fines and fees create a barrier to continued use of the library. This is particularly true for children and individuals of low-income.

RECOMMENDED ACTION

Adopt new schedule of library fines and fees as recommended by staff.

ATTACHMENTS

Resolution Approving an Updated Schedule of Library Fines and Fees, dated November 9, 2004.

CITY OF ST. HELENA

RESOLUTION NO. 2015-_____

RESOLUTION ADOPTING NEW SCHEDULE OF LIBRARY FINES AND FEES

RECITALS

- A. The Library has not updated its fines and fees schedule since November of 2004.
- B. The changes below reflect our new capabilities with respect to color printing and allow for flexibility in passing on costs incurred by the library when delivering specialty services, managing replacements, and the collection of fines and fees through third parties.
- C. The Library Board of Trustees unanimously approved the recommendation to adopt a new schedule of fines and fees at their meeting in November 2014.
- D. It is recommended that this new schedule be effective April 1, 2015.

RESOLUTION

The City Council of the City of St. Helena hereby resolves as follows effective April 1, 2015:

- 1. Resolution No. 2004-115, Approving an Updated Schedule of Library Fines and Fees is rescinded.
- 2. Adult materials (books, magazines, music, films) and juvenile films: 25 cents item per day. Maximum amount for fines charged at one time: \$10.00.
- 3. Children's materials (excepting films): no fines are charged.
- 4. Completed Interlibrary Loan requests: \$10.00
- 5. Photocopies & Computer printouts: B&W: 10 cents per page; Color: 50 cents per page
- 6. Meeting Room Use Fees: \$25 per hour; \$15 per hour for certified non-profit organizations.
- 7. Microfilm reader/printer copies: 50 cents per page
- 8. Lost or Damaged material: Replacement cost of item plus a \$10.00 nonrefundable processing fee.
- 9. Any cost incurred by the library from the use of an outside agency in the collection of fines and fees may be passed on to the user.

Approved at a Regular Meeting of the St. Helena City Council on March 10, 2015, by the following vote:

Mayor Galbraith:

Vice Mayor White:

Councilmember Crull:

Councilmember Dohring:

Councilmember Pitts:

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Black, City Clerk

THIS PAGE IS
INTENTIONALLY
BLANK