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

St. Helena City Council
Regular Meeting
March 22, 2016

4:30 PM Session Study Session Meeting
Vintage Hall Board Room – Second Floor
465 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 STUDY SESSION SESSION**

2. **STUDY SESSION**
   a. Culinary Institute of America at Greystone (CIA) - Conceptual proposal from the Culinary Institute of America seeking general input on the construction on 4-new dormitory buildings to provide 135 new beds at 830 Pratt Avenue and a complete renovation of the Greystone facility on Highway 29, 2555 Main St.

   b. Adams Street/Lyman Park - Presentation from a citizen group proposing a direct sale of the Adams Street parcel to a hotel developer, to fund the construction of a new City Hall and to make improvements to Lyman Park as an alternative to the issuance of an open Request for Proposals (RFP) to purchase and/or lease for the development of the Adams Street property.

3. **CALL TO ORDER**

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. Proclamation – Beringer Celebratory Proclamation presented to Senior Winemaker Mark Beringer and Beringer Vineyards General Manager Tracy Sweeney

9. Proclamation – National Library Week presented to Volunteer Coordinator & Library Spanish Services Associate Mari Martinez Serrano

10. Proclamation – Recognizing April 10-16, 2016 as National Volunteer Week presented to Volunteer Coordinator & Library Spanish Services Associate Mari Martinez Serrano

11. Presentation - Household Hazardous Waste Program by Steve Lederer, Upper Valley Waste Management Agency Manager and Napa County Director of Public Works Management

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)

12. Consideration and proposed approval of Regular and Special Meeting Minutes of:
    a. Special Meeting Minutes of March 24, 2015
    b. Regular Meeting Minutes of March 24, 2015
    c. Regular Meeting Minutes of April 14, 2015
    d. Special Meeting Minutes of April 15, 2015
    e. Regular Meeting Minutes of April 28, 2015
    f. Special Meeting Minutes of May 11, 2015
    g. Regular Meeting Minutes of May 12, 2015
    h. Regular Meeting Minutes of May 26, 2015

13. Consideration and proposed approval of a resolution amending the Two Year Memorandum of Understanding (MOU) Between the St. Helena Employee Association (SHEA) and the City of St. Helena, authorize the City Manager to execute the amended MOU and approve a revised mid-year budget adjustment not to exceed $30,100
<u>CEQA Status:</u> Not a CEQA Project
<u>Lead Staff:</u> Mandy Kellogg, Senior Management Analyst
Kathy Robinson, Human Resources/IT Director
<u>Recommendation:</u> Adopt

NEW BUSINESS:

14. Informational Item: General Obligation Bonds
<u>CEQA Status:</u> Not a CEQA Project
<u>Lead Staff:</u> Jennifer Phillips, City Manager
<u>Recommendation:</u> Informational

15. Voter Survey Results for a City Charter and Vital Services Measure in St. Helena
<u>CEQA Status:</u> Not a CEQA Project
<u>Lead Staff:</u> Jennifer Phillips, City Manager
<u>Recommendation:</u> Provide direction

16. Receive and File Administrative Policy P-FI-007 Grant Application and Management Policy; Consideration and Proposed Approval of a Resolution Rescinding any Previous Policies or Administrative Memorandum which are Inconsistent with Administrative Policy P-FI-007 Grant Application and Management Policy
<u>CEQA Status:</u> Not a CEQA Project
<u>Lead Staff:</u> April Mitts, Finance Director
Tracey Perkosky, Grants Manager
<u>Recommendation:</u> Receive and file/adopt

17. Request for Direction on Repayment Strategy for State Revolving Loan Fund (SRF)
<u>CEQA Status:</u> Not a CEQA Project
<u>Lead Staff:</u> April Mitts, Finance Director
<u>Recommendation:</u> Provide direction

18. Consider opposition letter of Senate Bill 876 (Liu) - Homelessness
<u>CEQA Status:</u> Not a CEQA Project
<u>Lead Staff:</u> Jennifer Phillips, City Manager
<u>Recommendation:</u> Provide direction

ADJOURNMENT The next Regular City Council meeting is scheduled for April 12, 2016, 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 18, 2016.

Cindy Black

Cindy Black, City Clerk

In Compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please call the City Clerk's Office (707) 967-2792. Notification 72 hours prior to the meeting as required by Section 202 of the Americans with Disabilities Act will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

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://cityofsthelena.org and will be available for public review at the respective meeting.

Item No: 2 a

Report to the City Council
Council Meeting of March 22, 2016

Agenda Section: **Study Session**

Subject: **Presentation from the Culinary Institute of America (CIA) seeking general input on a conceptual master plan which includes the construction of four new dormitory buildings to provide 135 new beds at 830 Pratt Avenue and a complete renovation of their existing Greystone facility at 2555 Main Street (Highway 29).**

CEQA Status: **Not a CEQA Project**

Prepared By: **Noah Housh, Planning and Community Improvement Director**

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

BACKGROUND

The Culinary Institute of America has recently been changing their business and operations plan, moving elements of their operations among their various facilities and locations within the County. As a result of these changes, the CIA has prepared a conceptual master plan which includes the construction of four new dormitory buildings to provide 135 new beds at 830 Pratt Avenue and a complete renovation of their existing Greystone facility at 2555 Main Street (Highway 29).

DISCUSSION

This master plan is purely conceptual and no applications have been filed in pursuit of the proposal. Staff has not reviewed the proposed concept, and no input on the discretionary process to implement this master plan has been provided.

FISCAL IMPACT

Implementation of the master plan, which relocates and modifies the current business and operations at both the Greystone facility and the facility at 830 Pratt Avenue has the potential for both direct and indirect fiscal impacts to the City revenues. However, given the little knowledge staff has of the proposal, and the lack of review of the specific development plans, staff has no way of providing any specific information on the potential fiscal impacts of the conceptual proposal.

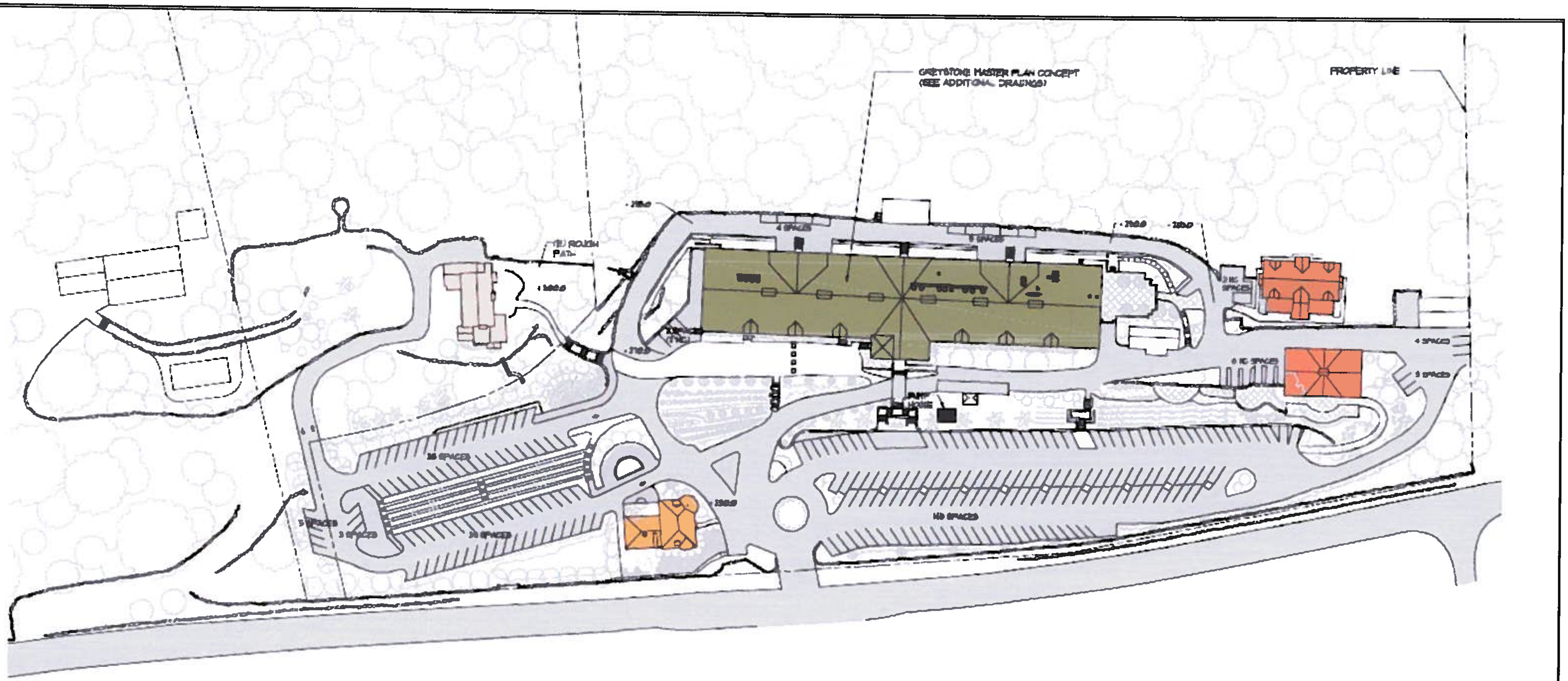
Item No: 2 a

RECOMMENDED ACTION

Information only

ATTACHMENTS

CIA Conceptual Master Plan



PARKING

GREYSTONE SITE	184 SPACES
CARPY SITE	86 SPACES
TOTAL	270 SPACES

KEY

- RUDD CENTER EDU PROGRAM & "SEMESTER AWAY" WINE PROGRAM
- WILLIAMS FLAVOR DISCOVERY CENTER - STUDENT RUN RESTAURANT - 48 SEATS
- GUEST HOUSE - 36 BEDS (TO REMAIN UNCHANGED)
- PROPOSED CAMPUS IMPROVEMENTS
- CARPY HOUSE (TO REMAIN UNCHANGED)

Architectural Resources Group

SITE PLAN

1" = 50'-0"

THE CULINARY INSTITUTE OF AMERICA
-AT GREYSTONE
MASTER PLAN STUDY
FEBRUARY 2016

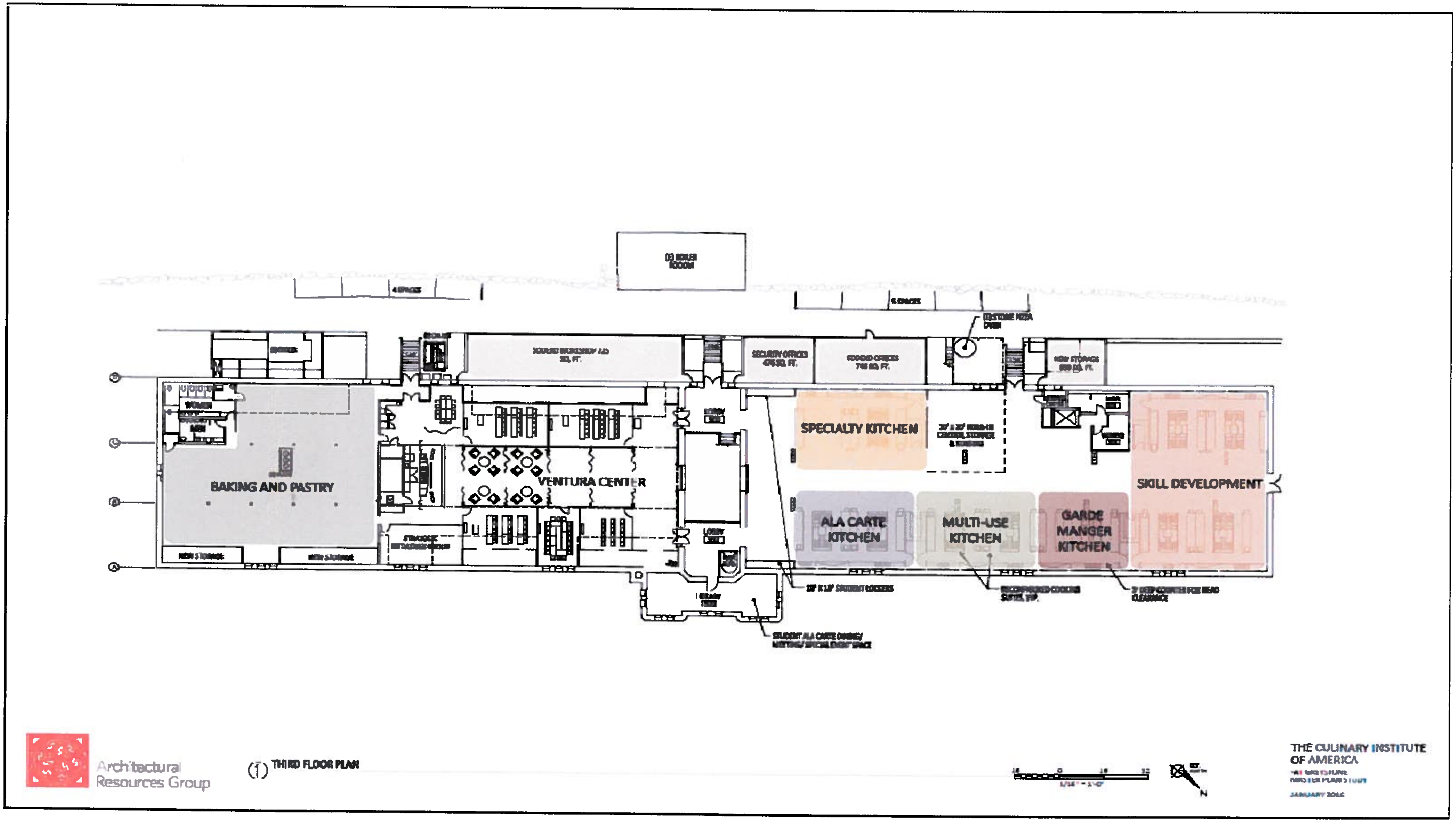
Greystone Campus Master Plan

- FACILITY Re-design
  - Bakeshop Relocation
  - Teaching Kitchen Remodel
  - WSGR to Student Dining Remodel
  - Special Events Kitchen
  - Storage Tunnels and Fabrication Classrooms

PHASE 1

West Exterior storerooms, workshops/offices and enclosure

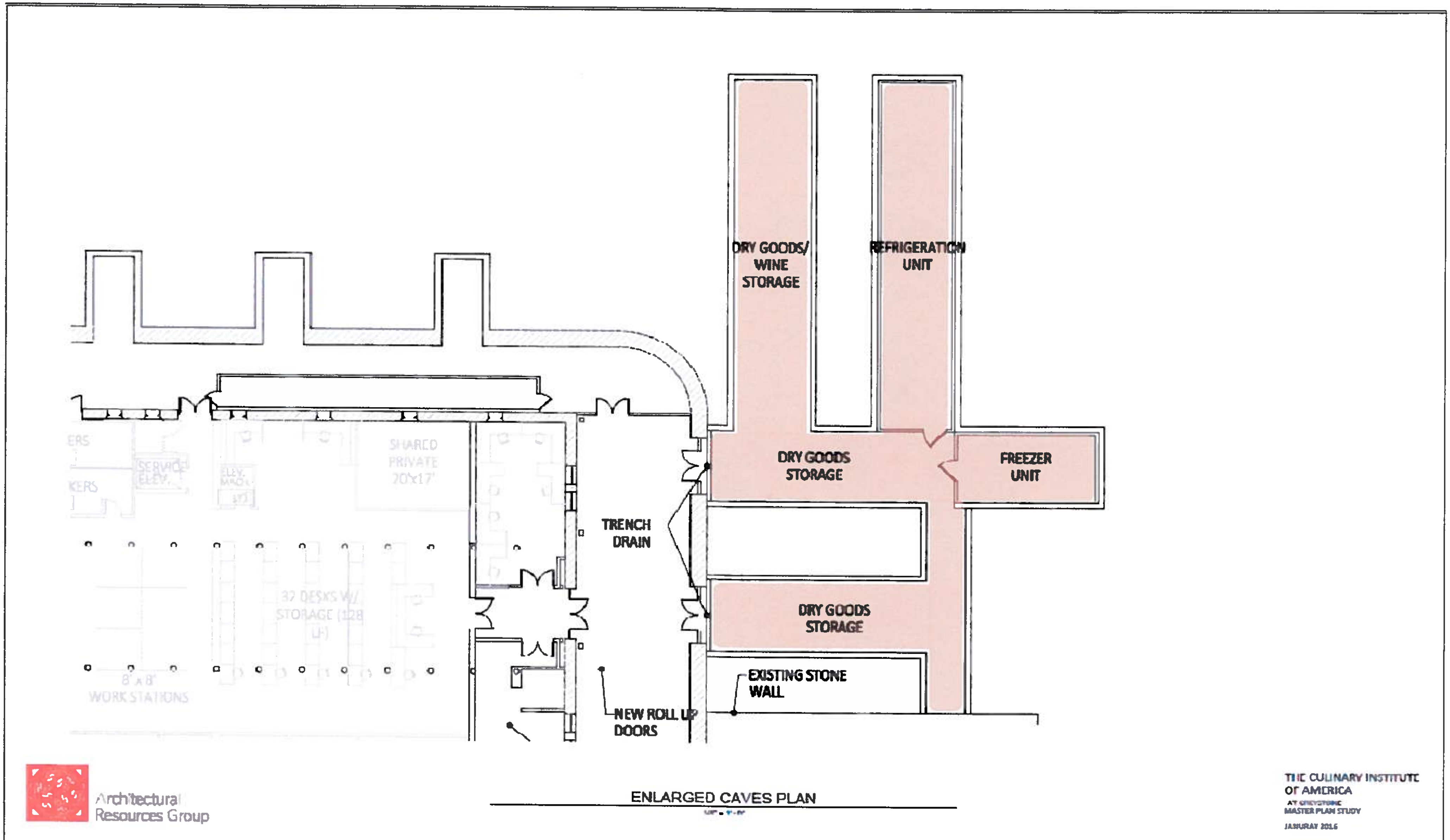
Demo existing EDU offices



PHASE 1

(concurrent with previous slide)

Start - Complete Tunnel Construction, storerooms and fabrication classrooms



ENLARGED CAVES PLAN

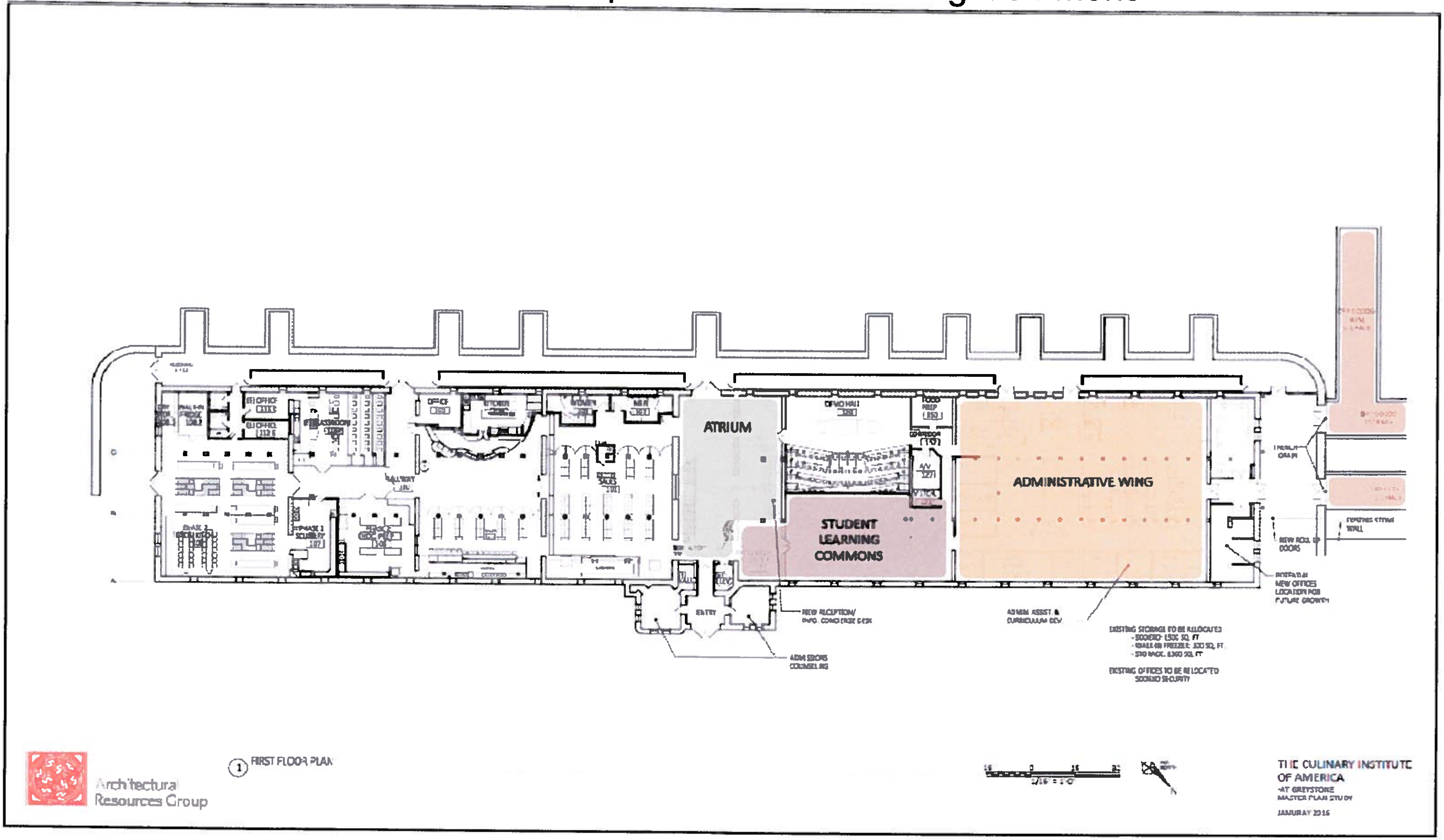
PHASE 1

sub-phase A (after completion of previous phase 1 work)

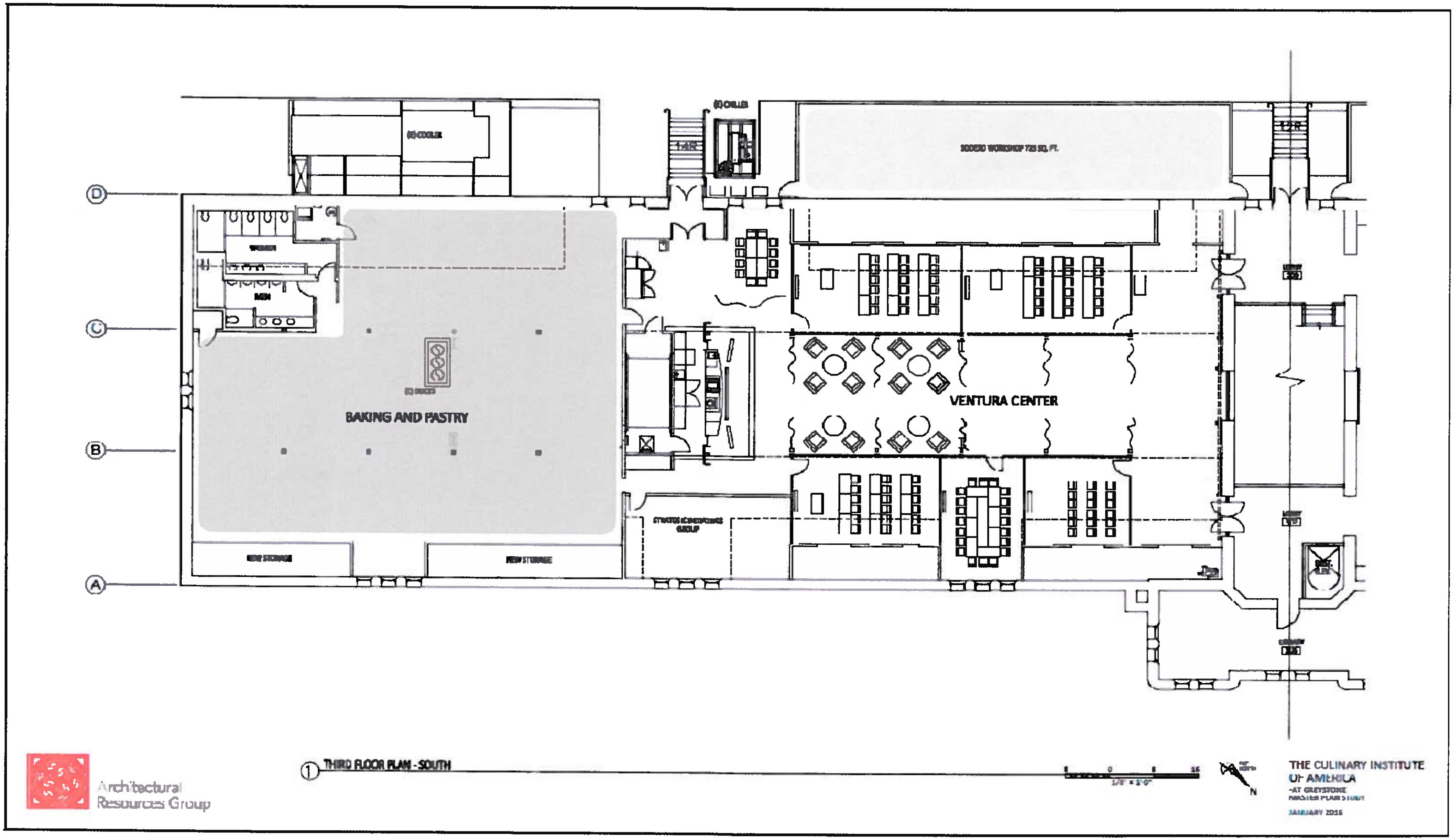
Demo 1st floor workshops and existing back offices

Consolidation of Staff, Faculty, Offices - install open floor plan offices

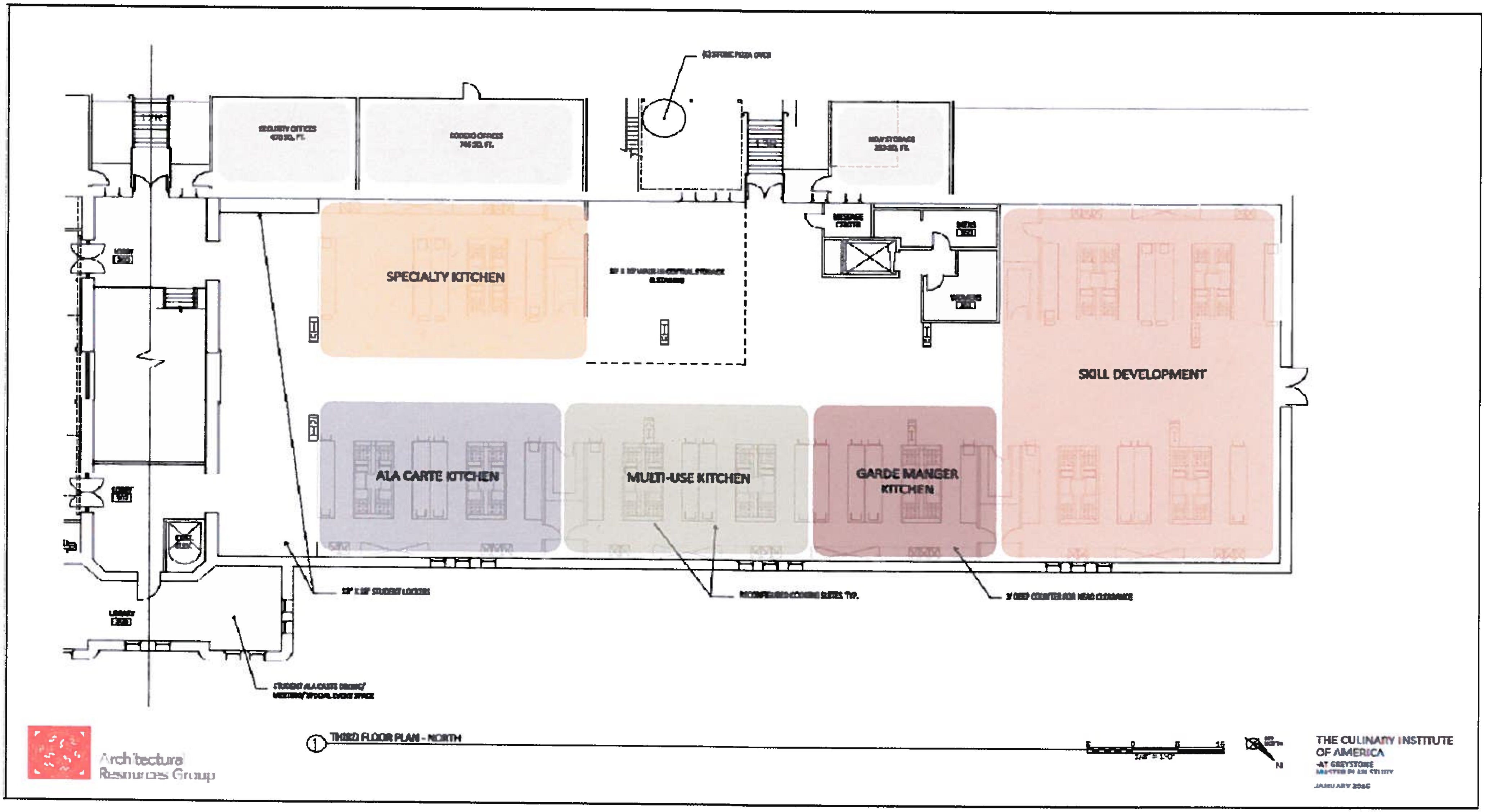
Construct and complete Student Learning Commons



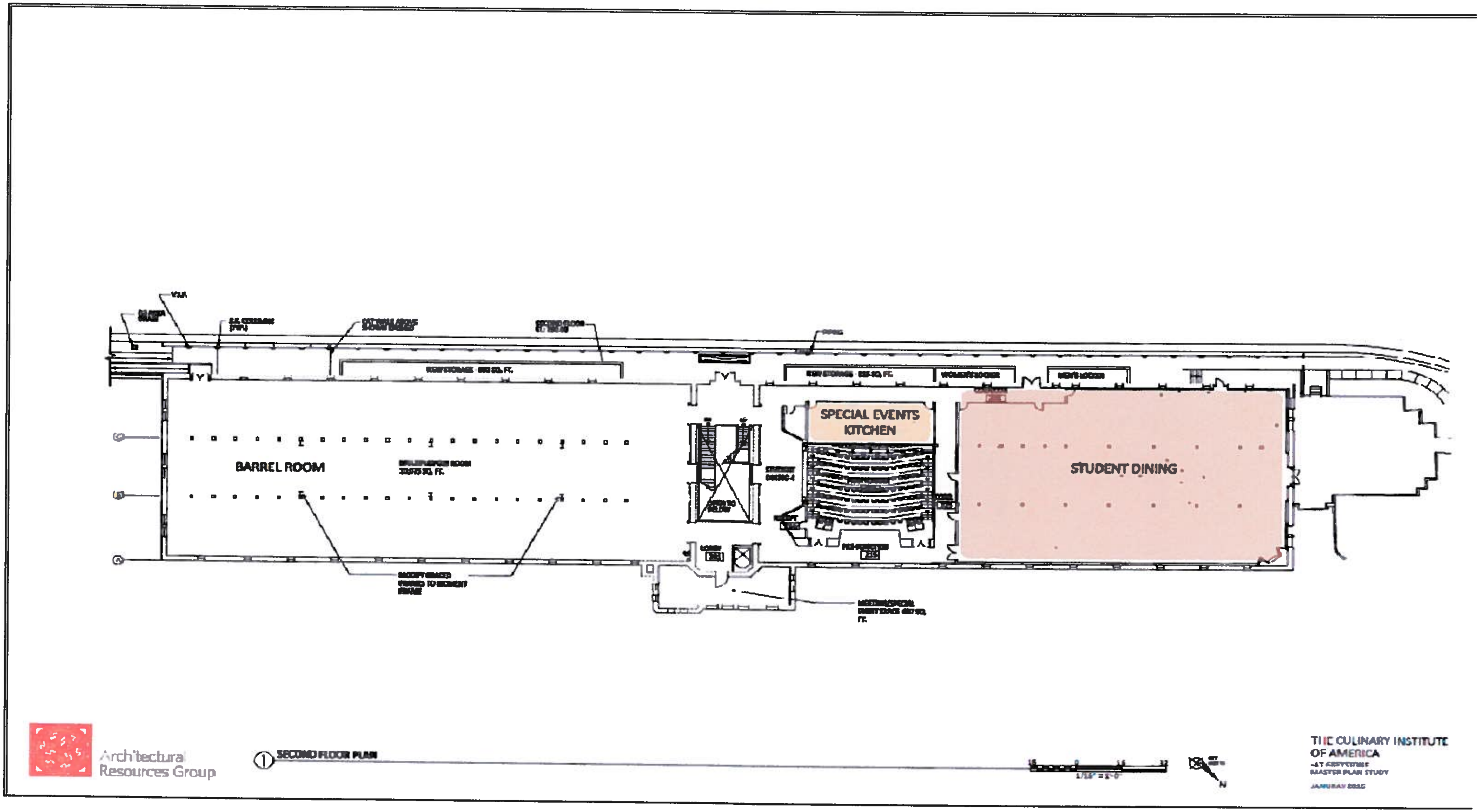
PHASE 2
Build new Bakeshop (old EDU offices)



PHASE 2A
Sequential rebuild of Teaching Kitchen
Two new Skill Development kitchens in former bake shop area



PHASE 2A
(concurrent with previous slide)
Demo & Convert WSGR to Student Dining and commons area
Build new Special Events Kitchen

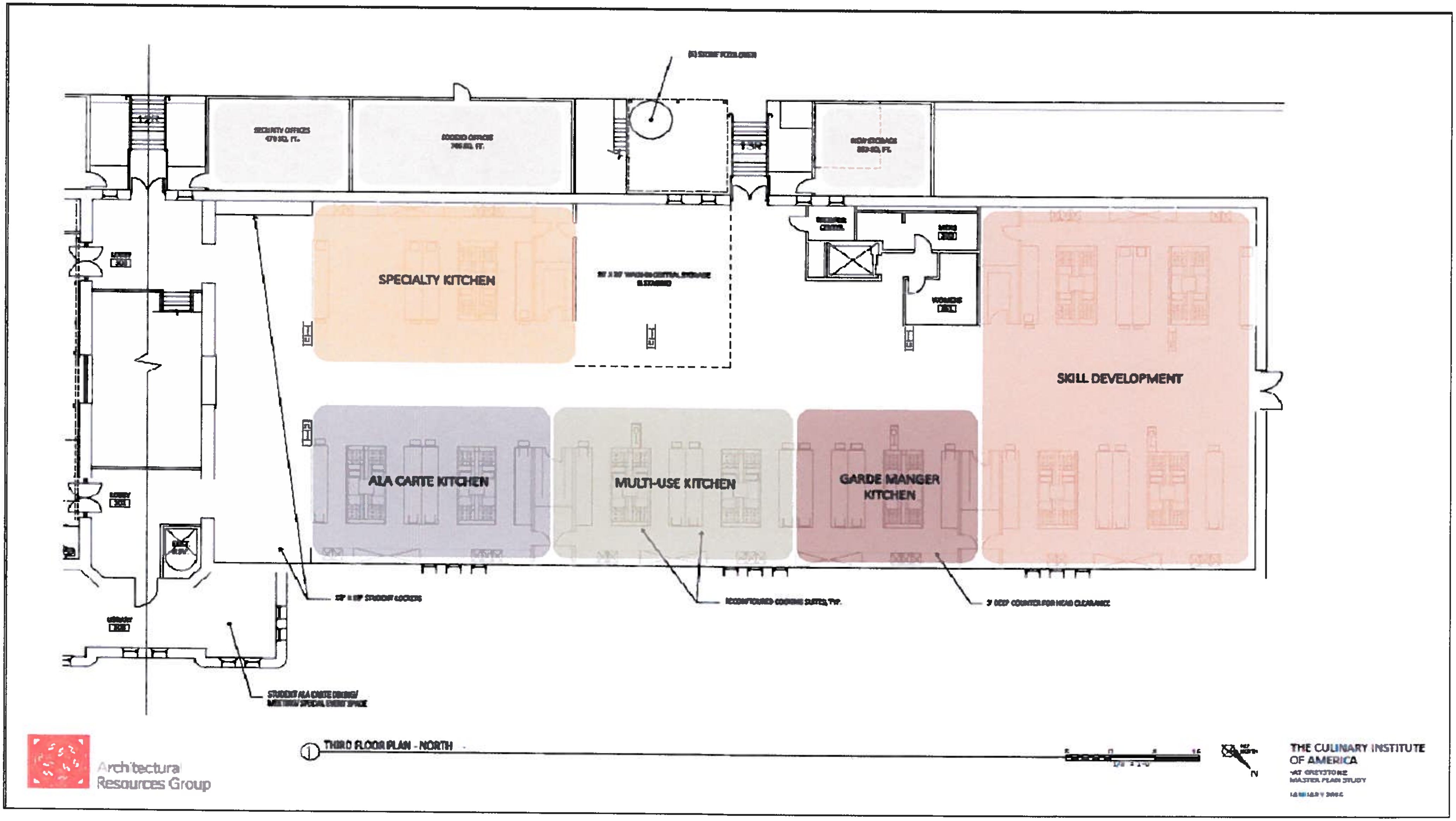


PHASE 3

Complete new Teaching Kitchen

sub-phase A - Garde Manger Kitchen, Multi-use Kitchen (currently student dining area)

sub-phase B - ala Carte Kitchen, Walk-in and Storeroom, Specialty Kitchen



CULINARY INSTITUTE OF AMERICA
NAPA VALLEY

CONCEPTUAL DESIGN PACKAGE

FEBRUARY 18, 2015

CONCEPTUAL SITE LAYOUT | EXISTING CONDITIONS

CULINARY INSTITUTE OF AMERICA | NAPA VALLEY

CONCEPTUAL DESIGN PACKAGE

FEBRUARY 18, 2015

SCALE: 1"=100'-0"

Greystone Campus Housing Plan

- Demolition of Vineyard Lodge 1 (former Marlinda facility) – reduction of 41 beds
- Existing Vineyard Lodge 2 – 60 beds
- Construction of four New Lodges – additional 176 beds (net gain of 135 beds)
- Total beds on property of 236
- 2555 Main St Dormitory (on campus housing) - 38 beds
- Total Student Housing CIA Greystone – 274 beds

CONCEPTUAL SITE LAYOUT | CONTEXT PLAN

CULINARY INSTITUTE OF AMERICA | NAPA VALLEY

CONCEPTUAL DESIGN PACKAGE

FEBRUARY 15, 2015

SCALE: 1" = 100'-0"

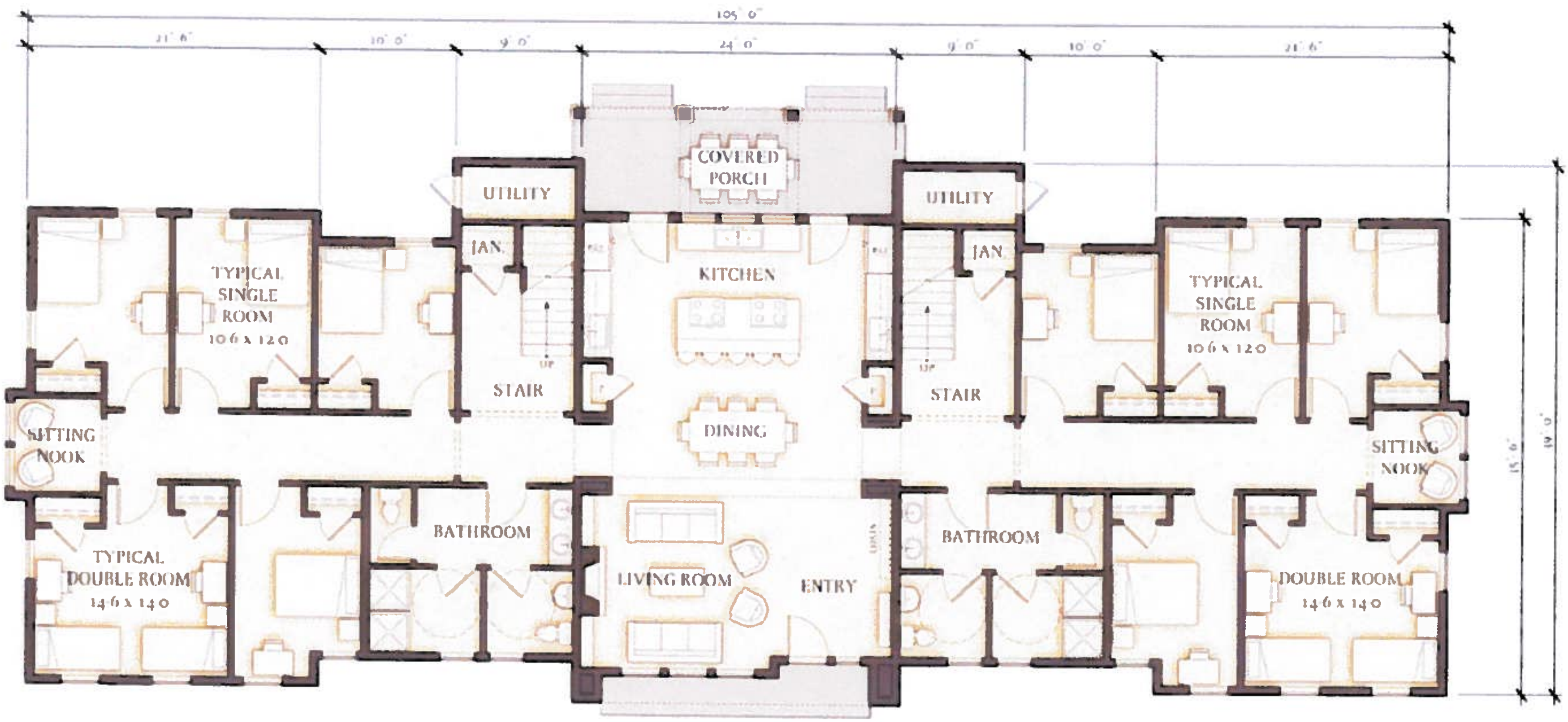
17.00 x 11.00 in

CONCEPTUAL SITE LAYOUT | DETAIL PLAN

CULINARY INSTITUTE OF AMERICA | NAPA VALLEY

CONCEPTUAL DESIGN PACKAGE

SCALE: 1"=40'-0"



BEDROOMS

Total Bedrooms -	38
Single Bedrooms -	32
Double Bedrooms -	6
Total Beds -	44

SQUARE FOOTAGE TOTALS

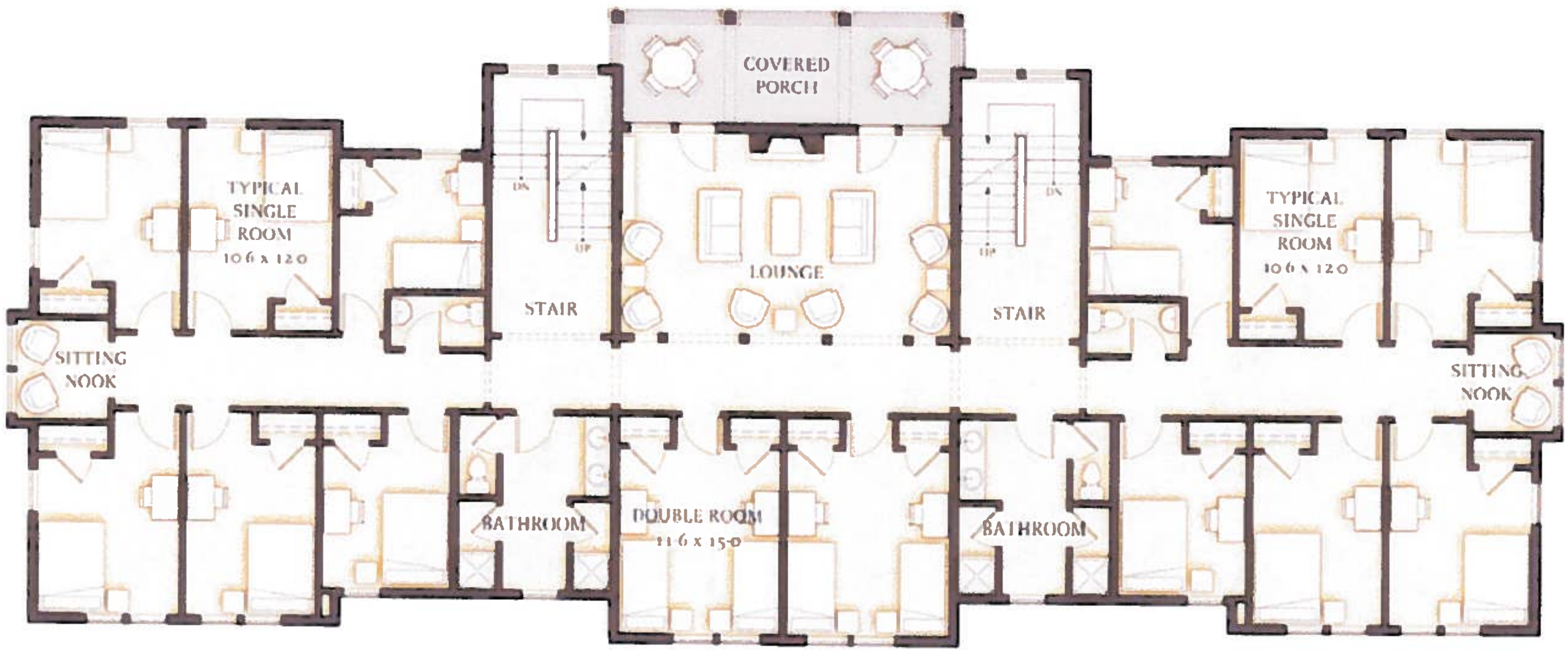
Total Heated -	10,655 sf	Total Unheated -	380sf
First Floor Heated -	3,635 sf	First Floor Covered Porch -	190 sf
Second Floor Heated -	3,510 sf	Second Floor Covered Porch -	190 sf
Third Floor Heated -	3,510 sf		

CONCEPTUAL ARCHITECTURE - LODGE FIRST FLOOR PLAN

CULINARY INSTITUTE OF AMERICA | NAPA VALLEY

CONCEPTUAL DESIGN PACKAGE

SCALE 1/8"=1'-0"



CONCEPTUAL ARCHITECTURE | LODGE SECOND AND THIRD FLOOR PLANS

CULINARY INSTITUTE OF AMERICA | NAPA VALLEY

CONCEPTUAL DESIGN PACKAGE

FEBRUARY 18, 2015

SCALE: 1/8"=1'-0"

CONCEPTUAL ARCHITECTURE - LODGE FRONT ELEVATION

CULINARY INSTITUTE OF AMERICA | NAPA VALLEY

CONCEPTUAL DESIGN PACKAGE

FEBRUARY 18, 2015

SCALE 1/8"=1'-0"

PAGE 7

17.00 x 11.00 in

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Item No: 2 b

Report to the City Council
Council Meeting of March 22, 2016

Agenda Section: **Study Session**

Subject: **Presentation from Citizen Group "Rebuild St. Helena" proposing a direct sale of the Adams Street parcel to a hotel developer, to fund the construction of a new City Hall and to make improvements to Lyman Park as an alternative to the issuance of an open Request for Proposals (RFP) to purchase and/or lease the Adams Street and City Hall properties for potential development.**

CEQA Status: **Not a CEQA Project**

Prepared By: **Noah Housh, Planning and Community Improvement Director**

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

BACKGROUND

On October 27, 2015, the City Council reviewed draft Request for Proposals (RFPs) for development of the City owned Adams Street and City Hall properties. After review of the concept, the City Council endorsed the idea of issuing an RFP for possible development of the Adams Street and City Hall properties as a mechanism to implement the 2015 City Council goal (set on February 27, 2015), of securing the City's financial future. The conceptual RFP for Adams Street included references to the Adams Street Visioning Design Portfolio, created after significant outreach and involvement in 2009. To date, no RFP has been issued for the development of either property. At the February 9, 2016 Council meeting, Rebuild St. Helena spoke about their vision for Adams Street, City Hall and Lyman Park during the public comment period. Council directed staff to schedule this item for a study session thereby offering the Council and community the opportunity to learn more about this citizen group's vision.

DISCUSSION

Rebuild St. Helena, a citizens group, has formed and created a vision of directly marketing the Adams Street property to hotel and resort developers and abandoning the RFP process for both properties. Their proposal includes using the proceeds of the Adams Street sale to raze and rebuild the City Hall at its current location and add a community center to Lyman Park. Staff has had no direct involvement with this effort, and has not had the opportunity to verify any of the information being provided.

Item No: 2 b

RECOMMENDED ACTION

Provide staff direction to return to the City Council with options regarding any changes to the current RFP process for Adams Street and City Hall properties.

Lulii Lyman
3351 St. Helena Hwy. North
St. Helena, CA 94574
email: mslulii@yahoo.com

March 17, 2016

To the members of City Council:

My name is Lulii Lyman and I am the granddaughter of W.W. Lyman, Jr.

My grandfather was a naturalist, he loved the outdoors and he loved open space. That is the reason that my grandfather, and the family, donated the land for Lyman Park so that the community could enjoy natural open space.

My family and I feel strongly that any development or any construction of buildings with indoor spaces would be a direct violation of the intent of this gift. In fact, that is exactly why I believe the very first deed restriction states that the town of St. Helena "use the entire property for park purposes".

I applaud and appreciate the various efforts and suggestions to address the needs of St. Helena, however, I do not feel that Lyman Park should be the sacrificial lamb for the City's financial challenges.

Sincerely,

Lulii Lyman

Lulii Lyman

Cindy Black

From: Thomas W. Allen <tallen@northbaymgt.com>
Sent: Friday, March 18, 2016 12:33 PM
To: Cindy Black
Cc: Pam Simpson; 'Friends of Rebuild St. Helena'; Oliver Caldwell
Subject: Letter to City Council and City Manager - Support Rebuild St. Helena

Dear Mayor, City Council, and City Manager:

I write to implore you to fully consider, then embrace, the Rebuild St. Helena proposal. This approach represents the only meaningful way to revitalize the finances, infrastructure, and community well-being of our town.

I trust that the individuals who propose this plan will thoughtfully consider any and all objections and/or roadblocks to this plan that might be raised by you, the community, involved regulatory agencies, or others, and will continue to modify it and tailor it to the needs of the public and our financial situation. To do this, they and the community need the time to fully pursue and refine this vision and the specific plan, and they need your support and encouragement.

In my opinion, the general development RFP that was contemplated by the City is ill-advised for many reasons that need no repeat here. If not done already, please officially table this concept and direct your attention to vetting and supporting this new idea.

As the Founder and former Chair of St. Helena Downtown Renaissance, I spent countless hours working with our citizens, trying to improve our downtown for the benefit of residents and visitors alike. This experience has provided a unique perspective from which to judge the merits of the Rebuild St. Helena concept: it is quite simply the best idea that this town has seen in many years, and is our best hope to make St. Helena the type of community that we all want to experience and call home.

Thank you.

Tom

Thomas W. Allen
219 Knoll Place * St. Helena, CA 94574
Mobile 415-990-0240
tallen@northbaymgt.com

St. Helena STAR

Cheers to creativity

FEBRUARY 10, 2016 8:00 AM • STAR EDITORIAL BOARD

Bold and visionary ideas are what we should expect from our city leaders, but they're even more special when they come from rank-and-file citizens.

The notion of selling the Adams Street property and using the proceeds to build a new City Hall comes from Rebuild St. Helena, a group of five locals – Andy Bartlett, Oliver Caldwell, George Caloyannidis, George David and Mike Thomas — who share nothing more than a vested interest in keeping St. Helena vibrant and fiscally sustainable for themselves and their descendants.

We applaud Rebuild St. Helena for coming up with a creative solution to the city's financial problems. We encourage other citizens to follow their lead.

Their idea is an elegant solution to a few vexing problems, and it could provide St. Helena with almost all the amenities that the city was envisioning when it wisely bought the Adams Street property in 2000. We urge the City Council to take a serious look at it and see whether the numbers pencil out.

Here's their plan:

— Sell the Adams Street property (not including the library) to a hotel developer for a 100-room, five-star resort for $15 million-$25 million

— Tear down City Hall and the police station

— Expand Lyman Park onto the City Hall property

— Build a 20,000-square-foot civic center on the current City Hall site, with a history center, library annex and exhibition space for performances and events on the first floor and City Hall on the second floor and underground parking

— Build a smaller recreation center at the rear of the current Lyman Park, along Railroad Avenue

— Build a new police station on the city-owned Teen Center parcel on Railroad Avenue

— Use the ongoing tax revenue from the resort (estimated at $3 million a year) to fund affordable housing efforts and generally shore up the city's finances

It's become clear that the city can't afford to develop the Adams Street property (even if there were political consensus on what to do with it) or replace the dilapidated City Hall/police station.

It wouldn't be easy, politically or emotionally, to sell the Adams Street property and abandon the long-held hope that it would fulfill the dreams of virtually every special interest in town with affordable housing, local-serving businesses, and a civic center. But, as we've said the last few weeks, it's time to embrace some bold revenue-generating solutions, and this might prove to be the best option for Adams Street.

Granted, there are a lot of ifs. We don't know how much the new buildings would cost, and the Adams Street parcel was recently appraised at $12 million, far short of the $15 million-$25 million envisioned by Rebuild St. Helena.

The city would also need to find the right hotel developer who's willing to deliver a tasteful design that's appropriate for the site. The costs of water, sewer and street extensions would have to be negotiated between the city and the developer.

However, the idea deserves serious analysis, even if the council ultimately decides it wouldn't work.

The city wisely decided to hold off on issuing separate Requests For Proposals (RFPs) to developers for the City Hall and Adams Street properties, pending the City Council's goal-setting meeting on Thursday. If the council decides to go ahead with the RFPs, the Rebuild St. Helena proposal should be evaluated alongside the developers' ideas.

If we want to invest in our streets and infrastructure, restore the city's financial health, and avoid the mistakes of the past, we need to start saying yes to some innovative ideas.

Kudos to Rebuild St. Helena for bringing this one to our attention.

City Council goal setting

The council will hold its annual goal-setting workshop from 9 a.m. to 4 p.m. Thursday, Feb. 11, at the firehouse.

http://napavalleyregister.com/star/news/opinion/mailbag/five-star-luxury-hotel-developer-needed-for-adams-street/article_db99b37c-ab94-5a9e-9a7e-05e3ea677804.html

Five-star luxury hotel developer needed for Adams Street

ANDY BARTLETT Rebuild St. Helena Updated Mar 9, 2016

The five community members of the informal group "Rebuild St. Helena" have been meeting since September. We are local citizens who, like all of us, want to help rebuild a better, more stable St. Helena. There is no financial gain or other hidden agenda that anyone in our group is expecting from our goals.

Our plan has evolved over the last months — through a collaboration of our time, our collective business experience, and countless creative conversations with local individuals and groups who share our passion for a better town — from the germ of an idea to what we believe to be a fully viable path forward to enriching both our finances and our heritage.

The City's finances are substantially strained to the point that it cannot generate enough annual revenue to fully fund its basic community services. Yet we have a dream, a vision many St. Helena citizens invested a lot of effort into shaping, for the City's 5.6-acre parcel at Adams Street in 2008/2009. This "Adams Street Vision" included venues for a new City Hall, a community center, a library annex, a history center and more.

Unfortunately, the City never had, nor will it ever have in the foreseeable future, the significant financial resources to realize that vision.

But there is a way to make that vision a reality and to fund the City's fiscal needs for decades into the future: move the Adams Street vision to Main Street. Transplanting the vision begins with our proposal that the City seek a buyer who would develop the Adams Street parcel with a 5-star luxury resort hotel.

A low density, 100-room hotel, of compatible design with our St. Helena architectural environment and image would be the best and highest use of the parcel and realize the highest price. Based on knowledgeable sources, we believe the Adams Street parcel, particularly with its St. Helena/Napa Valley address, would have strong appeal for the type of 5-star operator we must target.

Further, based on our market research of previous land sales and existing highest-quality hotels in the Napa Valley, we believe that the property sale would realize $25 million or more. In addition, it would generate initial developer impact fees of approximately $3 million for traffic mitigation and other infrastructure improvements, public safety, civic improvements and affordable housing.

Such a hotel would also benefit the town beyond the one-time purchase price by contributing approximately$3 million in lodging-based Transient Occupancy Tax (TOT) plus $250,000 of sales and property taxes annually. Together this one new business would increase the City's revenue by about 30 percent per year.

The initial Adams purchase price would be used to build the new Civic Plaza at Lyman Park. Our support for this plan is predicated on the City agreeing to utilize sale funds first of all for these improvements. By preliminary estimates, the capital revenue would be sufficient to fund all the original Adams Street Vision civic venues on the Main Street City Hall/Police Department property and on the rear portion of Lyman Park.

The Rebuild St. Helena vision includes a new 2-story Civic Hall on its present site, which would occupy a space smaller than its current footprint and increase green space fronting Main Street. This structure would accommodate City Administration, a Library Annex (the existing library would be untouched) and the Historical Society. A 2-story Community Center would be located on the rear side of the Lyman Park for an Events Hall, Recreation Center and Activity Center for all ages, all served by underground parking. Even better, these structures in combination would allow an approximate 40 percent expansion of the open space of Lyman Park. Thus, the Adams Street vision would be completed on Main Street, a much more desirable and accessible location.

How do we do this? The first essential step, as we have recommended to the City Council, is that they place the Adams Street parcel for sale with a prominent national or international real estate firm with expertise in marketing to 5-star luxury resort/hotel developers.

However, the City Council is now considering different alternatives, issuing two Request for Proposals (RFP) which would invite purchase offers from developers for any type of commercial development. This could include retail, offices, apartments or more. An open-ended RFP approach, unfortunately, would not only preclude our community from realizing the envisioned Civic Plaza but also minimize this chance to secure our finances into the future through collection of TOT from the new 5-star hotel on Adams.

If our community wishes to get the investment attention of sophisticated national and international entities which specialize in this type of development, it is essential for the City to show a commitment to inviting a 5-star luxury hotel on the Adams Street parcel. This approach will achieve the best results, not the open-ended RFPs. Let's have the tourists, who use our community services daily, contribute to solving our city's financial problems rather than having this burden placed entirely on our citizens.

We would like to hear from you if you have any questions, comments, or if you wish to help or offer your name as a supporter. There are more details on our website: RebuildStHelena.com. Please contact us at RebuildStHelena@gmail.com.

Rebuild St. Helena is made up of Andy Bartlett, Oliver Caldwell, George Caloyannidis, George David and Mike Thomas.

St. Helena's current financial crisis has also inspired a turning-point opportunity...
After 15+ years of visioning, the time has come for citizens and leaders to choose a secure future.

Will you join with your friends and neighbors
TO URGE THE ST. HELENA CITY COUNCIL to pursue the proposed

"REBUILD ST. HELENA" PLAN?

WHAT IS THE PLAN?

In one sentence: **Move the 2008 Adams Street "Civic Heart" vision to Main Street,** creating a beautiful, multi-faceted "Community Plaza on Main" with an expanded Lyman Park greenspace at its center.

HOW DO WE FUND IT?

The pivotal choice is to **maximize a directed sale of the City's 5.6 acre Adams Street asset.** Proceeds would fund the "Community Plaza on Main" construction *plus* stabilize our finances and public services for decades to come.

THE FINE PRINT: The details of this concept have grown ever more inclusive over months as our volunteer team invested countless hours of collaboration with city staff, business leaders, neighbors and other stakeholders such as the Historical Society, Rianda House, Friends of the Library, Citizen's Voice, Our Town St. Helena and more. We get that **after years of inertia, it feels daunting to at last make this choice.** But when the alternative scenarios are weighed realistically (and over ten years), the numbers are undeniable: *This path outshines them all.* **For the Council to lead St. Helena to this stable, vibrant future, these are the key steps:**

1. **Develop a directed listing and hire a professional real estate firm** specializing in hotel sales to prepare a marketing package on Adams Street to present to national and international luxury hotel developers.

2. **Sell the 5.6-acre City-owned parcel on Adams Street** (does not include the Library) for a carefully-targeted low-density 5-star luxury resort hotel to bring maximum financial benefits and design control to St. Helena.

3. **Use sale proceeds to relocate the long-standing community vision for Adams Street's "Civic Heart"** Community Center to the current City Hall/Lyman Park site on Main Street.

4. **Cancel or postpone the use of the Request for Proposals (RFP)** process now being considered by the City Council for both the Adams Street parcel and City Hall/Main Street site. These open-ended RFPs could allow any piecemeal commercial use. Our figures show that any combination solution other than one based on a luxury hotel on Adams would effectively eliminate City ability to build a Community Plaza and fund services.

5. **Use Transient Occupancy Tax (TOT) paid by tourists to reliably increase the city's budget** by roughly 30%, funding a high level of community services such as infrastructure improvements and affordable housing.

WE CAN DO THIS, ST HELENA!

We can fund and realize a "Civic Heart" legacy for all ages and future generations to enjoy and— AT THE SAME TIME—through smart use of our assets, let carefully-selected developers and our tourist visitors help citizens shoulder the burden of turning around St. Helena's financial future as quickly as possible.

WHO IS "REBUILD ST. HELENA"?

We are an informal group of locals who share the widespread community interest in solving the urgent question: how we can honor and share with our whole community our St Helena heritage and at the same time secure our financial future, both short-term and long-term? None have any financial gain in this plan, just hometown pride in making St Helena better connected and financially stable.

www.RebuildStHelena.com **RebuildStHelena@gmail.com**
Friends of Rebuild St. Helena
Andy Bartlett, Oliver Caldwell, George Caloyannidis, George David, MikeThomas

Adams Sale
$25,000,000

Annual Tax Revenue
$3.2 million

Sale of Adams Street Parcel
(for Hypothetical 100 Room Luxury 5-Star Resort)

ESTIMATED FINANCIAL BENEFITS TO CITY OF ST. HELENA

Initial Sale and Development Impact Fee Revenue

Sale Price (1)	$25,000,000
Less:	
Estimated Closing Cost (2)	$(750,000)
Existing Loan on Parcel to be repaid by City	$(720,000)
NET SALE PROCEEDS	$23,530,000
Developer Impact Fees (3)	$2,936,000
Net Sale and Development Impact Fee Revenue	**$26,466,000**

Annual Revenue Increase

Transient Occupancy Tax- TOT (4)	$2,956,500
Sales Tax (5)	$93,000
Property Tax (6)	$144,000
Total Annual Revenue Increase	**$3,193,500**

NOTES TO ADAMS STREET SALE

(1) An achievable sales price based on listing the parcel with a prominent real estate firm experienced in marketing to 5-star luxury hotel developers nationally and internationally rather than the City Council's proposal to market the parcel through a Request for Proposal (RFP) process which does not specify hotel development and allows other commercial uses such as office, retail and apartments.

(2) Selling commissions (1.75%) and closing costs(1.25%) or estimated at 3% of sales price.

(3) IMPACT FEES PER SQUARE FOOT	Lodging	Retail/ Commercial	Parking & Exterior Impervious Surface Areas	Total Impact Fee
Square Feet of Improvements*	96,000	12,000	109,000	
Affordable Housing**	$ 3.80	$ 5.21	$ -	$ 427,320
Public Safety	$ 1.10	$ 1.10	$ -	$ 118,800
Civic Improvement	$ 2.06	$ 2.06	$ -	$ 222,480
Water	$ 6.47	$ 6.39		$ 697,800
Sewer	$ 0.92	$ 0.93	$ -	$ 99,480
Storm Drain	$ 1.35	$ 1.74	$ 1.35	$ 297,630
Traffic Mitigation	$ 8.42	$ 22.03	$ -	$ 1,072,680
IMPACT FEES PER SQ. FT.	$ 24.12	$ 39.46	$ 1.35	
DEVELOPERS IMPACT FEE	$2,315,520	$473,520	$147,150	$ 2,936,190
			Rounded	$ 2,936,000

* Based on square footage estimated from a 5 star resort hotel design program adjusted to reflect a 100 room resort hotel.

**The city can negotiate a higher housing impact fee with the developer in the Development Agreement subject to resolution of the city council.

(4) Based on daily room rates averaging $900 per night stabilized in 2020 on 100 rooms for 365 days at 75% occupancy produces annual room revenue of $24,637,000 taxed at 12% provides TOT of $2,956,000.

(5) Retail sales are estimated at 40% of total room revenue or sales of $9,854,800 subject to the city's share of sales tax at 0.95%.

(6) Assessed value estimated at $90,000,000 at 1% tax rate with 16% share to city.

<u>REASONS FOR LISTING ADAMS STREET PROPERTY DIRECTLY WITH A HOTEL BROKER AS OPPOSED TO CONDUCTING AN RFP PROCESS</u>

Premise: Most people, including the City's appraisal firm, agree that a Hotel is the highest and best use for the Adams Street property and the City Council has authorized exploration of a sale of the property. We believe the most productive path to maximizing benefits for the City is to list the property for sale with a major professional real estate advisory and brokerage firm on an exclusive basis for the following reasons:

Advisor exclusively markets hospitality properties and does so in accordance with a detailed listing agreement that specifies the terms, conditions and limitations set by the City for offering and sale.

The property will be marketed worldwide to a targeted and qualified audience, some of whom have specifically targeted Napa

Marketing will take place through a network of sales offices and affiliated firms around the world

Advisors contacts include investors, hotel companies, developers, construction professionals, and brokers assuring broad exposure of the offering

The City would receive valuable input in structuring the offer

The Brokerage firm would produce a professional Offering Memorandum to be used universally

The third party nature of advisory representation assures that no proprietary information will be delivered to prospects until a Confidentiality Agreement has been executed to assure that the transaction remains confidential throughout. No price will be included in the listing

The City can receive a focused analysis of offers received from skilled, knowledgeable professionals

The City would have access to hotel specific negotiating skills when dealing with sophisticated prospects

The Advisor brings knowledge of sales competition in the market including current listings

The Advisor is aware of specific results obtained by other sellers in the market setting benchmarks

The Advisor knows his clients, how they do business and what they want and expect

Advisor knows development professionals who can partner with prospective investors increasing possibility of a sale

Advisor has knowledge of equity and debt sources who may aid in enabling and completing the sale

Very competitive commission rates are based on achievement of high volume sales success

Exclusive listing directs brokers to the Listing agent saving time and controlling information

Saves valuable City staff time throughout the process while improving probability of a sale.

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City of St. Helena
PROCLAMATION

Beringer Celebratory Proclamation

WHEREAS, seven score and zero years ago the brothers Frederick and Jacob Beringer completed their first year of wine production at Beringer Vineyards;

WHEREAS, Frederick Beringer constructed the Rhine House, perhaps ths single most amazing home in St. Helena and indeed in Napa County, with its gorgeous and amusing stain glass windows rivaling the best in the world;

WHEREAS, since that time Beringer Vineyards has been a singular presence in St. Helena of which the City is exceptionally proud;

WHEREAS, Beringer Vineyards survived the Prohibition years by selling sacramental wines to the Church, sales for which the City is eternally grateful as they ensured survival of this great winery;

WHEREAS, over a long period of time Beringer has made wines of deservedly worldwide reputation;

WHERAS. St. Helena residents are exceptionally proud to have a farming and winemaking facility of worldwide renown within their City limits;

WHEREAS, all City residents are appreciative of the restoration of the Rhine House in 2007 and rightly consider Rhine House among the great historical treasures of Napa County and indeed of the State of California;

WHEREAS, residents of St. Helena enjoy their proximity to the Beringer property, and encourage all visitors to visit the Beringer property and especially the Rhine House;

NOW, THEREFORE I, Alan Galbraith, Mayor of the City of St. Helena do hereby proclaim, April 24, 2016, as the first day of a yearlong celebration of the 140th year of first wine production at the Beringer Vineyards. I encourage all residents and visitors to enjoy the seven score celebration – and especially to take the time to enjoy the Rhine House and its glorious stain glass windows while sampling the great wines from this fabulous St. Helena venue.

Dated: March 22, 2016

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Alan Galbraith, Mayor

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Item No: 9

City of St. Helena
PROCLAMATION

National Library Week 2016

WHEREAS, libraries are not just about what we have for people, but what we do for and with people;

WHEREAS, libraries have long served as trusted and treasured institutions, and library workers and librarians fuel efforts to better their communities, campuses and schools;

WHEREAS, libraries are evolving in order to serve their communities and to continue to fulfill their role in leveling the playing field for all who seek information and access to technologies;

WHEREAS, libraries and librarians open up a world of possibilities through innovative STEAM programing, Makerspaces, job-seeking resources and the power of reading;

WHEREAS, libraries and librarians are looking beyond their traditional roles and providing more opportunities for community engagement and deliver new services that connect closely with patrons' needs;

WHEREAS, libraries support democracy and effect social change through their commitment to provide equitable access to information for all library users regardless of race, ethnicity, creed, ability, sexual orientation, gender identity or socio-economic status;

WHEREAS, libraries, librarians, library workers and supporters across America are celebrating National Library Week.

NOW, THEREFORE I, Alan Galbraith, Mayor of the City of St. Helena do hereby proclaim National Library Week, April 10-16, 2016. I encourage all residents to visit the library this week and explore what's new at your library, and engage with your librarian. Because of you, Libraries Transform.

Dated: March 22, 2016

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Alan Galbraith, Mayor
City of St. Helena

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City of St. Helena
PROCLAMATION
National Volunteer Week
April 10-16, 2016

WHEREAS, the entire community can inspire, equip and mobilize people to take action that changes the world;

WHEREAS, volunteers can connect with local community service opportunities through hundreds of community service organizations like HandsOn Network Action Centers; and

WHEREAS, individuals and communities are at the center of social change, discovering their power to make a difference;

WHEREAS, during this week all over the nation, service projects will be performed and volunteers recognized for their commitment to service;

WHEREAS, the giving of oneself in service to another empowers the giver and the recipient;

WHEREAS, experience teaches us that government by itself cannot solve all of our nation's social problems;

WHEREAS, our country's volunteer force of more than 63 million is a great treasure;

WHEREAS, volunteers are vital to our future as a caring and productive nation;

NOW, THEREFORE I, Alan Galbraith, Mayor of the City of St. Helena do hereby proclaim April 10-16, 2016, National Volunteer Week in The City of St. Helena, and urge my fellow citizens to volunteer in their respective communities. By volunteering and recognizing those who serve, we can come together to make a difference.

Dated: March 22, 2016

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Alan Galbraith, Mayor

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HAZARDOUS WASTE COLLECTION EVENT

Upper Valley Compost and Recycling Yard

Enter off Hwy 29 by Rutherford Grove Winery

BUSINESS HAZARDOUS WASTES

Fri, **April 8**, 2016

1 pm – 4 pm

For businesses that generate less than 27 gal. or 220 lbs of hazardous waste per month

APPOINTMENTS ARE REQUIRED – CALL 1-800-984-9661

BUSINESSES ARE CHARGED A FEE FOR THIS DISPOSAL SERVICE

Free! HOUSEHOLD HAZARDOUS WASTES

No business waste

Sat, **April 9**, 2016

9 am – 3 pm

Open to residential customers of Upper Valley Disposal Service or Clover Flat Landfill

NO ELECTRONICS, AMMUNITION, EXPLOSIVES, OR RADIOACTIVES

Legal limit of 15 gallons or 125 pounds

For More Info: Upper Valley Waste Management Agency, 259-8330

RECYCLE USED OIL & FILTERS

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Item No: 12 a

SPECIAL CLOSED SESSION MEETING

ST. HELENA CITY COUNCIL

MARCH 24, 2015

8:00 AM to 10:00 AM Special Meeting

St. Helena City Hall Conference Room

1480 Main Street, St. Helena

Mayor Galbraith called the meeting to order at 8:00 a.m.

1. **Roll Call**

   Present: Councilmembers Crull, Dohring, Pitts, White, Mayor Galbraith
   Absent: None

2. **Public comments pertaining to the closed session**

   No public comment received.

3. **Closed Session**

   a. Public Employee Performance Evaluation – Government Code Section 54957
   b. Position: City Manager

Councilmember Crull left closed session at 9:45 a.m.

Open Session – Council will return to open session and announce actions taken if any.

There was no action reported as a result of the Closed Session.

4. **Adjournment**

Mayor Galbraith adjourned the meeting at 10:00 a.m.

APPROVED: ATTEST:

Alan Galbraith, Mayor

Cindy Black, City Clerk

Item No: 12 b

REGULAR MEETING
ST. HELENA CITY COUNCIL
March 24, 2015

5:00 PM CLOSED SESSION
CITY HALL CONFERENCE ROOM,
1480 MAIN STREET, ST. HELENA

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

A complete video recording of this meeting, except for closed session, 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. PUBLIC COMMENTS PERTAINING TO THE CLOSED SESSION

Mayor Galbraith called for public comment regarding the Closed Session matters listed. There being none, the Council convened into Closed Session.

2. CLOSED SESSION

a. CONFERENCE WITH REAL PROPERTY NEGOTIATORS Govt Code Section 54956.8

Property:	Lower Reservoir, located on the northerly side of Spring Mountain Rd., assessor parcel number 9-131-13
Agency negotiator:	Jennifer Phillips, City Manager and Steve Palmer, Public Works Director
Negotiating parties:	George Peterson, General Manager, Spring Mountain Vineyard (SMV) and Good Wine Company
Under negotiation:	Price and terms of payment for water from Lower Reservoir

Councilmember Crull recused herself from item 2. a.

b. Conference with Legal Counsel—Existing Litigation; Govt Code Section 54956.9 (d)(1): Mark D. Kaye and Michael H. Fahn v. City of St. Helena, City Council of the City of St. Helena, Planning Commission of the City of St. Helena, Napa County Superior Court Case No. 26-65665

Mayor Galbraith recused himself from item 2. b.

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

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

4. **PLEDGE OF ALLEGIANCE**

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

5. **ROLL CALL**

Present: Councilmembers Dohring, Crull, Pitts, White, Mayor Galbraith
Absent: None

6. **PUBLIC FORUM:**

Geoff Ellsworth, Kelly Pitts, Pam Simpson, Bobbi Monnette and Chuck Vondra addressed the Council.

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

City Clerk Cindy Black reported on the recruitment to fill various boards and commissions vacancies.

Mayor Galbraith reported that Congressman Thompson's office communicated with him that the EPA has funded nearly a million dollars towards the dam removal project on upper York Creek.

PRESENTATIONS AND PUBLIC RECOGNITIONS

8. Proclamation - City of St. Helena Bee-Friendly City, St. Helena Library presented to Library Director Jennifer Baker.

9. Proclamation – April is National Child Abuse Prevention Month, Napa County District Attorney's Office, Victim Services Division

10. Proclamation – April is Safe Digging Month, Pacific Gas & Electric presented to PG&E Government Relations Manager Mark Van Gorder.

CONSENT ITEMS:

11. Consideration and proposed approval of resolution 2015-26 approving a professional services agreement with COWI North America, Inc. for Plans, Specifications and Estimate for Bell Canyon Reservoir Sluice Gate Replacement in the amount of $35,900
    CEQA Status: Categorically Exempt, Section 15301, Existing Facilities Class I
    Lead Staff: Steven Palmer, PE – Director of Public Works/City Engineer
    Recommendation: Approve

12. Consideration and proposed approval of resolution 2015-27 authorizing a contract with Paragon Tactical to install a bullet trap at the St. Helena Police Department gun firing range in the amount of $87,733
    CEQA Status: Categorically Exempt, Section 15061(b)(3)

Lead Staff: Jacqueline Rubin, Chief of Police
Recommendation: Adopt

13. Consideration and proposed approval of resolution 2015-28 approving out-of-state travel for Wastewater Chief Operator Michael Sample to attend the California Rural Water Association (CRWA) Conference in Lake Tahoe, Nevada April 27-30, 2015 in an amount not to exceed $1,150.00
CEQA Status: Not a CEQA project
Lead Staff: Kathy Robinson, Operations Manager
Steve Palmer, Director of Public Works / City Engineer
Recommendation: Adopt

14. Consideration and proposed approval of resolution 2015-29 authorizing for out-of-state travel for Mandy Kellogg and Dawn Marshall, to attend the annual Springrook conference, May 5th-7th 2015 in the amount of $1,600.00
CEQA Status: Not a CEQA project
Lead Staff: April Mitts, Finance Director
Recommendation: Adopt

Item 15 was removed.

~~15. Consideration and proposed approval of a resolution for an Economic Vitality Director/Assistant City Manager Position and Appropriation of Funds for Remainder of FY 2014-15 in the amount of $35,000~~
~~CEQA Status: Not a CEQA project~~
~~Lead Staff: Jennifer Phillips, City Manager~~
~~Recommendation: Adopt~~

16. Consideration and proposed approval of a resolution 2015-30 approving an Employment Contract for John Sorensen, Fire Chief
CEQA Status: Not a CEQA project
Lead Staff: Dawn Marshall, Administrative Services Manager
Recommendation: Adopt

17. Consideration and proposed approval of a resolution 2015-31 authorizing the City Manager to Make Minor Amendments to the Previously Approved Development Agreement as Authorized by Section 9.3 of the Subject Development Agreement, which is Applicable to the Vineland Station Site Located on the West side of Main Street (Hwy 29) immediately north and south of Vidovich Avenue, consisting of three Parcels Totaling approximately 8.5 acres
CEQA Status: Categorically Exempt, Class 5; Minor Alterations to Land Use Limitations
Lead Staff: Victor Carniglia, Planning Consultant
Recommendation: Adopt

Vice Mayor White moved to approve Consent Items 11-14 and 16. The motion was seconded by Councilmember Crull and on roll call carried by the following vote:

AYES: Councilmembers Dohring, White, Crull, Pitts and Mayor Galbraith

NOES: None

ABSENT: None

Councilmember Crull moved to approve Consent Item 17. The motion was seconded by Vice Mayor White and on roll call carried by the following vote:

AYES: Councilmembers Dohring, White, Crull and Mayor Galbraith

NOES: None

ABSENT: None

RECUSED: Councilmember Pitts

Items Removed from the Consent Calendar:

15. Consideration and proposed approval of a resolution 2015-32 for an Economic Vitality Director/Assistant City Manager Position and Appropriation of Funds for Remainder of FY 2014-15 in the amount of $35,000
    CEQA Status: Not a CEQA project
    Lead Staff: Jennifer Phillips, City Manager
    Recommendation: Adopt

Geoff Ellsworth, Sandra Erickson, Kathy Golding, Pam Simpson, Bobbi Monnette addressed the Council.

Councilmember Dohring moved to approve Consent Item 15 amending resolution section b. to include after "create an economic development position" adding the language, "including affordable housing opportunities". The motion was seconded by Councilmember Crull and on roll call carried by the following vote:

AYES: Councilmembers Dohring, White, Crull, Pitts and Mayor Galbraith

NOES: None

ABSENT: None

NEW BUSINESS

18. Consideration and proposed approval of a resolution 2015-33 approving the 2015 Strategic Objectives
    CEQA Status: Not a CEQA project
    Lead Staff: Jennifer Tuell, Assistant to the City Manager (Interim)
    Recommendation: Adopt

Daniel Sanchez and Sandra Erickson addressed the Council.

18. Vice Mayor White moved to adopt resolution 2015-33 approving the 2015 Strategic Objectives amending number 6 to read:
    6. **Project/Economic Manager**

Identify ongoing revenue to hire a Manager focused on economic development special revenue projects including revenue enhancements such as TOT, cost sharing and explore annexation options. This position could also be structured as an Assistant City Manager.

The motion was seconded by Councilmember Pitts and on roll call carried by the following vote:

AYES: Councilmembers Pitts, Crull and White
NOES: Councilmember Dohring and Mayor Galbraith
ABSENT: None

ADJOURNMENT

Mayor Galbraith adjourned the meeting at 7:25 p.m.

APPROVED: **ATTEST:**

______________________________ ______________________________

Alan Galbraith, Mayor Cindy Black, City Clerk

Item No: 12 c

REGULAR MEETING
ST. HELENA CITY COUNCIL
April 14, 2015

4:00 PM CLOSED SESSION
CITY HALL CONFERENCE ROOM,
1480 MAIN STREET, ST. HELENA

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

A complete video recording of this meeting, except for closed session, 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. PUBLIC COMMENTS PERTAINING TO THE CLOSED SESSION

Mayor Galbraith called for public comment regarding the Closed Session matters listed. There being none, the Council convened into Closed Session.

2. CLOSED SESSION

a. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION; Government Code Section 54956.9(d)(1); City of St. Helena v. Upper Valley Disposal Service, Napa County Superior Court No. 26-64875

b. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION Initiation of litigation pursuant to Government Code Section 54956.9(d)(4): (Two potential case)

c. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION; Government Code Section 54956.9, subdiv. (d)(2): Significant exposure to litigation (one potential case)

d. CONFERENCE WITH LABOR NEGOTIATORS—Government Code section 54957.6:
City designated representative: Mayor Alan Galbraith
Unrepresented employee: City Manager

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

The Regular Meeting was reconvened at 6:00 p.m. and City Attorney Thomas B. Brown reported that there were two reportable actions. Council gave direction to initiate litigation in two matters. Relevant details will be made available to the public upon request when they have commenced. No other reportable actions were taken.

4. **PLEDGE OF ALLEGIANCE**

Mayor Galbraith called for the flag salute.

5. **ROLL CALL**

Present: Councilmembers Dohring, Crull, Pitts, White, Mayor Galbraith
Absent: None

6. **PUBLIC FORUM:**

Sandy Erickson and Scott Decker addressed the Council.

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. Proclamation – National Library Week, April 12-18, 2015, presented to St. Helena Library

9. Proclamation – GIVE BIG ST. HELENA!, presented to GIVE BIG St. HELENA! Steering Committee

10. Proclamation – National Crime Victims' Rights Week – April 19 to 25, 2015, presented to Napa County District Attorney's Office, Victim Services Division

11. Proclamation – Sexual Assault Awareness Month April 2015, presented to Sexual Assault Victim Services (SAVS), CEDV Napa Police Department, Napa Emergency Women's Services

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)

12. Consideration and proposed approval of resolution 2015-35 approving a professional services agreement with Interwest Consulting Group, Inc. in the amount of $11,540 for Specifications and Estimate for the 2015 Pavement Rehabilitation Project, and transferring $276,601 from Capital Improvement Project R-71 to R-48
<u>CEQA Status:</u> Categorically Exempt, Section 15301, Existing Facilities Class I
<u>Lead Staff:</u> Steven Palmer, PE – Director of Public Works/City Engineer
<u>Recommendation:</u> Adopt

A citizen requested removal of Items 13 and 14.

~~13. Consideration and proposed approval of resolution adopting a revised conflict of~~

~~interest code for the City of St. Helena and rescinding Resolution 2012-76~~
~~CEQA Status:~~ ~~Not a CEQA Project~~
~~Lead Staff:~~ ~~Cindy Black, City Clerk~~
~~Recommendation:~~ ~~Adopt~~

~~14. Consideration and proposed approval of resolution for a Professional Services Agreement with Glenmount Global Solutions in the amount of $21,500 for City of St. Helena Remote Terminal Unit Upgrades (Meadowood Tank and Pump Station)~~
~~CEQA Status:~~ ~~Categorically Exempt, Section 15301, Existing Facilities Class I~~
~~Lead Staff:~~ ~~Steven Palmer, PE – Director of Public Works/City Engineer~~
~~Recommendation:~~ ~~Adopt~~

Councilmember Crull moved to approve Consent Item 12. The motion was seconded by Councilmember Pitts and on roll call carried by the following vote:

AYES: Councilmembers Dohring, White, Crull, Pitts and Mayor Galbraith

NOES: None

ABSENT: None

Items Removed from the Consent Calendar:

13. Consideration and proposed approval of resolution 2015-34 adopting a revised conflict of interest code for the City of St. Helena and rescinding Resolution 2012-76
CEQA Status: Not a CEQA Project
Lead Staff: Cindy Black, City Clerk
Recommendation: Adopt

City Attorney Thomas B. Brown reported on this item.

Sandy Erickson addressed the Council.

Vice Mayor White moved to approve Consent Item 13. The motion was seconded by Councilmember Crull and on roll call carried by the following vote:

AYES: Councilmembers Dohring, White, Crull, Pitts and Mayor Galbraith

NOES: None

ABSENT: None

14. Consideration and proposed approval of resolution 2015-36 for a Professional Services Agreement with Glenmount Global Solutions in the amount of $21,500 for City of St. Helena Remote Terminal Unit Upgrades (Meadowood Tank and Pump Station)
CEQA Status: Categorically Exempt, Section 15301, Existing Facilities Class I
Lead Staff: Steven Palmer, PE – Director of Public Works/City Engineer
Recommendation: Adopt

Director of Public Works/City Engineer Steven Palmer reported on this item.

Bobbi Monnette and addressed the Council.

Councilmember Pitts moved to approve Consent Item 14. The motion was seconded by Councilmember Crull and on roll call carried by the following vote:

AYES: Councilmembers Dohring, White, Crull, Pitts and Mayor Galbraith

NOES: None

ABSENT: None

NEW BUSINESS

15. Consideration and proposed approval of a resolution 2015-37 approving an employment agreement with Noah Housh to serve as the City's Planning and Community Improvement Director
    <u>CEQA Status:</u> Not a CEQA Project
    <u>Lead Staff:</u> Jennifer Phillips, City Manager
    <u>Recommendation:</u> Adopt

City Manager Jennifer Phillips reported on this item.

No public comments was received

Vice Mayor White moved to approve resolution 2015-37 approving an employment agreement with Noah Housh to serve as the City's Planning and Community Improvement Director. The motion was seconded by Councilmember Pitts and on roll call carried by the following vote:

AYES: Councilmembers Dohring, White, Crull, Pitts and Mayor Galbraith

NOES: None

ABSENT: None

16. Consideration and proposed approval of resolution 2015-38 approving a Senior Management Analyst/Water Conservation Coordinator position for a total cost of $18,800 for FY 2014-15
    <u>CEQA Status:</u> Not a CEQA Project
    <u>Lead Staff:</u> Jennifer Phillips, City Manager
    <u>Recommendation:</u> Adopt

City Manager Jennifer Phillips reported on this item.

No public comments was received

Councilmember Pitts moved to approve resolution 2015-38 approving a Senior Management Analyst/Water Conservation Coordinator position for a total cost of $18,800 for FY 2014-15. The motion was seconded by Vice Mayor White and on roll call carried by the following vote:

AYES: Councilmembers White, Crull, Pitts and Mayor Galbraith

NOES: Councilmember Dohring

ABSENT: None

17. Independent Auditor's Report on Internal Control over Financial Reporting
    CEQA Status: Not a CEQA Project
    Lead Staff: April Mitts, Finance Director
    Recommendation: Receive and Accept

Finance Director April Mitts reported on this item.

No public comments was received

Councilmember Pitts moved to accept the Independent Auditor's Report on Internal Control over Financial Reporting. The motion was seconded by Councilmember Crull and on roll call carried by the following vote:

AYES: Councilmembers Dohring, White, Crull, Pitts and Mayor Galbraith

NOES: None

ABSENT: None

18. FEMA/OES Refund Update
    CEQA Status: Not a CEQA Project
    Lead Staff: April Mitts, Finance Director
    Recommendation: No Action

Finance Director April Mitts reported on this item.

Sandra Erickson and Bonnie Monnette addressed the Council.

19. Consideration and proposed approval of resolution 2015-39 for development of a Grant Manager Position and Appropriation of Funds for Remainder of FY 2014-15 in the amount of $19,000
    CEQA Status: Not a CEQA Project
    Lead Staff: April Mitts, Finance Director
    Recommendation: Adopt

Sandra Erickson addressed the Council.

Vice Mayor White moved to approve resolution 2015-39 for development of a Grant Manager Position and Appropriation of Funds for Remainder of FY 2014-15 in the amount of $19,000. The motion was seconded by Councilmember Crull and on roll call carried by the following vote:
AYES: Councilmembers White, Crull, Pitts and Mayor Galbraith

NOES: Councilmember Dohring

ABSENT: None

PUBLIC HEARING

13. Resolution 2015-40 Appeal of the February 3, 2015 Planning Commission decision to deny a Demolition Permit, Parcel Map, Use Permit and Design Review in order to demolish an existing single-family residence, subdivide the existing parcel into two parcels (creating a flag lot) and develop a new two-story single-family residence on each of the new parcels at 1837 Pine Street in the MR: Medium Density Residential district

CEQA Status:	Categorically Exempt
Lead Staff:	Victor Carniglia, Planning Consultant
Recommendation:	Adopt resolution denying appeal

Mayor Galbraith recused himself and left the dais.

Planning Consultant Victor Carniglia reported on this item.

Vice Mayor Peter White opening the public hearing for public comment.

Tracy Sweeney, Clair Pott, Michael Bothwell, Mr. Chase, Linda Burton, Dr. Brad Nichinson, David Devin and David Trotter addressed the Council.

Councilmember Pitts moved to approve Resolution 2015-40 denying Appeal of the February 3, 2015 Planning Commission decision to deny a Demolition Permit, Parcel Map, Use Permit and Design Review in order to demolish an existing single-family residence, subdivide the existing parcel into two parcels (creating a flag lot) and develop a new two-story single-family residence on each of the new parcels at 1837 Pine Street in the MR: Medium Density Residential district and amending the resolution to include:

F. The City Council considered the proposed revisions submitted on appeal by the applicant. The Council did not find them persuasive to overturn the Planning Commission decision, or reach a different conclusion.

The motion was seconded by Councilmember Dohring and on roll call carried by the following vote:
AYES: Councilmembers Dohring, White, Crull, Pitts and Mayor Galbraith

NOES: None

ABSENT: None

ADJOURNMENT

Mayor Galbraith adjourned the meeting at 8:44 p.m.

APPROVED: **ATTEST:**

______________________________ ______________________________

Alan Galbraith, Mayor Cindy Black, City Clerk

Item No: 12 d

SPECIAL GENERAL PLAN PUBLIC WORKSHOP MEETING
ST. HELENA CITY COUNCIL
April 15, 2015

5:30 PM SPECIAL MEETING
VINTAGE HALL BOARD ROOM – SECOND FLOOR
465 MAIN STREET, ST. HELENA

1. PLEDGE OF ALLEGIANCE

Mayor Galbraith called the meeting to order at 5:20 p.m. and the flag was saluted.

2. ROLL CALL

Present: Councilmembers Dohring, Crull, Pitts, White, Mayor Galbraith

Absent: None

Planning Consultant Victor Carniglia presented a brief overview of the presentation to follow public comments.

3. Public comments pertaining to the General Plan Public Workshop meeting.

Sandra Erickson, Susan Kenward, Geoff Ellsworth, George David, Faith Echtermeyer, Guy Kane, Lisa Toller, Connie Kay, Burnie Buckley, Ron Sproat, Cynthia Smith, Ethan Brown, Wendell Laidley and Grace Kistner addressed the Council.

4. Discuss and provide direction concerning the St. Helena General Plan update

Planning Consultant Victor Carniglia reported to Council on this subject.

The majority of the Council chose to proceed with using the April 2015 draft General Plan.

Council reviewed each element of the April 2015 draft General Plan. Round table discussions ensued regarding various aspects of the draft General Plan. It was the consensus of the Council to create new land use category that would be applicable to the City's existing single family neighborhoods.

ADJOURNMENT

Mayor Galbraith adjourned the meeting at 7:15 p.m.

APPROVED:	ATTEST:
Alan Galbraith, Mayor	Cindy Black, City Clerk

Item No: 12 e

REGULAR MEETING
ST. HELENA CITY COUNCIL
April 28, 2015

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

1. PLEDGE OF ALLEGIANCE

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

2. ROLL CALL

Present: Councilmembers Dohring, Crull, Pitts, White, Mayor Galbraith
Absent: None

3. PUBLIC FORUM:

Sandra Erickson addressed the Council.

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

City Manager Jennifer Phillips reported on the upcoming Community 4th of July Fireworks event and also her recent teaching visit to the California State University Fullerton.

Public Works Director/City Engineer Steven Palmer reported that the month of May is Bike to Work Month and May 14th is Bike to Work Day, all residents are encouraged to bike to work.

Mayor Alan Galbraith reported on the attending the recent League of California Cities North Bay Division dinner meeting. At that meeting the City of Napa Mayor acknowledged the mutual aid given by surrounding communities after the August 24, 2014 Napa earthquake and presented the City of St. Helena with a token of appreciation. He also reported Napa County is in need of applicants for the Napa County Grand Jury. In conclusion he highlighted the recent designation by the State of California, Office of Historic Preservation, Department of Parks and Recreation that JC Weinberger Winery is now listed on the National Register of Historic Places.

Councilmember Pitts reported on the upcoming Cinco de Mayo celebration to be held in Lyman Park.

CONSENT ITEMS:

5. Consideration and proposed approval of resolution 2015-41 approving a Professional Services Agreement for Consulting Services with West Yost Associates in the amount of $63,282 for Stonebridge Well Filter Restoration and Filter Media

Replacement
<u>CEQA Status:</u> Categorically Exempt, Section 15301, Existing Facilities Class I
<u>Lead Staff:</u> Steven Palmer, PE – Director of Public Works/City Engineer
<u>Recommendation:</u> Adopt

6. Consideration and proposed approval of resolution 2015-42 approving budget adjustments to various capital improvement projects in order to reflect actual prior year expenditures
<u>CEQA Status:</u> Not a CEQA Project
<u>Lead Staff:</u> Steven Palmer, PE – Director of Public Works/City Engineer
<u>Recommendation:</u> Adopt

7. Consideration and proposed approval of resolution 2015-43 approving contract with Avtec Corp. to replace currently outdated dispatch radio system and software, cost $81,395.00
<u>CEQA Status:</u> Not a CEQA Project
<u>Lead Staff:</u> Jackie Rubin, Police Chief
<u>Recommendation:</u> Adopt

8. Consideration and proposed approval of resolution 2015-44 approving outside employment for the City Manager with University of California, Davis Extension and California State University, Fullerton Extended Education
<u>CEQA Status:</u> Not a CEQA Project
<u>Lead Staff:</u> Jennifer Phillips, City Manager
<u>Recommendation:</u> Adopt

9. Consideration and proposed approval of resolution 2015-45 approving an agreement with Boys and Girls Club of St. Helena and Calistoga (BGCSHC) to provide the Juvenile Diversion and Drug Resistance and Awareness Program (D.A.R.E.) Programs.
<u>CEQA Status:</u> Not a CEQA Project
<u>Lead Staff:</u> Jackie Rubin, Chief of Police
<u>Recommendation:</u> Adopt

Item 10 was removed by Mayor Galbraith.

~~10. Stating the City Council's intent to sell public property known as 684 McCorkle Avenue and setting a hearing for any protests to the sale and City Council action on the sale~~
~~CEQA Status: Not a CEQA Project~~
~~Lead Staff: Aaron Hecock, Planner~~
~~Recommendation: Adopt~~

Councilmember Dohring moved to approve items 5-9. The motion was seconded by Councilmember Crull and on roll call carried by the following vote:

AYES: Councilmembers Dohring, White, Crull, Pitts and Mayor Galbraith

NOES: None

Items Removed from the Consent Calendar:

10. Stating the City Council's intent to sell public property known as 684 McCorkle Avenue and setting a hearing for any protests to the sale and City Council action on the sale

CEQA Status:	Not a CEQA Project
Lead Staff:	Aaron Hecock, Planner
Recommendation:	Adopt

City Manager Jennifer Phillips reported on this item.

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

AYES: Councilmembers Dohring, White, Crull, Pitts and Mayor Galbraith

NOES: None

NEW BUSINESS

11. Resolution 2015-47 Final Decision on the Applicant Appeal of Tree Committee Decision to Deny Removal of the 14.5-inch Diameter at Breast Height Chinese Pistache Tree at 1752 Scott Street

CEQA Status:	Categorically Exempt, Section 15061(b)(3)
Lead Staff:	Steven Palmer, PE – Director of Public Works/City Engineer
Recommendation:	Adopt

Director of Public Works/City Engineer Steven Palmer reported on this item.

Mayor Galbraith opened the public hearing for public comment.

Ann Cottrell, Sandra Erickson, citizen, Doug Cutting, Carol Troy, Sandra Erickson and Jason Abbott addressed the Council.

Mayor Galbraith closed the public hearing for public comment.

Vice Mayor White moved to approve the appeal of the Tree Committee decision to deny the removal of the 14.5-inch diameter at breast height Chinese Pistache tree at 1752 Scott Street. The motion was seconded by Councilmember Pitts and roll carried by the following vote:

AYES: Councilmembers White and Pitts

NOES: Councilmember Dohring, Crull and Mayor Galbraith

The motion failed to pass.

Councilmember Dohring moved to deny the appeal of the Tree Committee decision to deny the removal of the 14.5-inch diameter at breast height Chinese Pistache tree at 1752 Scott

Street. The motion was seconded by Councilmember Crull and roll carried by the following vote:

AYES: Councilmembers Dohring, Crull and Mayor Galbraith

NOES: Vice Mayor White and Councilmember Pitts

12. Consideration and proposed approval of resolution 2015-48 Certifying the Environmental Impact Report for the Upper York Creek Dam Removal Project, adopt findings of fact and statement of overriding considerations, adopt a mitigation monitoring and reporting program, and authorize staff to proceed with development of bidding documents
<u>CEQA Status:</u> Environmental Impact Report
<u>Lead Staff:</u> Steven Palmer, PE – Director of Public Works/City Engineer
<u>Recommendation:</u> Adopt

Councilmember Crull recused herself and left the meeting room.

Director of Public Works/City Engineer Steven Palmer reported on this item.

Mayor Galbraith opened the public hearing for public comment.

Bobbi Monnette addressed the Council.

Mayor Galbraith closed the public hearing for public comment.

Councilmember Pitts moved to certify the Environmental Impact Report for the Upper York Creek Dam Removal Project, adopt findings of fact and statement of overriding considerations, adopt a mitigation monitoring and reporting program, and authorize staff to proceed with development of bidding documents. The motion was seconded by Councilmember Dohring and roll carried by the following vote:

AYES: Councilmembers Pitts, Dohring, Crull, White and Mayor Galbraith

NOES: None

13. Uncodified Interim Urgency Ordinance 2015-4 Prohibiting Certain Activities that Waste Water and Implementing Mandatory Restrictions on Outdoor Irrigation to Promote Water Conservation, to Become Effective Immediately
<u>CEQA Status:</u> Categorically Exempt, Section 15269(c)
<u>Lead Staff:</u> Steven Palmer, PE – Director of Public Works/City Engineer
<u>Recommendation:</u> Adopt

Director of Public Works/City Engineer Steven Palmer reported on this item.

No comment was received.

Vice Mayor White moved to adopt the Urgency Ordinance 2015-4 Prohibiting Certain Activities that Waste Water and Implementing Mandatory Restrictions on Outdoor Irrigation to Promote Water Conservation, to Become Effective Immediately. The motion was seconded by Councilmember Pitts and roll carried by the following vote:

AYES: Councilmembers Pitts, Dohring, Crull, White and Mayor Galbraith

NOES: None

ADJOURNMENT

Mayor Galbraith adjourned the meeting at 7:43 p.m.

APPROVED:	**ATTEST:**
________________________	________________________
Alan Galbraith, Mayor	Cindy Black, City Clerk

Item No: 12 f

SPECIAL PUBLIC BUDGET WORKSHOP MEETING
ST. HELENA CITY COUNCIL
May 11, 2015

1:30 PM SPECIAL MEETING
VINTAGE HALL BOARD ROOM – SECOND FLOOR
465 MAIN STREET, ST. HELENA

1. PLEDGE OF ALLEGIANCE

Mayor Galbraith called the meeting to order at 1:30 p.m. and the flag was saluted.

2. ROLL CALL

Present: Councilmembers Dohring, Crull (left the meeting at 2:35 pm), Pitts, White, Mayor Galbraith

Absent: None

3. Public comments pertaining to the Budget Public Workshop meeting.

Mayor Galbraith will open public comment during the presentation.

4. Discuss and provide direction on the St. Helena Proposed FY 15/16 Budget

a. Budget overview

City Manager Jennifer Phillips and Finance Director April Mitts provided a presentation to Council.

b. Non-Profits

Mayor Galbraith opened public comment for non-profit organizations to address the Council.

Father John Brinkle and California Human Development Non-Profit Representative Chris Paige addressed the Council regarding Work Connection.

UpValley Family Centers Executive Director Jenny Ocón addressed the Council

Boys and Girls Clubs of St. Helena Associate Executive DirectorTrent Yaconelli addressed the City Council.

The Council recessed at 2:35 pm.

The Council reconvened at 2:55 pm.

St. Helena Chamber of Commerce President Pam Simpson addressed the Council.

c. **Departments:**
   - **City Council**
   - **City Manager**

City Manager Jennifer Phillips reported on City Council and City Manager Departments budget.

Mayor Galbraith opened public comment for City Council and City Manager Departments and no public comment received.

- **Finance**

Finance Director Mitts reported on the Finance Department budget.

Mayor Galbraith opened public comment for the Finance Department and no public comment received.

- ~~**City Attorney**~~

The City Attorney budget was reported after Planning/Building.

- **Planning/Building**

Planning Consultant Victor Carniglia reported on the Planning/Building Department budget.

Mayor Galbraith opened public comment for the Planning/Building Department and no public comment received.

- **City Attorney**

City Manager Jennifer Phillips reported on City Attorney budget.

Mayor Galbraith opened public comment for the City Attorney budget and no public comment received.

- **Non-Departmental**

City Manager Jennifer Phillips reported on Non-Departmental budget.

Mayor Galbraith opened public comment. Geoff Ellsworth, Linda Burton, Chamber

President Pam Simpson, Pat Dell, Polly Keegan, Dave Yewell and Tracy Sweeney addressed the City Council.

- **Library**

Library Director Jennifer Baker reported on the Library budget.

Mayor Galbraith opened public comment. Tracy Sweeney and Linda Burton addressed the City Council.

- **Recreation**

Recreation Director Haidi Arias reported on the Recreation budget.

Mayor Galbraith opened public comment. Pat Dell and Chamber President Pam Simpson addressed the City Council.

- **Fire**

Fire Chief John Sorenson reported on the Fire Department budget.

Mayor Galbraith opened public comment for the Fire Department and no public comment received.

- **Police**

Police Chief Jackie Rubin reported on the Police Department budget.

Mayor Galbraith opened public comment. Geoff Ellsworth addressed the City Council.

The Council recessed at 4:35 pm.

The Council reconvened at 4:45 pm.

- **Public Works**
- **Water/Wastewater**
- **Capital Improvement Projects**

Public Works Director/City Engineer Steve Palmer reported on the Public Works, Water/Wastewater and Capital Improvement Projects budgets.

Mayor Galbraith opened public comment for the Fire Department and no public comment received.

A round table discussion ensued between the City Council and City Manager Phillips in regards to areas of further analyzing for potential reductions.

ADJOURNMENT

Mayor Galbraith adjourned the meeting at 5:45 p.m.

APPROVED: ATTEST:

Alan Galbraith, Mayor Cindy Black, City Clerk

Item No: 12 g

REGULAR MEETING
ST. HELENA CITY COUNCIL
VINTAGE HALL BOARD ROOM – SECOND FLOOR
465 MAIN STREET, ST. HELENA
May 12, 2015
5:00 PM CLOSED SESSION
6:00 P.M. REGULAR MEETING

A complete video recording of this meeting, except for closed session, 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. PUBLIC COMMENTS PERTAINING TO THE CLOSED SESSION

Mayor Galbraith called for public comment regarding the Closed Session matters listed. There being none, the Council convened into Closed Session.

2. CLOSED SESSION

a. Conference with Legal Counsel—Anticipated Litigation; Government Code § 54956.9, subdiv. (d)(2): Significant exposure to litigation (one potential case)

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

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

4. PLEDGE OF ALLEGIANCE

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

5. ROLL CALL

Present: Councilmembers Dohring, Crull, Pitts, White, Mayor Galbraith
Absent: None

6. PUBLIC FORUM:

Scott Decker addressed the City Council.

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

City Manager Jennifer Phillips and Director of Public Works/City Engineer Steven

Palmer addressed the City Council.

Vice Mayor White reported that he accepted a proclamation as Chair of the Watershed Information Center and Conservancy from the Napa County Board of Supervisors recognizing The Month of May as Watershed Month.

PRESENTATIONS AND PUBLIC RECOGNITIONS

8. Proclamation – Mental health Month, presented to Napa County Health & Human Services Agency

Mayor Galbraith presented the proclamation to representatives Doug Hawker and Indira Lopez from the Up Valley Family Resource Center.

9. Proclamation – 55th Annual National Public Works Week, presented to St. Helena Public Works

Mayor Galbraith presented the proclamation to Public Works staff members Glenn Price, David Hastle, Carlos Uribe and Michael Sample.

CONSENT ITEMS:

10. Consideration and proposed approval of Regular and Special Meeting Minutes of:
    a. Regular Meeting Minutes of September 23, 2014
    b. Regular Meeting Minutes of October 14, 2014
    c. Regular Meeting Minutes of October 28, 2014

    CEQA Status: Not a CEQA Project
    Lead Staff: Cindy Black, City Clerk
    Recommendation: Adopt

11. Consideration and proposed approval of a resolution 2015-49 regulating the use of public property for the St. Helena Chamber of Commerce Musical Picnic in Lyman Park events

    CEQA Status: ~~Not a CEQA Project~~
    Lead Staff: Cindy Black, City Clerk
    Recommendation: Adopt

12. Consideration and proposed approval of a resolution 2015-50 regulating the use of public property to include mobile food vendors for the St. Helena Recreation Department Summer Series for special events in 2015

    CEQA Status: ~~Not a CEQA Project~~
    Lead Staff: Haidi Arias, Recreation Director
    Recommendation: Adopt

13. FEMA/OES Refund Update

    CEQA Status: Not a CEQA Project
    Lead Staff: Jennifer Phillips, City Manager
    Recommendation: No Action

City Manager Phillips noted Items 11 and 12 CEQA Status should be amended to Exempt.

Regulations of the use of public property has been determined to be exempt from further review under CEQA as the actions qualify for a class 1 categorical exemption under Section 15301 and class 21 categorical exemption under Section 15321 of CEQA.

Vice Mayor White moved to approve Consent Items 10-13 as amended. The motion was seconded by Councilmember Crull and on roll call carried by the following vote:
AYES: Councilmembers White, Crull, Pitts, Dohring and Mayor Galbraith
NOES: None

PUBLIC HEARING

14. Consideration and proposed approval of a resolution 2015-51 approving the sale of public property known as 684 McCorkle Avenue as being consistent with the public interest and convenience and finding the sale exempt from the California Environmental Quality Act
    CEQA Status: The sale of the McCorkle Property is exempt from review under the California Environmental Quality Act ("CEQA") pursuant to a categorical exemption under 14 CCR 15332, which exempts from review specified "in-fill development projects."
    Lead Staff: Jennifer Phillips, City Manager
    Recommendation: Adopt

Mayor Galbraith opened the Public Hearing. Public comment was received by the resident of 645 McCorkle, Bobbi Monnette, Mary Stephenson and a Hunt's Grove Resident Manager.

Vice Mayor White moved to approve the sale of public property known as 684 McCorkle Avenue as being consistent with the public interest and convenience and finding the sale exempt from the California Environmental Quality Act. The motion was seconded by Councilmember Crull and on roll call carried by the following vote:
AYES: Councilmembers White, Crull, Pitts, Dohring and Mayor Galbraith
NOES: None

NEW BUSINESS

15. Discussion and Possible Direction to St. Helena Representative to Upper Valley Waste Management Authority (UVWMA) Related to Proposal from Upper Valley Disposal and Clover Flat Landfill for Rate Increase and Franchise Term Extension
    CEQA Status: Exempt per California Environmental Act (CEQA) Guideline, Section 15061(b)(3)
    Lead Staff: Jennifer Phillips, City Manager
    Recommendation: Provide Direction

Upper Valley Disposal Services representative Brice Howard addressed the City Council and provided a presentation.

Public comment was received by Jerry Gill, CEO Sustainability Napa County.

After a round table discussion it was the consensus of the City Council for Councilmember/ Upper Valley Waste Management Authority Board member Crull to share their requests of, "just and reasonable" rates to the community.

ADJOURNMENT

Mayor Galbraith adjourned the meeting at 6:13 p.m.

APPROVED: **ATTEST:**

______________________________ ______________________________

Alan Galbraith, Mayor Cindy Black, City Clerk

Item No: 12 h

REGULAR AND SPECIAL JOINT MEETING

ST. HELENA CITY COUNCIL

VINTAGE HALL BOARD ROOM – SECOND FLOOR

465 MAIN STREET, ST. HELENA

MAY 26, 2015

4:00 P.M. BROWN ACT TRAINING WORKSHOP

JOINT MEETING:

ST. HELENA CITY COUNCIL

ST. HELENA PLANNING COMMISSION

ST. HELENA BOARD OF LIBRARY TRUSTEES

ST. HELENA PARKS AND RECREATION COMMISSION

ST. HELENA TREE COMMITTEE

ST. HELENA SUSTAINABILITY COMMITTEE

ST. HELENA ACTIVE TRANSPORTATION COMMITTEE

ST. HELENA MULTI-CULTURAL COMMITTEE

6:00 P.M. REGULAR CITY COUNCIL MEETING

A complete video recording of this meeting, except for closed session, 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. 4:00 P.M. SPECIAL JOINT MEETING

2. CALL TO ORDER

City Clerk Cindy Black called the meeting to order at 4:00 p.m.

~~3. PLEDGE OF ALLEGIANCE~~

Mayor Galbraith will call for the pledge of allegiance at the start of the regular meeting.

4. ROLL CALL

a. St. Helena City Council:

Present: Mayor Alan Galbraith and Vice-Mayor Peter White

Absent: Councilmembers Sharon Crull, Paul Dohring and Greg Pitts

b. St. Helena Planning Commission:

Present: Vice-Chair Grace Kistner, Commissioners Matthew Heil, Bobbi Monnette, Tracy Sweeney

Absent: Chair Sarah Parker

c. **St. Helena Board of Library Trustees:**

Present: Chair Bonnie Long, Vice-Chair Susan Swan, Trustee Bob Dye, Lin Weber and Terry Wood

Absent: Trustees Skip Lane and Malcolm McClain

d. **St. Helena Parks and Recreation Commission:**

Present: Chair Chris Cutler, Vice-Chair Roberta Oswald and Commissioners Kim Phinney and Tracy Smith

Absent: Commissioner William Summers

e. **St. Helena Tree Committee:**

Present: Vice-Chair Kellie Carlin, Committee member Edie Kausch

Absent: Chair Susann Ortega, Committee members Carol Troy, Kacey Stotesbery and Susan Smith-Allen

f. **St. Helena Sustainability Committee:**

Present: Chair Steve Patterson

Absent: Committee members Glenn Smith, Carol Troy and Tom Vence

g. **St. Helena Active Transportation Committee:**

Present: None

Absent: Chair Aaron Pott, Committee members, Norma Ferriz, Ric Henry, Jake Scheideman, Patricia Clarey and Christopher Cole

h. **St. Helena Multi-Cultural Committee:**

Present: Chair Grace Kistner and Committee member Josphine Hurtado

Absent: Committee members Father John Brenkle, Patty Guijosa and Milagros Castro

5. **PUBLIC COMMENTS PERTAINING TO THE BROWN ACT TRAINING WORKSHOP**

No public comment was received.

6. **BROWN ACT TRAINING WORKSHOP:** The St. Helena City Attorney, Thomas B. Brown, will conduct an open and public training and interactive workshop for the City Council and St. Helena Boards, Committees and Commissions. No action will be taken by the City Council or by any of the City's commissions or committees.
   The training objectives include:
   a. Understanding the history, purpose and requirements of the Ralph M. Brown Act, California's open meeting law.
   b. Providing an opportunity for Council and committee members to discuss these requirements and responsibilities and ask questions.

City Attorney Thomas B. Brown provided those in attendance with an overview of the Ralph

M. Brown Act, California's open meeting law.

7. **CALL REGULAR MEETING TO ORDER (6:00 P.M.)**

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

8. **ROLL CALL**

Present: Councilmembers Dohring, Pitts, Crull (6:15 p.m. arrival), White, Mayor Galbraith
Absent: None

Mayor Galbraith called a moment of silence in memory of Maria Crozier visiting St. Helena from Ohio. She lost her life in a cycling accident.

9. **PUBLIC FORUM:**

No public comment was received.

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

Mayor Galbraith noted that Planning Commissioner Matthew Heil is resigning from the Planning Commission effective June 30, 2015.

PRESENTATIONS AND PUBLIC RECOGNITIONS

11. Presentation – Napa County Open Space Study by John Woodbury, General Manager, Napa County Regional Park and Open Space District and Roberta Oswald, City of St. Helena representative to the Napa County Parks and Open Space District Advisory Committee

Napa County Regional Park and Open Space District Board Member Roberta Oswald, Parks District 3 Board Member Michael Haley and Former Napa County Regional Park and Open Space District Board Member Tony Morris addressed the City Council regarding the need for additional revenue sources.

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)

12. Consideration and proposed approval of a resolution 2015-52 approving the First Amendment to an Agreement for Consulting Services with RGH Consultants in the amount of $1,149.54 for Construction Management and Inspection Services for the St. Helena Wastewater Treatment and Reclamation Plant – Pond 1A Repair Project
CEQA Status: Categorically Exempt, Section 15301, Existing Facilities Class I
Lead Staff: Steven Palmer, PE, Director of Public Works/City Engineer
Recommendation: Adopt

13. Consideration and proposed approval of a resolution 2015-53 accepting the work and directing the filing of the Notice of Completion for the St. Helena water storage tank 1A, CIP Project W-83
<u>CEQA Status:</u> Categorically Exempt, Section 15301, Existing Facilities
<u>Lead Staff:</u> Steven Palmer, PE, Director of Public Works/City Engineer
<u>Recommendation:</u> Adopt

14. Consideration and proposed approval of a resolution 2015-54 accepting the work and directing the filing of the Notice of Completion for the St. Helena Sewer Main Cleaning and TV Inspection Project, Capital Project S-38
<u>CEQA Status:</u> Categorically Exempt, Section 15301, Existing Facilities
<u>Lead Staff:</u> Steven Palmer, PE, Director of Public Works/City Engineer
<u>Recommendation:</u> Adopt

15. Consideration and proposed approval of a resolution 2015-55 approving the Second Amendment to Agreement for Consulting Services with Bennett Engineering Services Inc. in the amount of $26,000 for On-Call Consulting Services for the Wastewater Treatment and Reclamation Plant
<u>CEQA Status:</u> Categorically Exempt, Section 15301, Existing Facilities Class I
<u>Lead Staff:</u> Steven Palmer, PE, Director of Public Works/City Engineer
<u>Recommendation:</u> Adopt

16. Consideration and proposed approval of a resolution 2015-56 approving a Professional Services Agreement with Geosphere Consultants Inc. in the amount of $17,911.28 for Geotechnical Services related to the St. Helena Water Storage Tank 1A, CIP Project W-83
<u>CEQA Status:</u> Categorically Exempt, Section 15301, Existing Facilities Class I
<u>Lead Staff:</u> Steven Palmer, PE, Director of Public Works/City Engineer
<u>Recommendation:</u> Adopt

Vice Mayor White moved to approve Consent Items 12-16. The motion was seconded by Councilmember Dohring and on roll call carried by the following vote:

AYES: Councilmembers Pitts, Dohring, White, Crull and Mayor Galbraith

NOES: None

<u>NEW BUSINESS</u>

17. Direction to City Manager regarding St. Helena School District Pool
<u>CEQA Status:</u> Not a project
<u>Lead Staff:</u> Jennifer Phillips, City Manager
<u>Recommendation:</u> Give direction

City Manager Phillips reported on this item.

No public comment received.

After a round table discussion it was the consensus of the City Council directing staff to proceed with discussions with the St. Helena School District in regards to managing the pool.

18. Consideration and proposed approval of a resolution 2016-57 authorizing a transfer of $526,000 from the City of St. Helena's General Fund Unassigned Reserve to the Measure A Fund to cover the FY 14/15 State Revolving Fund loan payment

CEQA Status:	Not a project
Lead Staff:	Jennifer Phillips, City Manager
Recommendation:	Authorize

No public comment received.

Vice Mayor White moved to approve the transfer of $526,000 from the City of St. Helena's General Fund Unassigned Reserve to the Measure A Fund to cover the FY 14/15 State Revolving Fund loan payment. The motion was seconded by Councilmember Crull and on roll call carried by the following vote:

AYES: Councilmembers White, Crull, Pitts, Dohring, and Mayor Galbraith

NOES: None

19. Consideration of a Letter of Support for Grant Application in the Amount of $399,000 to the California Alternative Transportation Program for New Sidewalk and Crosswalk Construction

CEQA Status:	Categorically Exempt, Section 15301, Existing Facilities Class I
Lead Staff:	April Mitts, Finance Director Tracey Perkosky, Grant Manager
Recommendation:	Approve

Vice Mayor White and Councilmember Dohring recused themselves from this item due to a conflict of interest and left the dais.

No public comment received.

Councilmember Pitts moved to approve the Letter of Support for Grant Application in the Amount of $399,000 to the California Alternative Transportation Program for New Sidewalk and Crosswalk Construction. The motion was seconded by Councilmember Crull and on roll call carried by the following vote:

AYES: Councilmembers Pitts, Crull and Mayor Galbraith

RECUSED: Vice Mayor White and Councilmember Dohring

NOES: None

Vice Mayor White and Councilmember Dohring returned to the dais.

PUBLIC HEARING

20. Consideration and proposed resolution 2015-58 adoption of the City's Housing Element Update 2015-2023, including the Needs Assessment and Goals and Policies Document. The adequacy of a Negative Declaration will also be considered.

<u>CEQA Status:</u> Negative Declaration
<u>Lead Staff:</u> Victor Carniglia, Planning Consultant
<u>Recommendation:</u> Adopt

Mayor Galbraith opened the public hearing.

David Grabill addressed the City Council.

Mayor Galbraith closed the public hearing.

Councilmember Crull moved to amend the resolution language by removing the Adams Street property from the resolution. The motion was seconded by Vice Mayor White and on roll call carried by the following vote:

AYES: Councilmembers Crull, White and Pitts

NOES: Councilmember Dohring and Mayor Galbraith

Councilmember Crull moved to approve the City's Housing Element Update 2015-2023 and the Negative Declaration and accepting the resolution per subject change by the previous motion. The motion was seconded by Vice Mayor White and on roll call carried by the following vote:

AYES: Councilmembers Crull, White and Pitts

NOES: Councilmember Dohring and Mayor Galbraith

ADJOURNMENT

Mayor Galbraith adjourned the meeting at 7:22 p.m.

APPROVED: **ATTEST:**

______________________________ ______________________________

Alan Galbraith, Mayor Cindy Black, City Clerk

Item No: 13

Report to the City Council
Council Meeting of March 8, 2016

Agenda Section: **Consent Calendar**

Subject: **Approve Resolution amending the Two Year Memorandum of Understanding (MOU) Between the St. Helena Employee Association (SHEA) and the City of St. Helena, authorize the City Manager to execute the amended MOU and approve a revised mid-year budget adjustment not to exceed $30,100**

CEQA Status: **Not a CEQA Project**

Prepared By: **Mandy Kellogg, Senior Management Analyst**
Kathy Robinson, Human Resources/IT Director

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

BACKGROUND

On January 12, 2016 the City Council adopted Resolution 2016-13 approving a two-year Memorandum of Understanding (MOU) between the St. Helena Employee Association (SHEA) and the City of St. Helena.

DISCUSSION

Resolution 2016-13, Recital G stated that the City shall report the value of the employee's uniform and cleaning costs as special compensation as required under Title 2 of the California Government Code section 571(a). Under Section 571(b), the code further states that CalPERS, will recognize as "special compensation", those items listed in in Section 571(a), all of which are required by Section 570.5 to be contained in a written labor policy agreement as defined in Government Code section 20049.

At the time of adoption, the MOU included this additional language, however the dollar amounts listed were inconsistent with the actual costs to the City. The proposed amendments to the revised amounts in the MOU account for the varying types of uniforms used by the different employee classifications within each department. Additional language to reflect current uniform selection and cleaning practices as they are understood by SHEA and the City were added. There is no fiscal impact to budget as costs to provide the uniforms and cleaning services were included. The revisions to Article 9, section B are as follows:

Article 9: Certification and Other Benefits

B. UNIFORMS.

1. As a condition of employment, the City requires appropriate apparel or uniforms to be worn during work hours.

2. The City will provide uniforms to employees in the following Public Works positions: Public Works Supervisor, Maintenance Worker I, Maintenance Worker II, Maintenance Worker III, Maintenance Lead Worker, Chief Water Distribution Operator, Plant Operator in Training, Plant Operator I, Plant Operator II, Plant Operator III, Chief Plant Operator.

   a. Employees Assigned to Water Distribution and Public Works

   For employees assigned to Water Distribution and Public Works, the City provided uniforms shall include five (5) City Polo Shirts and four (4) pairs of City pants per year. The City will provide and pay for regular uniform cleaning service of up to five pairs of pants and five shirts per week for the uniforms of the employees. The value of this uniform service is $35.49 per pay period.

   b. Employees Assigned to Parks-Trees-Buildings

   For employees assigned to Parks-Trees-Buildings, the City provided uniforms shall include five (5) City Polo Shirts and four (4) pairs of City pants per year. The City will provide and pay for regular uniform cleaning service of up to five pairs of pants and five shirts per week for the uniforms of the employees. The value of this uniform service is $33.06 per pay period.

   c. Employees Assigned to the Wastewater Treatment Plant

   Chief Plant Operator and Plant Operator II - For employees assigned to the Wastewater Treatment Plant, except for employees in the Plant Operator III classification, the City provided uniforms shall include five (5) City Polo Shirts and four (4) pairs of City pants per year. The value of these uniforms is $9.29 per pay period. The City does not provide uniform cleaning for these Employees assigned to the Wastewater Treatment Plant.

   Plant Operator III - For employees assigned to the Wastewater Treatment Plant in the Plant Operator III classification, the City provided uniforms shall include five (5) City Polo Shirts per year. The value of these uniforms is $5.79 per pay period. The City does not provide uniform cleaning for the City Polo

Shirts. Additionally, the City shall provide coveralls which are solely for personal health and safety purposes of the employee. The City will provide and pay for regular uniform cleaning service for the coveralls.

d. <u>Employees Assigned to the Water Treatment Plant</u>

For employees assigned to the Water Treatment Plant, the City provided uniforms shall include five (5) City Polo Shirts and four (4) pairs of City pants per year. The value of these uniforms is $11.49 per pay period for each employee. The City does not provide uniform cleaning for Employees assigned to the Water Treatment Plant.

e. <u>Safety Reflective Coat and Safety Boots</u>

In addition, the City will provide all employees in the classifications listed above in paragraph B.2. with one (1) safety reflective coat on initial hire with a replacement coat every 5 years, and one pair of OSHA approved safety steel toed boots or shoes to be replaced when warranted. The safety reflective coat and the safety boots are solely for personal health and safety purposes of the employee. Any additional uniforms needed shall be supplied at the employee's expense.

3. The parties acknowledge that the uniforms provided are not suitable for everyday wear, and that employees shall wear the provided uniforms only while on duty and traveling to and from work.

4. To comply with the special compensation requirements of CalPERS, the City shall report to CalPERS periodically as earned the value of the required uniforms and cleaning service provided by numbers 2 and 4 above for classic members (as defined by CalPERS). For classic members, the City and employees will be required to make required employer and employee contributions based on this special compensation in the applicable employer/employee contribution amounts. For example, classic members will be required to make the required employee contribution on this amount. Pursuant to CalPERS regulations, the value of uniforms and uniform cleaning for new members (as defined by CalPERS) does not count as special compensation.

After the adoption of the MOU on January 12, staff discovered that Article 11, items B, C, and D were erroneously omitted. Additional proposed amendments to the MOU include the re-inclusion of Article 11, items B, C, and D, as follows:

Article 11: Retirement, Social Security, Deferred Compensation and Dependent Care Assistance

B. SOCIAL SECURITY PAYMENT.

Employee contributions for Social Security are the responsibility of the employee and will not be reimbursed by the City.

C. DEFERRED COMPENSATION PLAN.

The City offers a deferred compensation plan under which employees may designate portions of their salaries to be deferred for tax purposes. The City will equally match an employee's deferred compensation contribution, not-to-exceed Fifty Dollars ($50.00) per month.

D. CAFETERIA PLAN.

The City allows employees to deposit up to $5,000.00 of their before-tax earnings into an account and pay themselves back for certain enumerated personal and dependent care expenses with tax-free dollars pursuant to Internal Revenue Code Section 125.

The SHEA MOU adopted on January 12 included a 4% Cost-of-Living (COLA) and a 1% additional employee PERS contribution. The estimated cost to the City, which was adopted by the City Council, was $64,520 for the remainder of FY 2015/16 (January 9, 2016 to June 30, 2016). After further examination it was discovered that the amount of $64,520 was calculated incorrectly. The actual cost to the city from January 9, 2016 to June 30, 2016 is approximately $30,100. This is $34,420 less than originally estimated.

FISCAL IMPACT

For FY 2015-16 the estimated total cost is approximately $30,100 with an estimated $13,520 from the General Fund, $8,725 from the Water Enterprise Fund, $5,760 from the Wastewater Enterprise Fund and $2,095 from various other funds. The fiscal impact from the resolution and MOU adopted on January 12, 2016 included a budget adjustment of $64,520 from the Assigned General Fund ($28,619), Water ($20,775), Sewer ($11,661), and Other Fund ($3,465) Reserves. Since the original estimated figures are higher than the actual estimates, there will be a decrease in the original estimated amount of funds needed from each of the reserve accounts.

RECOMMENDED ACTION

Adopt the resolution approving amendments to the Memorandum of Understanding between the City of St. Helena and the St. Helena Employees Association (SHEA) for the period of January 1, 2016 – December 31, 2017, allow the City Manager to execute the MOU, and approve a revised mid-year budget adjustment in the amount of $30,100 to cover the additional salary costs from January 9, 2016 to June 30, 2016.

ATTACHMENTS

1. Resolution 2016-
2. Exhibit A – SHEA Memorandum of Understanding
3. Exhibit B – Salary Schedule effective 1/9/2016
4. Exhibit C – Salary Schedule effective 1/9/2017

CITY OF ST. HELENA

RESOLUTION NO. 2016-____

RESOLUTION AUTHORIZING AMENDMENT TO THE TWO YEAR MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF ST. HELENA AND THE ST. HELENA EMPLOYEE ASSOCIATION AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AMENDED MOU AND APPROVE A REVISED MID-YEAR BUDGET ADJUSTMENT NOT TO EXCEED $30,100

RECITALS

A. The City of St. Helena adopted Resolution 2016-13 approving a two-year Memorandum of Understanding between the St. Helena Employee Association and the City of St. Helena; and

B. As required under Title 2 of the California Government Code section 571(b) that the City shall report the value of the employee's uniform and cleaning costs as special compensation and shall be contained in a written labor policy agreement; and

C. The MOU has been amended to include the actual cost of uniform and cleaning services, and reflect current uniform selection and cleaning practices by employee classification and divisions; and

D. Article 11, items B. Social Security Payment, C. Deferred Compensation Plan, and D. Cafeteria Plan were erroneously omitted, are re-incorporated.

RESOLUTION

Now, therefore, the City Council of the City of St. Helena resolves as follows:

1. The City Council approves and incorporates by reference the attached amended Memorandum of Understanding between the St. Helena Employees; and
2. Authorizes the City Manager to execute the MOU; and
3. Approve a revised mid-year budget adjustment not to exceed $30,100.

Approved at a Regular Meeting of the St. Helena City Council on March 22, 2016, by the following vote:

Mayor Galbraith: ________

Vice Mayor White: ________

Councilmember Crull: ________

Councilmember Dohring: ________

Councilmember Pitts: ____________

APPROVED:

ATTEST:

____
Alan Galbraith, Mayor

____
Cindy Black, City Clerk

MEMORANDUM OF UNDERSTANDING

BETWEEN

ST. HELENA EMPLOYEES ASSOCIATION

AND

CITY OF ST. HELENA

FOR THE PERIOD

JANUARY 1, 2016 THROUGH DECEMBER 31, 2017

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ARTICLE 1
PREAMBLE

This Memorandum of Understanding (MOU) is made and entered into between the City of St. Helena, hereinafter referred to as "City," and the St. Helena Employees Association, hereinafter referred to as "Association," pursuant to the Meyers-Milias-Brown Act (MMBA), California Government Code Section 3500 et. seq. The purpose of this MOU is the establishment of rates of compensation, hours of work and other terms and conditions of employment. Employees subject to this MOU are also covered by the City of St. Helena's Employee Handbook currently in effect (Employee Handbook) and related City policies and procedures. In the event of a conflict between this MOU and the Employee Handbook or other City policies or procedures, the MOU shall control. As noted in Article 17, the City is in the process of replacing the Employee Handbook with updated policies, has provided notice to the Association of proposed changes, and will meet and confer regarding those changes to the extent required by the MMBA.

ARTICLE 2
RECOGNITION

The City recognizes the Association as the recognized and exclusive representative for the following full-time classifications (part-time positions are not included in the bargaining unit represented by the Association):

- Accounting Assistant I, II, III
- Accounting Technician
-
- Administrative Assistant
- Administrative Secretary
- Assistant Engineer
- Associate Engineer
- Assistant Planner
- Associate Planner
- Building Permit Technician I, II, III
- Capital Project Coordinator
- Chief Plant Operator - Water & Waste Water
- Chief Water Distribution Operator
- Human Resources Manager/Accounting Technician II
- Junior Engineer
- Lead Maintenance Worker
- Librarian I, II
- Library Assistant I, II
- Library Associate
- Maintenance Worker I, II, III
- Office Assistant
- Plant Operator I, II, III - Water & Waste Water
- Plant Operator in Training - Water & Waste Water
- Recreation Supervisor
- Public Works Supervisor
- Senior Librarian
- Senior Librarian Assistant

ARTICLE 3
ASSOCIATION & CITY RIGHTS

A. ASSOCIATION RIGHTS.

The Association shall have the following rights and responsibilities:

1. Reasonable advance notice of any City ordinance, rules, resolution or regulation directly relating to matters within the scope of this MOU.

2. Reasonable use of one (1) bulletin board at City Hall.

3. The right to payroll deductions made for payment of Association dues and for City-approved programs.

4. The right to represent its members before the City Council or the City Council's designee with regard to wages, hours and other matters within the scope of representation, subject to the provisions of applicable Federal, State or City laws and regulations. Inclusion of topics in this MOU does not deem them "negotiable" as that term is defined by applicable law.

5. The use of City facilities for regular, normal and lawful Association activities, providing the appropriate advance arrangements are made. The granting of such use may be conditioned on appropriate charges to offset the cost of such use.

6. Reasonable access to employee work locations for officers of the Association and their officially designated representatives for the purpose of processing grievances or contacting members of the Association concerning business within the scope of representation. Access shall be restricted so as not to interfere with the operations of the City or with established safety or security requirements.

B. CITY RIGHTS.

To insure that the City is able to fulfill its constitutional and statutory functions and responsibilities, the City retains its rights, including, but not limited to, the right to direct the work force; to select and determine the number of employees and skills required; to determine job classifications; to hire, transfer, promote, suspend, discipline and discharge employees; to assign work to employees in accordance with requirements of the City; to establish and change work schedules and assignments; to lay off employees for lack of work; to expand or diminish services; to determine and change methods of operations; to determine and change work locations and the processes and materials to the employee; to take all necessary actions to perform its functions in emergencies.

ARTICLE 4
DEFINITIONS

The words and terms have the following meanings:

Anniversary. The date upon which service time is computed for purposes of step advancement and accrual of vacation and sick leave benefits. (Usually the date of first employment.)

Average Work Day. In any case for which the time period to be considered is twelve calendar months, the average work day is the number of hours worked in the preceding twelve months, divided by two thousand eighty, then multiplied by eight.

Benefits or Benefit Package. City-paid Insurance, paid leaves, holidays, and other non-salary items which are part of the compensation paid to any employee.

City. The City of St. Helena, California.

City Manager. The administrative head of the government of the City. The City Manager is responsible for the efficient administration of the affairs of the city, which affairs are under his or her control. The City Manager is considered a Department Head. The City Manager reports to and serves at the pleasure of the Council.

City Service. All positions in all departments and agencies of the City that are subject to control and regulation by the City Council of the City of St. Helena.

Classification. A particular type of employment in the City Service designed to include all positions having duties and responsibilities sufficiently similar so that the same requirements as to education, experience, knowledge, and ability may be required of incumbents and the same schedule or

Compensation may fairly be made to apply.

Compensation. The salary, wages, allowances, and all other forms of valuable consideration earned by or paid to any employee by reason of his or her service in a Position, but not including reimbursement for expenses incurred in the course of employment.

Confidential Employee. An employee having access in the course of his/her duties to confidential information on the employer's labor relations and consequently excludable from holding Association office and/or divulging confidential employer information to the Association.

Continuous Employment. Period of uninterrupted employment including holidays and authorized leave but not including periods of leave without pay or times on suspension.

Council. The City Council of the City of St. Helena.

Department Head. A member of the managerial staff of the City, consisting of the City Manager, the Fire Chief, the Police Chief, the City Clerk, the Director of Public Works, the Planning Director, the Library Director, the Recreation Director, the Finance Director and the City Attorney.

Emergency. Emergency shall include an event that damages or continues to threaten damage to the public health, safety, welfare, or property and shall include but not be limited to the following:

The repair or clearance of streets necessary for continued access to properties, including street sweeping.

The repair of public utility facilities.

The repair of City equipment necessary to maintain public safety services.

Activities associated with natural or man-made catastrophe.

Ongoing investigation, surveillance, or similar police activities and the obtaining and serving of search warrants.

Shortage of personnel necessary to maintain public safety services.

Employee. A person legally occupying a full-time Position or office in the City Service that is listed in Article 2, and receiving compensation for services, other than an independent contractor. Employee and Full-Time Employee have the same meaning as used in this MOU.

Full-Time Employee. An employee who regularly works forty hours per week and is paid a monthly salary.

Non-Probationary Employee. An employee who has successfully completed the Probationary Period.

Position. The title of an occupation along with a group of duties and responsibilities assigned or delegated by competent authority, which requires the full or part time service of one person.

Probationary Employee. An employee who has not yet completed a prescribed Probationary Period.

Probationary Period. The length of continuous service for which an employee must serve in order to attain the status of Non-Probationary Employee.

Salary or Pay. The monetary portion of compensation paid to an employee.

Standby. A period or condition which requires that an employee be able to readily report to work and be prepared to undertake work tasks. This will normally include either remaining at his/her home telephone or otherwise arranging for the immediate and convenient notification of an emergency condition, and being prepared to immediately report to the site of the emergency.

Supervisor. The mid-management staff of the City to include the designated assistant to a Department Head or the head of a sub-department or division of a department.

Title. The name applied to a Classification or to each Position included in the Classification.

Work Day.

One calendar day during which an employee is normally scheduled to work. If the employee is engaged in shift work that begins on one calendar day and ends on the following day, only one work day is denoted.

The number of hours of work contained in a calendar day for a given employee, in no case more than eight hours for a Full-Time Employee unless specified otherwise.

ARTICLE 5
HOURS OF WORK & SCHEDULES

A. BUSINESS HOURS.

The normal business hours of the City are from 8:00 a.m. to 5:00 p.m. Monday through Friday, except:

- Library hours may vary.
- Parks hours include Saturday and Sunday. .
- Streets, Parks, Water, Water Treatment and Waste Water Treatment Department Hours are from 7:00 a.m. to 3:30 p.m.
- Hours of operation differing from these guidelines may be established for any office or Department in order to meet the needs of the City and the citizens of St. Helena.

Employee work schedules shall be established consistently with the provisions of this Article 5. The City will provide SHEA and any affected employee with at least 21 days' notice before making a permanent change to the employee's work schedule.

B. HOURS OF WORK.

Five (5) days of eight (8) hours per day for forty (40) hours per week constitute the normal work schedule for all employees. The standard workweek for these employees shall begin on Sunday at 12:01 a.m. and end of the following Sunday at 12:00 a.m. To the maximum extent practicable, work schedules for employees not working normal business hours shall be arranged so that the employee will work for five (5) consecutive eight (8) hours days, followed by two (2) days off. Employees are expected to be at their assigned place of work and prepared to commence work with tools at hand at the assigned time.

C. FLEX SCHEDULE.

1. Eligibility.

A Flex Schedule is available to Association employees in order to allow them time during the workweek to accomplish tasks which do not require public contact (i.e., outside of the 8:00 a.m. to 5:00 p.m. public hours).

The Flex Schedule is voluntary, and subject to agreement by the employee and approval by the Department Head. Except in cases of emergency, the Department Head must provide at least 30 days' notice to terminate an employee's Flex Schedule.

The Flex Schedule will not impact the accrual of vacation, Sick Leave or other benefits. Vacation time or Sick Leave time will be deducted at the number of hours per day for those days which the leave is taken. For example, if an employee is absent on a day he or she was scheduled to work nine (9) hours, nine (9) hours of leave time shall be deducted, and if the employee is absent on a day he or she was scheduled to work eight (8) hours, eight (8) hours of leave time shall be deducted.

2. 9/80 Schedule and Workweek.

Employees on a 9/80 schedule are scheduled to work eight (8) nine hour days, one (1) eight hour day, and will have one (1) day off every two weeks.

The scheduled one (1) day off every two weeks shall be either Monday or Friday as approved by the Department Head, but must be consistent from week to week. Employees cannot change or flex their scheduled one (1) day off, unless the change is intended to be permanent and approved by the City.

For all employees working a 9/80 schedule, their workweek shall begin exactly four (4) hours into their eight (8) hour shift on the day of the week which constitutes their alternating day off. For example, for an employee scheduled to work from 8:00 a.m. – 6:00 p.m. with every other Friday off, the workweek shall begin at noon on Friday, and end at noon the following Friday.

a. Employees Scheduled with Every other Friday Off.

During a two week cycle, an employee working the 9/80 Flex Schedule will work nine hours per day Monday through Thursday and eight hours on Friday the first week. During the second week, the employee will work nine hours per day Monday through Thursday and be off on Friday.

For FLSA forty hour per week determination, the 9/80 Flex Schedule workweek begins four hours into the employee's eight hour shift.

In those instances where a holiday falls on the Friday-Off, the preceding work day shall be a day off with holiday pay. Holiday pay is computed at the rate of eight hours. In order for an employee to be paid for nine hours when a holiday is observed on a scheduled nine-hour work day, the employee must make up the additional one hour of pay by either (1) using one hour of vacation or compensatory time off; or (2) working one additional hour on a scheduled work day during the same workweek that includes the day the holiday is observed. Additionally, working the make-up hour, as described in this paragraph, shall not entitle the employee to overtime under the following paragraph.

Employees working a 9/80 Flex Schedule shall be entitled to overtime for hours worked in excess of nine hours per day Monday – Thursday and in excess of eight hours on Friday. Employees will also receive overtime for all hours worked over 40 hours in each workweek (as defined above), in accordance with the FLSA.

b. Employees Scheduled with Every Other Monday Off

During a two week cycle, an employee working the 9/80 Flex Schedule will work eight hours on Monday and nine hours per day Tuesday through Friday the first week. During the second week, the employee will be off on Monday and work nine hours per day Tuesday through Friday.

For FLSA forty hour per week determination, the 9/80 Flex Schedule workweek begins four (4) hours into the employee's eight (8) hour shift.

In those instances where a holiday falls on the Monday-Off, the subsequent work day shall be a day off with holiday pay. Holiday pay is computed at the rate of eight hours. In order for an employee to be paid for nine hours when a holiday is observed on a scheduled nine-hour work day, the employee must make up the additional one hour of pay by either (1) using one hour of vacation or compensatory time-off; or (2) working one additional hour on a scheduled work day during the same work week that includes the day the holiday is observed. Additionally, working the make-up hour, as described in this paragraph, shall not entitle the employee to overtime under the following paragraph.

Employees working a 9/80 Flex Schedule shall be entitled to overtime for hours worked in excess of eight hours on Monday and in excess of nine hours per day Tuesday – Friday. Employees will also receive overtime for all hours worked over 40 hours in each workweek (as defined above), in accordance with the FLSA.

D. MEAL BREAKS.

Full-Time Employees are scheduled a period of between 30 and 60 minutes, generally in the middle of the workday, during which they are free to eat a meal or do personal errands. Unless directed otherwise, employees are not paid for this time and are free to leave the workplace.

E. REST BREAKS.

For each four (4) hours of work, conditions permitting, employees are granted a fifteen (15) minute rest break during which they may engage in personal conversations, move about, and otherwise "take a break" from the normal duties of their assignments. This time will be paid by the City as part of the workday.

F. SHEA ATTENDANCE AT BUDGET MEETINGS.

One Association officer shall be permitted to attend Council budget meetings held during work hours provided their absence does not create a hardship in the employee's department nor require employee overtime.

ARTICLE 6
PERSONNEL MATTERS

A. PROBATIONARY PERIOD.

1. Probationary Period.

Each new Employee shall be a Probationary Employee until successful completion of 12 months of Continuous Employment. The purpose of the Probationary Period is to give the Probationary Employee the opportunity to demonstrate that he or she is qualified, able, and willing to meet the expectations of the City with regard to the Position.

2. Termination During Probationary Period.

If at any time prior to successful completion of the Probationary Period the City Manager determines that it is in the best interest of the City to terminate the employment of the Probationary Employee, it will be in his or her discretion to do so without further justification. Probationary Employees are not entitled to the Disciplinary and Appeal Procedures set forth in Article 14 of this MOU and may be terminated at will, with or without notice.

3. Extension of Probationary Period.

If it appears that the employee will not successfully complete the prescribed Probationary Period, the City Manager also has the discretion of extending the Probationary Period once for an additional six months, if the City Manager feels it is in the best interest of the City to do so.

B. EMPLOYEE EVALUATIONS.

Each employee shall be evaluated no less than annually by his/her Supervisor, according to a system approved by the City Manager. Each employee's evaluation shall be reviewed with the employee by the Department Head, after which the employee is expected to sign the evaluation. Signing the evaluation does not indicate agreement with that evaluation, and the employee may submit reasonable comments in explanation or rebuttal to its contents. After review by the City Manager, employee evaluations, including reasonable material submitted by the employee, will be placed in the employee's personnel file. A satisfactory or above evaluation must be obtained before each promotion, Classification upgrade, or step increase is granted.

ARTICLE 7
PAY PLAN

A. SALARY SCHEDULE

Salaries paid and any special compensation shall be in accordance with the most recent applicable salary resolution adopted by the City Council, and any amendments thereto. Such resolutions are hereby incorporated as part of this MOU and are available from the City Clerk. During the term of this MOU, the salary schedules shall be increased as follows:

1. 2016 Salary Schedule Increase: Effective January 9, 2016, the Salary Schedule shall be increased by 4% over the 2015 salary schedule. This increase is contingent upon the pension cost sharing agreement set forth in Article 11. (See Appendix A – 2016 Salary Schedule.)

2. 2017 Salary Schedule Increase: Effective January 9, 2017, the Salary Schedule shall be increased by 2.5% over the 2016 salary schedule.

B. SALARY UPON APPOINTMENT.

Employees appointed to a Position in City Service shall normally be placed in Step "A" of the range. Subject to approval of the City Manager for reasons of an applicant's outstanding qualifications or for the needs of the City, appointment may be at a higher step. A current City employee being promoted into a range with a higher top step will normally receive at least a five percent (5%) increase.

C. STEP INCREASES.

1. Steps.

Upon completion of the following periods of service, a Full-Time Employee becomes eligible for the next higher step as follows:

- Six (6) months at Step A to become eligible for Step B
- Six (6) months at Step B to become eligible for Step C
- Six (6) months at Step C to become eligible for Step D
- Twelve (12) months at Step D to become eligible for Step E

2. Qualifications for Step Increase.

   a. Employees may be granted a step increase after having served for the designated qualifying period and after a performance evaluation finding that the employee's performance was not less than satisfactory.

b. In unusual cases, upon recommendation of the Department Head, where special ability and aptitude is demonstrated, the City Manager may approve advancement of an employee to a higher step before completion of the normal qualifying period.

D. COST OF LIVING ADJUSTMENT (COLA).

In considering COLAs for subsequent agreements, the parties will consider the San Francisco, Oakland-San Jose All Urban Consumers Index.

E. HOURLY RATES.

Where any annual pay rate is to be converted to a salary hourly equivalent, the annual rate of pay shall be divided by 2080 to determine the hourly rate. Daily rates are equivalent to the appropriate hourly rate multiplied by eight (8) hours.

F. OVERTIME.

1. General Policy.

Employees must get pre-approval from their supervisor before working overtime. In cases of emergency or other unusual unforeseen circumstances, if the employee's supervisor is not available to approve the overtime work in advance, the employee shall contact the Administrative Services Manager or City Manager as soon as possible to seek approval of the overtime work, and may begin critical overtime work without specific advance authorization if needed to address emergency situations.

2. Overtime Compensation.

Unless the employee is working a Flex Schedule (see Article 5, section C.2 , above), work in excess of eight (8) hours per day or forty (40) hours in a workweek, shall be paid at the rate of one and one-half (1.5) times the regular rate of pay; work in excess of twelve (12) hours per day shall be paid at the rate of twice the regular rate of pay. If the employee requests, a Department Head may, at his/her discretion, approve the accumulation of compensatory time to be taken off in lieu of overtime pay. An employee may accumulate up to a maximum of eighty (80) hours of compensatory time. When earned, compensatory time is accumulated at the same rate as if it were to be paid (i.e., at the rate of 1.5 times the regular rate for hours above 8 but less than 12 in one day).

3. Compensatory Time Off.

An employee, who has accumulated compensatory time as described in Subsection 7.F.2 above, may request time off, to be charged against the accumulated compensatory time. The Department Head will permit the requesting employee to use the time within a reasonable period after the request is made unless using the time will unduly disrupt the City's operations.

4. Overtime Meal.

If an employee is required to work more than twelve (12) hours with no breaks longer than one (1) hour, the City will provide that employee a meal.

G. HOLIDAY PAY ON HOLIDAYS.

When required to work on a holiday, an employee shall be paid twice the rate of pay at which the employee would be paid on a non-holiday. This section is not applicable to Standby Pay since call-out is not a normal designated work day.

H. STANDBY PAY.

Standby Pay shall be paid at a rate of $75.00 per weekend to those employees in the Public Works Department who are required to be on Standby on weekends (3:30 p.m. Friday to 7:00 a.m. Monday), $75.00 per week for those employees who are required to Standby for the week (Monday – Friday) and $75.00 for those employees who are required to Standby on holidays (3:30 p.m. to 7:00 a.m. of the next regular work day).

Public Works employees shall be compensated in 15 minute increments for time worked while on standby handling phone calls from dispatch. City management shall develop a process for including such time on employee timesheets.

I. MINIMUM CALLOUT TIME.

The minimum time charged for being called to work for an emergency shall be two (2) hours (home to home). In addition, such call out time shall be paid at the overtime rate.

J. LONGEVITY PAY.

Full-Time Employees shall be eligible to receive longevity pay according to the dates and rates below:

Years of Continuous City Employment	Total Longevity Pay
5 years	2.5% of base salary
10 years	5.0% of base salary
15 years	7.5% of base salary
20 years	10% of base salary

K. BILINGUAL PAY.

Bilingual pay for fluency in both English and Spanish will be paid to employees who are routinely and consistently assigned to communicate in Spanish or to provide translation for City business. For employees who are certified as fluent in both written and verbal Spanish language, such pay will be five percent (5%) of the designated employee's base salary. For employees who are certified as fluent only in verbal Spanish language, bilingual pay will be two and one-half percent (2.5%) of the designated employee's base salary. Only designated employees certified by the City as fluent in both English and Spanish are eligible for this additional pay.

L. OUT-OF-CLASS PAY.

When, because of the absence of a Department Head or other Supervisory personnel, an employee performs substantially all of the functions (full-time) of the higher Classification, the employee will receive an increase of ten percent (10%) of his/her base hourly equivalent wage. The increase will be effective after the third (3rd) week of the assumption of those duties and continue during the period those duties are being performed by the employee on a full-time basis. Out-Of-Class-Pay must be pre-approved, in writing, by a Department Head or the City Manager.

M. REPORTING TIME WORKED.

Employees are responsible for reporting on a prescribed form, all hours worked and leave taken during the pay period. The employee is responsible for securing the signature of his/her immediate Supervisor on the form, indicating approval of the hours submitted. The employee is also responsible for seeing that the required documentation for approved leave or overtime worked is attached to the time report. In the event employees are unable to accurately report all time, due to the need to submit the time report prior to the end of the pay period, they shall be responsible for bringing that fact to the attention of their Department Head(s) as soon as practicable, so the payroll records can be adjusted accordingly.

ARTICLE 8
TIME OFF AND LEAVES OF ABSENCE

A. VACATION LEAVE.

1. Rate of Accrual or Award.

Employees shall accrue or be awarded vacation pay based on their years of Continuous Employment at the following rates:

a. Less than five years of Continuous Employment: Full-Time Employees earn vacation at the rate of ten days per year. Vacation accrues on a monthly basis (six hours and forty minutes per month).

b. After five years of Continuous Employment with the City, Full-Time Employees will accrue vacation at the rate of fifteen days per year; after six years, sixteen days; after seven years, seventeen days; eight years, eighteen days; nine years, nineteen days; and ten years, twenty days per year.

c. After twenty-five years of Continuous Employment with the City, Full-Time Employees will earn one additional day of vacation each year and continue to earn one additional day of vacation every five years thereafter.

2. Administration.

a. Approving Authority: Department Heads shall have the authority to schedule Vacation Leave according to the needs of the service and the wishes of the employee, in that order.

b. Leave Requests: An employee's request for approval of Vacation Leave shall be made in writing to the Department Head. Except in the case of an emergency, a request for leave for one to three days should be made at least two days before the commencement of the leave. A leave in excess of three days should be made at least three days prior to the commencement of the leave.

c. Holidays: If a holiday recognized by the City occurs during Vacation Leave, absence for that holiday shall be charged as Holiday Leave and not as Vacation Leave.

d. Leave Accumulation: Except with the approval of the Council, accumulated Vacation Leave shall not exceed three hundred and eighty (380) hours and all employees who have accumulated at least eighty (80) hours of vacation shall expend at least eighty (80) Vacation Leave hours per calendar year with at least forty (40) hours being consecutive.

Any employee in a position represented by SHEA, who has more than 320 hours of accrued vacation leave, may have the option to receive a cash payment in lieu of their requested vacation time. This option to receive a cash payment in lieu of vacation time will only be available if (1) the employee has filed a written request for leave at least 30 days prior to the commencement of the leave; and (2) management denies the employee's request for leave because of department workload and staffing needs. Any payment in lieu of requested vacation time will not be PERSable and will not be credited towards the employee's single highest year compensation for retirement purposes. This provision shall not apply to leave which is denied for a requested period due to management's approval of leave for other employees and in which leave would still be available for a period close to the requested vacation period.

e. Leave Award and Compensation: Vacation Leave shall begin to be earned by an employee upon employment. In the event of a separation of employment, any unused accrued or awarded Vacation Leave shall be compensated with a lump sum payment based on the employee's current rate of pay and included with the employee's final paycheck.

f. Eligibility and Use: An employee may not take Vacation Leave until after the completion of six months of Continuous Employment. Vacation Leave shall be taken in not less than fifteen minute increments.

B. HOLIDAYS.

1. Holidays.

The following holidays shall be recognized for all Association employees:

New Year's Day (January 1st)
Martin Luther King Day (Third Monday in January)
President's Day (Third Monday in February)
Cesar Chavez Day (March 31)
Memorial Day (Last Monday in May)
Independence Day (July 4th)
Labor Day (First Monday in September)
Veteran's Day (November 11th)
Thanksgiving Day (Fourth Thursday in November)
Friday after Thanksgiving
Christmas Eve Day (December 24th)
Christmas Day (December 25th)

2. Exceptions.

When a holiday falls on a Saturday, the preceding Friday shall be deemed a holiday. When a holiday falls on a Sunday, the following Monday shall be deemed a holiday. When Christmas Eve falls on a Friday, the preceding Thursday shall be deemed a holiday. When Christmas day falls on a Monday, the following Tuesday shall be deemed a holiday. When Christmas falls on a Thursday, the following Friday shall be a holiday in lieu of Christmas Eve Day.

3. Observance.

Except for emergency services, all City offices shall be closed on recognized holidays established by Council resolution or ordinance.

4. Holiday Pay

Full-Time Employees shall receive full pay provided they are employed and in a paid status on the first working day prior to and following the holiday.

C. PERSONAL CONVENIENCE HOLIDAY.

Each Full-Time Employee shall be eligible for two (2) Personal Convenience Holidays of eight (8) hours each per year. After five years of Continuous Employment, Full-Time Employees shall be eligible for an additional three (3) Personal Convenience Holidays each year. Personal Convenience Holidays are granted on January 1st of each year and must be used prior to the end of the calendar year and will not accrue. They may be taken at the employee's convenience, subject to the Department Head's approval. These Personal Convenience Holidays shall not incur additional expense to the City, e.g., causing another employee to work overtime, etc. Each Personal Convenience Holiday must be taken as a full day off. Employees do not receive Personal Convenience Holidays during the calendar year in which they are hired.

D. SICK LEAVE AND FITNESS FOR DUTY.

1. Accrual and Use.

Employees shall accrue and use sick leave in accordance with City of St. Helena Personnel/Administrative Sick Policy ~~No. 3.09 — Sick leave~~ and the provisions of this Article 8(D). The provisions of this Article 8(D) shall supersede any inconsistent provisions of ~~Policy No. 3.09~~the Sick Leave.

Sick leave with pay shall accrue to all Full-Time Employees at the rate of one work day for each calendar month of service, with no limit to its maximum accumulation.

2. Administration/Fitness for Duty.

When the employee's need to use sick leave is foreseeable (for example, prescheduled appointments), the employee must provide reasonable advance notice to his/her immediate supervisor or Department manager of the need to use sick leave and its probable duration, if known. In all other situations, an employee who must be absent from work shall personally (if able) notify his or her immediate superior or Department Head as soon as reasonably possible, and at least before or within the first thirty minutes of the absence. An employee may be required to provide a physician's certificate for absence due to illness of more than three working days or at the request of the Department Head. If the City requires an employee to provide a physician's certificate for an absence pursuant to this paragraph, and the employee had not already seen or planned to see the physician for the illness or injury, the City shall reimburse the employee for the cost of any required co-pay associated with the visit to the physician if the visit was required solely to comply with the requirement to obtain the certificate of illness or injury.

When the City Manager determines that it is job-related and consistent with business necessity, an employee may be required to submit to an examination by a licensed physician designated by the City and at the City's expense to determine whether the employee is still able to perform the essential functions of his or her job. Any information obtained about the Employee's health condition shall be treated confidentially as provided by federal and state law.

3. Reasons for Granting.

Sick leave shall be granted to eligible employees for the following reasons:

a) For the diagnosis, care or treatment of an existing health condition, or preventive care for the employee or a family member.

b) Sick leave with pay for illness or injury of a family member, subject to the limitations in Section D.4 of this Article.

c) Enforced quarantine of the employee in accordance with community health regulations.

d) As required by law, to allow a victim of domestic violence and/or a victim of sexual assault to obtain relief or attempt to obtain relief to help ensure his or her health, safety, or welfare, or that of his or her child(ren), to a limit of 24 hours or three (3) days in a calendar year. This maximum does not limit the amount of sick leave available for other listed reasons.

e) As required by law, to allow a victim of domestic violence and/or a victim of sexual assault to seek medical attention, to obtain services from a domestic violence program or psychological counseling, or to participate in safety planning, to a limit of 24 hours or three (3) days in a calendar year. This maximum does not limit the amount of sick leave available for other listed reasons.

f) Preventive medical, dental and optical examinations where appointments are unavailable or impractical during non-working hours.

g) Complication or disability resulting from or contributed to any pregnancy, termination of pregnancy, or recovery therefrom.

4. Limitations and Related Provisions.

a. An employee may use Sick Leave, in an amount not to exceed one-half of their annual accrual, or six days, to attend to an illness of a family member. This includes attending to the serious injury or illness of a family member covered under the Family Medical Leave Act and/or California Family Rights Act.

b. For the purposes of using sick leave under this Article, "family member" shall mean an employee's parent, child, spouse, registered domestic partner, parent-in-law, sibling, grandchild, or grandparent.

c. In the event of absence from work due to a work-related injury, an employee may receive pay for accrued Sick Leave to the extent necessary to supplement worker's compensation payments to effectively raise the employee's pay received to the level of full-time pay. For a new employee who, at the time of a work-related injury, has not yet earned three days of Sick Leave, up to three days of Sick Leave may be advanced from anticipated future Sick Leave accruals as required to meet this described use.

5. Sick Leave Abuse.

"Sick leave abuse" shall mean: "any use of sick leave, for purposes other than those identified in this section." Sick leave abuse may subject the employee to disciplinary action as determined necessary to deter future abuse.

6. Pay-out of Sick Leave at Termination of Employment.

a. Effective July 1, 2012, the City will not pay the employee upon separation in good standing from City employment for unused sick leave accrued on or after July 1, 2012.

Upon separation in good standing from City employment, the City will pay the employee for unused Sick Leave in the following amount: The total number of hours of Sick Leave accumulated multiplied by the hourly rate of pay of the employee at the time of separation, divided by two (2). An employee is not "separating in good standing" if proceedings to terminate the employee have been initiated or concluded in accordance with the provisions of Article 14, Resignation, Termination or Disciplinary Action. When an employee uses sick leave, City will first reduce employee sick leave balances from sick leave accrued after July 1, 2012.

b. An employee's termination of employment for reasons of illness, verified by doctor certifications relative to the nature, gravity, and duration of the illness (including maternity) may be paid a lump sum for all Sick Leave accrued and unused at the time of such termination.

c. An employee who retires or otherwise terminates his or her employment after a finding of industrial disability may not exhaust his or her Sick Leave before the retirement becomes effective.

E. BEREAVEMENT LEAVE.

All Full-Time Employees shall be allowed a leave of absence with full pay, not to exceed three (3) working days, or five (5) working days if the death occurs out of State, when such absence is due to death in the immediate family. Those in immediate family are: mother, father, grandmother, grandfather, or a grandchild of the employee or of the spouse or domestic partner of the employee, and the spouse, son, domestic partner son-in-law, daughter, daughter-in-law, brother, or sister of the employee, or any relative living in the immediate household of the employee.

F. JURY OR WITNESS DUTY.

1. All employees shall be granted time off to serve, as required by law, on a jury or grand jury if the employee provides reasonable advance notice to the City. Leave with full pay shall be granted to Full-Time Employees for jury duty or when called as a witness for a job related law suit. Any compensation received for jury duty, excluding mileage and similar expense reimbursements, shall be remitted to the City.

2. Leave without pay shall be granted to all employees to appear in court or other judicial proceedings as a witness to comply with a valid subpoena or court order.

G. ADMINISTRATIVE LEAVE WITH PAY.

Administrative Leave with Pay may be assigned to employees by the City Manager if it appears to be in the best interest of the City. In the event such leave is assigned, the City Manager will report to the Council the facts and circumstances of such leave as soon as is practicable.

H. DISCRETIONARY LEAVE WITHOUT PAY.

1. Permissible reasons for leave.

   Discretionary Leave Without Pay may be granted by the City Manager as follows:

   a. For personal reasons which are approved by the City Manager.

   b. For reason of illness in the event Sick Leave has been exhausted.

   c. In conjunction with Pregnancy Disability or FMLA Leave.

d. To pursue a course of education which will increase the employee's usefulness as a City employee.

2. Procedure.

a. The employee shall provide at least 30 days advance notice of the need for leave without pay, whenever possible. If 30 days' notice is not practicable, the employee shall request the leave as soon as practicable.

b. An employee's request for Discretionary Leave Without Pay shall be submitted to the City Manager, accompanied by a recommendation or an explanation from the Department Head as to how an adequate level of service can be maintained during the employee's absence. The City Manager has the discretion of approving or rejecting the request.

c. In the case of extended illness the Department Head shall notify the City Manager at such time as the employee has expended all Sick Leave and shall submit a regular status report thereafter pending consideration of termination, disability, retirement, or temporary replacement.

3. Regulations Relative to Discretionary Leave Without Pay are as Follows.

a. The City Manager may grant Discretionary Leave Without Pay in his or her discretion and only when, in the opinion of the City Manager, it is in the best interest of the City.

b. In the case of illness, Discretionary Leave Without Pay shall commence at such time as Sick Leave is expended except that the employee may elect to expend any other leave prior to utilizing Discretionary Leave Without Pay.

c. Except in cases of absence due to illness, Discretionary Leave Without Pay shall be deducted from service time for purposes of computing longevity, time in service, seniority, or for any other purpose.

d. Vacation or Sick Leave shall not accrue nor shall Holiday Pay be awarded during periods of leave without pay.

e. Unless the employee notifies the City Manager at the time of the request for Discretionary Leave Without Pay that he or she elects to pay the premiums for continuation of Health, Dental, and Insurance Benefits, those benefits will be terminated beginning with the calendar month following the start of the unpaid leave. If that election is made and the leave is approved, it is the responsibility of the employee to submit payment to the City such that it is received prior to the City processing payment to the insurance carrier. The City will not make a premium payment in anticipation of receipt of the payment from the employee.

f. Reinstatement of all benefits shall occur at the first opportunity following the employee's return to duty.

g. Discretionary Leave Without Pay will not normally be approved until Sick Leave (if medically justified), Vacation Leave, and Comp Time have been exhausted.

h. Retirement benefits shall be adjusted for leave without pay in accordance with Public Employees' Retirement System's (PERS) regulations.

i. An employee shall, upon completion of authorized leave without pay, be reinstated to the Position held at the time of commencement of leave and at the salary range and step previously held.

ARTICLE 9
CERTIFICATION AND OTHER BENEFITS

A. SPECIALIZED SCHOOLS AND TRAINING, AND CERTIFICATION PAY.

1. Specialized Schools and Training.

Individual Full-Time employees will be reimbursed for up to $500.00 per year in educational expenses for job-related courses. The total amount reimbursed to all employees in the unit represented by the Association through this program will not exceed $6,000.00 per year. Employees will be reimbursed on a first-come, first-served basis, subject to the City Manager's determination that a course or training is job-related. This provision does not include payment of fees or tuition for course work taken in pursuit of an academic degree.

2. Certification Pay.

a. In recognition of the fact that certain functions cannot be performed without special governmental certification or licensing, the City will pay Fifty Dollars ($50.00) per month for:

- "Operator cross-certification" (Class I or above) for employees assigned to the Water Treatment Plant or Waste Water Treatment Plant, enabling those employees to perform duties at the other plant;
- A necessary pesticide certificate, for Public Works employees responsible for pesticide applications programs for the City;
- Certification for back-flow prevention devices for Public Works employees.
- Playground Inspection Certification for employees working in the Parks Division.
- Arborist Certificate for employees working in the Parks Division.

b. Fifty Dollars ($50.00) per month and any required physical examinations, the cost to renew the Class B license, and the appropriate time necessary during normal work hours to test for a Class B driver's license, if the Director of Public Works, on a person-by-person basis, certifies the necessity to the City for such license and the City Manager authorizes.

B. UNIFORMS.

1. As a condition of employment, the City ~~may prescribe~~requires appropriate apparel or uniforms to be worn during work hours.

2. The City will provide uniforms to employees in the following Public Works positions: Public Works Supervisor, Maintenance Worker I, Maintenance Worker II, Maintenance Worker III, Maintenance Lead Worker, Chief Water Distribution Operator, Plant Operator in Training, Plant Operator I, Plant Operator II, Plant Operator III, Chief Plant Operator.

   a. Employees Assigned to Water Distribution and Public Works

   For employees assigned to Water Distribution and Public Works, t~~T~~he City ~~uniforms~~ provided uniforms shall include five (5) City Polo Shirts and four (4) pairs of City pants per year.- The City will provide and pay for regular uniform cleaning service of up to five pairs of pants and five shirts per week for the uniforms of the employees. The value of this uniform service is $35.49 per pay period.

   b. Employees Assigned to Parks-Trees-Buildings

   For employees assigned to Parks-Trees-Buildings, the City provided uniforms shall include five (5) City Polo Shirts and four (4) pairs of City pants per year. The City will provide and pay for regular uniform cleaning service of up to five pairs of pants and five shirts per week for the uniforms of the employees. The value of this uniform service is $33.06 per pay period.

   c. Employees Assigned to the Wastewater Treatment Plant

   Chief Plant Operator and Plant Operator II - For employees assigned to the Wastewater Treatment Plant, except for employees in the Plant Operator III classification, the City provided uniforms shall include five (5) City Polo Shirts and four (4) pairs of City pants per year.. The value of these uniforms is $9.29 per pay period. The City does not provide uniform cleaning for these Employees assigned to the Wastewater Treatment Plant.

   Plant Operator III - For employees assigned to the Wastewater Treatment Plant in the Plant Operator III classification, the City provided uniforms shall include five (5) City Polo Shirts per year. The value of these uniforms is $5.79 per pay period. The City does not provide uniform cleaning for the City Polo Shirts. Additionally, the City shall provide coveralls which are solely for personal health and safety purposes of the employee. The City will provide and pay for regular uniform cleaning service for the coveralls.

d. Employees Assigned to the Water Treatment Plant

For employees assigned to the Water Treatment Plant, the City provided uniforms shall include five (5) City Polo Shirts and four (4) pairs of City pants per year. The value of these uniforms is $11.49 per pay period for each employee. The City does not provide uniform cleaning for Employees assigned to the Water Treatment Plant.

e. Safety Reflective Coat and Safety Boots

In addition, the City will provide all employees in the classifications listed above ~~listed employees~~in paragraph B.2. with one (1) safety reflective coat on initial hire with a replacement coat every 5 years, and one pair of OSHA approved safety steel toed boots or shoes to be replaced when warranted. The safety reflective coat and the safety boots are solely for personal health and safety purposes of the employee. Any additional uniforms needed shall be supplied at the employee's expense.

3. The parties acknowledge that the uniforms provided are not suitable for everyday wear, and that employees shall wear the provided uniforms only while on duty and traveling to and from work.

~~4. The City will provide and pay for regular uniform cleaning service of up to five pairs of pants and five shirts per week for the uniforms of the employees listed in 2 above. The value of this uniform service is $108.10 per pay period.~~

~~5~~4. To comply with the special compensation requirements of CalPERS, the City shall report to CalPERS periodically as earned the value of the required uniforms and cleaning service provided by numbers 2 and 4 above for classic members (as defined by CalPERS) ~~the total value to be reported to CalPERS is: $10.71 per pay period for the uniforms, and $108.10 per pay period for the cleaning service~~. For classic members, the City and employees will be required to make required employer and employee contributions based on this special compensation in the applicable employer/employee contribution amounts. For example, classic members will be required to make the required employee contribution on this amount. Pursuant to CalPERS regulations, the value of uniforms and uniform cleaning for new members (as defined by CalPERS) does not count as special compensation.

C. TOOLS AND EQUIPMENT.

1. For employees, except the City Mechanic, all items of essential equipment and tools will be provided by the City, except that an employee may elect to provide all or any part of his/her own equipment and tools.

2. City-owned equipment and tools shall be used solely in the exercise of official City business.

3. The City Mechanic will personally furnish all hand tools necessary for normal general maintenance to vehicles and equipment. The city will reimburse the Mechanic for one-half (1/2) the Mechanic's cost of hand tools, up to One Hundred Fifty Dollars ($150.00) per year.

4. Care of Tools and Equipment.

   Each employee having care or custody of City-owned property (including money) or equipment has a responsibility to take appropriate care of the property or equipment, including safeguarding it against theft or damage. Any employee becoming aware of the theft of, or malicious damage to City-owned property or equipment shall immediately report it to the Police Department.

ARTICLE 10
HEALTH, DENTAL, LIFE AND DISABILITY INSURANCE

A. <u>HEALTH INSURANCE</u>.

The City will pay provide medical insurance for each Full-Time Employee and his or her eligible dependents. City is currently a member of Redwood Empire Municipal Insurance Fund (REMIF) and subject to their decisions regarding type and number of plans offered. Should REMIF propose material changes to the insurance plans, City will meet and confer on medical insurance options.

B. <u>DENTAL INSURANCE.</u>

The City will pay the full premium for dental insurance benefits for each Full-Time Employee and all dependent family members.

C. <u>VISION INSURANCE.</u>

Subject to REMIF approval, the City will obtain and pay the full premium for a REMIF Vision Plan for all Full-Time Employees.

D. <u>LIFE INSURANCE.</u>

The City will pay the full premium for a $25,000.00 life insurance plan to cover each Full-Time Employee. At the employee's expense, an employee has the option to increase the amount of life insurance coverage up to an additional $20,000.00.

E. <u>SUPPLEMENTAL LIFE INSURANCE.</u>

The City does not provide, however Full-Time Employees may purchase additional supplemental life insurance.

F. <u>DISABILITY INSURANCE.</u>

The City will pay the full premium for the California State Disability Insurance program primary disability insurance plan covering each Full-Time Employee.

ARTICLE 11
RETIREMENT, SOCIAL SECURITY, DEFERRED COMPENSATION AND DEPENDENT CARE ASSISTANCE

A. <u>PUBLIC EMPLOYEES' RETIREMENT SYSTEM (CalPERS).</u>

Employees covered by this MOU are provided retirement benefits under the California Public Employees' Retirement System (CalPERS) as described in this Article 11, Section A.

1. <u>Tier One: 2% at 55 Retirement Program – Employees Hired Before July 1, 2012 (Tier 1 Classic Members)</u>

This Section 1 (including subsections) shall apply to employees hired before July 1, 2012:

a. <u>2% at 55 Pension Formula</u>

The "2% @ 55" retirement program will be available to employees covered by this Section.

b. <u>Final Compensation Based On 12-Month Period</u>

For the purposes of determining a retirement benefit, final compensation for employees covered by this Section 1 shall mean the highest twelve (12) consecutive month period as specified in Government Code Section 20042.

c. <u>Required Employee Contributions</u>

i. <u>Member Contribution</u>

Employees covered by this Section 1 shall continue to pay, through payroll deduction, the full 7.0% member contribution.

ii. <u>Pension Cost Sharing</u>

Effective January 9, 2016, employees covered by this Section 1 shall pay, through payroll deduction, the full 7.0% member contribution and an additional 1% of PERSable compensation toward the City's required contribution for a total contribution of 8% toward the normal cost of pension benefits as permitted by Government Code Section 20516.

2. <u>Tier Two: 2% at 60 Retirement Program for Employees Hired On or After July 1, 2012, and Before December 31, 2012, and Employees Qualified for Reciprocity (Tier Two Classic Members)</u>

This Section 2 (including subsections) shall apply to employees hired on or after July 1, 2012, and before January 1, 2013. In addition, this Section 2 (including subsections) shall apply to employees hired on or after January 1, 2013, who are qualified for pension reciprocity as stated in Government Code Section 7522.02(c) and related CalPERS reciprocity (Classic Member) requirements:

a. 2% at 60 Pension Formula

The "2% @ 60" retirement program will be available to employees covered by this Section 2.

b. Final Compensation Based On 36-Month Period

For the purposes of determining a retirement benefit, final compensation for employees covered by this Section 2 shall mean the highest annual average pensionable compensation earned during thirty-six (36) consecutive months of service.

c. Required Employee Contributions

i. Employees covered by this Section 2 shall continue to pay, through payroll deduction, the 7.0% member contribution.

ii. Pension Cost Sharing

Effective the first full pay period in January 2016, employees covered by this Section 2 shall pay, through payroll deduction, the full 7.0% member contribution and an additional 1% of PERSable compensation toward the City's required contribution for a total contribution of 8% toward the normal cost of pension benefits as permitted by Government Code Section 20516.

3. Tier Three: 2% at 62 PEPRA Retirement Tier Required For Employees Hired On or After January 1, 2013 and Not Qualified For Reciprocity (Not a Classic Member)

This Section 3 (including subsections) shall apply to employees who were hired on or after January 1, 2013, and who do not qualify for pension reciprocity (not a Classic Member) as stated in Government Code Section 7522.02(c).

a. 2% at 62 Pension Formula

The "2% @ 62" retirement program will be available to employees covered by this Section 3.

b. Final Compensation Based On 36-Months

Effective January 1, 2013, for the purposes of determining a retirement benefit, final compensation for employees covered by this Section 3 shall mean the highest annual average pensionable compensation earned during thirty-six (36) consecutive months of service as required by Government Code Section 7522.32.

c. Required Employee Contributions

i. Required 50% of Normal Costs

As required by Government Code Section 7522.30, effective January 1, 2013, employees covered by this Section 3 shall pay, through payroll deduction, fifty percent (50%) of normal costs.

ii. Pension Cost Sharing

Effective the first day of the first full pay period in January 2016, in addition to paying 50% of normal costs as described above, employees covered by this Section 3 shall pay, through payroll deduction, an additional 1.0% of PERSable compensation toward the City's normal cost of pension benefits as permitted by Government Code Section 20516.

4. Cost Sharing Implementation – All Tiers

The parties acknowledge that CalPERS mandates an election of unit members, separate from ratification of this MOU, to provide for this cost sharing pursuant to Government Code Section 20516. As soon as practicable after the effective date of this MOU, the City will initiate the contract amendment process. Upon approval and agreement from the bargaining unit and completion of the City's amendment to the CalPERS contract, employee contributions will be made pursuant to Government Code Section 20516, Unit Member Cost Sharing of Additional Benefits. If the contract amendment is not complete before the effective date of the cost sharing described in Sections A(1)(c)(ii), A(2)(c)(ii), and A(3)(c)(ii), the cost sharing shall be implemented outside of a CalPERS contract amendment as authorized by Government Code Section 20516(f) and shall extend beyond the expiration of this MOU and establish the status quo for purposes of future negotiations. The Union and the City will take all actions necessary to implement the pension cost sharing agreement described in Sections A(1)(c)(ii), A(2)(c)(ii), and A(3)(c)(ii).

5. Converting Sick Leave Balance

An employee who retires may convert his/her unused sick leave balance to service credit as provided by Government Code Section 20965. Any accrued unused sick leave credit that is paid out at termination pursuant to Article 8(D)(6) will not be available for conversion to service credit.

6. Other Options Included In CalPERS Contract

Employees shall be eligible for other options included in the City's contract with CalPERS as stated in that contract, and allowed by law.

7. Implementation of Internal Revenue Code Section 414(h)(2)

As permitted by Internal Revenue Code Section 414(h)(2) and Government Code Section 20516, each employee shall pay, through payroll deductions, the PERS contributions described in this Article 11 with state and federal income tax on the PERS member contribution deferred to the extent permitted by Internal Revenue Code, 26 USC Section 414(h)(2).

8. All Provisions Subject to Requirements of Law

The parties recognize and agree that the City is required to comply with all requirements of law governing the CalPERS retirement program, including, but not limited to eligibility and reporting requirements. In implementing this MOU and related practices, the City will comply with the requirements of law, and those legal requirements prevail over any inconsistent prior practices or MOU terms.

B. SOCIAL SECURITY PAYMENT.

Employee contributions for Social Security are the responsibility of the employee and will not be reimbursed by the City.

C. DEFERRED COMPENSATION PLAN.

The City offers a deferred compensation plan under which employees may designate portions of their salaries to be deferred for tax purposes. The City will equally match an employee's deferred compensation contribution, not-to-exceed Fifty Dollars ($50.00) per month.

D. CAFETERIA PLAN.

The City allows employees to deposit up to $5,000.00 of their before-tax earnings into an account and pay themselves back for certain enumerated personal and dependent care expenses with tax-free dollars pursuant to Internal Revenue Code Section 125.

ARTICLE 12
BENEFITS ON TERMINATION/RETIREMENT

Upon termination/retirement of employment, all benefits provided by the City to an employee shall be terminated with the following exceptions:

A. COBRA CONTINUATION.

A terminated employee may be entitled to certain insurance coverage opportunities under the federally mandated COBRA Program.

B. CONTINUATION OF CERTAIN INSURANCE POLICIES.

Upon retirement, an employee enrolled in an insurance program (other than life insurance) maintained or sponsored by the City, may continue to be enrolled in such program subject to the conditions set forth below.

1. Conditions.

    a. That continued enrollment has the approval of the insurance company concerned.

    b. Enrollment will cease at such time as the City terminates or converts an insurance program.

    c. The retired employee shall either regularly reimburse the City for the full premium payment or make payments directly to the insurance company.

    d. Unused Sick Leave, Vacation Leave and/or Comp Time may be credited toward health insurance premium in the manner set forth below.

2. Use of Accrued Sick Leave, Vacation Leave and Comp Time to Offset Premiums.

    Retiring employees have the option of applying 100% of their unused sick leave accrued prior to July 1, 2012, Vacation Leave and/or Comp Time toward the payment of continuation insurance premiums, to the extent allowed by law. The total number of hours of leave shall be multiplied by the hourly rate of the employee at the time of retirement. The City will first apply Sick Leave, then Vacation Leave and finally Comp Time to the payment of the premiums. If the employee dies before the Sick Leave, Vacation Leave and/or Comp Time is depleted, the City will make a lump sum payment, less applicable withholdings, to the employee's estate, at the following rates: the remaining Sick Leave multiplied by the employee's hourly rate at retirement multiplied by .50; the remaining Vacation Leave and/or Comp Time multiplied by the employee's hourly rate at retirement.

ARTICLE 13
GRIEVANCE PROCEDURE

A. GRIEVANCE DEFINED.

A grievance is a formal allegation by a member of the Association or by the Association on behalf of a member, regarding an alleged violation of a specific provision of this MOU during its term, excluding all City ordinances, resolutions, rules and regulations, the subject of which are not specifically covered by the provisions of this MOU. This grievance procedure shall not apply to discipline, including the content of performance evaluations, layoff, demotion, reprimand, transfer, denial of reinstatement or denial of step increase. This grievance procedure shall be the exclusive means of resolving contract grievances of employees covered by this MOU.

B. PROCEDURE.

1. Step 1: Informal Discussion.

   Within ten (10) calendar days of the occurrence of an act in dispute or within ten (10) calendar days of when a member should reasonably have become aware of the occurrence of the act in dispute, an employee shall discuss it with his or her immediate Supervisor, who shall investigate and attempt to resolve the matter. The Supervisor shall give the employee an oral reply within five (5) calendar days after the discussion. If the employee is not satisfied with the response, he or she may proceed to Step 2.

2. Step 2: Department Head Determination.

   Any dispute not resolved at Step 1 may be submitted to the Department Manager in writing within ten (10) calendar days after the Supervisor's response in Step 1. The written statement should cite the specific provision of this MOU in dispute. A copy of the written statement shall be provided to the affected employee's immediate Supervisor. Within five (5) calendar days thereafter, a meeting shall be scheduled with the employee and the Department Head who shall attempt to resolve the matter. The Department Head shall give the employee a written reply within five (5) calendar days after such meeting. If the employee is not satisfied with the response, he or she may proceed to the next step.

3. Step 3: City Manager Review.

   Any dispute not resolved at Step 2 may be submitted in writing to the City Manager, with copies of the Step 2 response, within five (5) calendar days after the Department Manager's response. The City Manager shall provide written confirmation of receipt of the dispute to the employee, and shall schedule a meeting within five (5) calendar days, to discuss the matter with the employee. After consideration of the facts, the City Manager shall give his or her written decision to the employee within ten (10) calendar days after the meeting.

4. City Council Review.

If the employee is not satisfied with the decision, the employee may request a hearing before the City Council. Such request for hearing must be submitted in writing within fifteen (15) days of receipt of the City Manager's decision and shall include in detail the facts giving rise to the general grievance and all supporting documentation necessary for City Council consideration. Management shall calendar on the City Council Agenda such request and supporting documentation within thirty (30) days. The matter may be heard in open or closed session as permitted by law. The City Council shall have the following options: (1) refuse to hear the appeal; (2) make a decision on the documentation submitted; or (3) hold a hearing after which they shall make a decision.

The decision of the City Council shall be final.

C. DEADLINES.

The parties may mutually agree to extend any of the above deadlines in writing. Either party may extend the deadlines for reasons of prolonged illness, canceled meetings, or in response to other unavoidable circumstances.

ARTICLE 14
RESIGNATION, TERMINATION AND DISCIPLINARY ACTION

A. RESIGNATION.

An employee wishing to leave his or her service to the City in good standing shall file with the Department Head, at least two (2) weeks prior to leaving City service, a written resignation stating the effective date and reasons for leaving. The resignation shall be forwarded to the Personnel Office with a Personnel Action Form. Failure to give two (2) weeks' notice shall be entered upon the service record of the employee and may be cause for denying future employment by the City. The resignation of an employee who fails to give the required notice shall be reported immediately to the Human Resources Manager by the Department Head.

B. EXIT INTERVIEW.

Any person leaving City employment shall have the opportunity to meet with the City Manager. The purpose of the meeting shall be to allow the City Manager to receive, and the employee the opportunity to provide, the employee's candid observation of City employment in order to help improve personnel management and departmental functioning. Such interviews normally shall be conducted no earlier than fifteen (15) days prior to nor more than fifteen (15) days later than the employee's effective date of retirement or termination of employment.

C. DISCIPLINARY AUTHORITY.

A Full-Time Employee may be disciplined or discharged by his or her Department Head, but shall have the right to appeal the discipline or discharge for final determination by the City Manager as set forth below.

D. PROBATIONARY EMPLOYEES.

In accordance with the City's policy on Probationary Employees, Probationary Employees are not entitled to the Disciplinary Procedures or Appeal rights set forth in this Article 14. Probationary Employees are at-will employees and may be disciplined or terminated at-will, without notice and without cause. The City has no obligation to limit its reasons for discipline or termination to those set forth in Subparagraph H. The City's willingness to discipline or terminate an employee in accordance with this Article 14 does not alter the at-will status of the Probationary Employee's employment.

E. DISCIPLINARY ACTIONS.

For employees who have passed the probationary period the City generally will apply principles of progressive discipline in response to actions constituting cause for discipline that reasonably are subject to remediation. However, the City may discipline employees without progression, up to and including termination, in instances where the City reasonably determines that the action at issue is sufficiently serious and/or remediation is not appropriate.

The following are appropriate disciplinary actions that may be taken as corrective measures.

1. Reprimand.

An employee may be reprimanded by his or her Supervisor, Department Head, or the City Manager. A reprimand may be either verbal or written. A note may be made of a verbal reprimand and placed in the employee's personnel file, and a written reprimand will be placed in the employee's personnel file. Grounds for reprimand include, but are not limited to those listed in Subparagraph H below. Reprimands are not subject to Discipline Procedures and the right to Appeal. However, the employee has the right to meet with the Supervisor/Department Head who issued the reprimand before the reprimand is placed in the employee's personnel file. The employee may also rebut the reprimand by providing a written statement which will be included in the employee's personnel file along with the written reprimand.

2. Suspension.

An employee may be suspended by his or her Department Head. Suspension may be imposed for disciplinary purposes or may be imposed pending investigation and possible discharge. While the matter is being investigated, employee shall continue to receive salary and benefits. Suspension shall be for a fixed period of time. Grounds for suspension include, but are not limited to those listed in Subparagraph H below. Suspension of Full-Time Employees who have completed their Probationary Period is subject to Discipline Procedures and the right to Appeal.

3. Reduction in Salary.

A Department Head may reduce the salary of an employee for disciplinary reasons, provided that such reduction shall be to a step or percentage within the salary range of the Classification held by the employee. A new Anniversary date (for purpose of salary increases only) shall be established as of the effective date of the reduction in salary, unless the reduction is for a specified period of time, in which case the Anniversary date would not change, or unless otherwise recommended by the Department Head. Reductions in salary of Full-Time Employees who have completed their Probationary Period are subject to Discipline Procedures and the right to Appeal.

4. Demotion.

A Department Head may demote an employee for disciplinary reasons to any Classification with a lower salary, provided the employee meets the minimum qualifications for the lower-level class. The employee shall not be eligible for promotion for a period of six (6) months unless otherwise recommended by the Department Head . Disciplinary demotions of Full-Time Employees who have completed their Probationary Period are subject to Discipline Procedures and the right to Appeal.

5. Dismissal.

A Department Head may dismiss an employee for Cause, as set forth in Subparagraph H, below. Dismissal of Full-Time Employees who have completed their Probationary Period is subject to Discipline Procedures and the right to Appeal.

F. DISCIPLINARY PROCEDURE.

1. Initial Investigation.

An alleged violation of policy, procedure, rules, regulations, directives, orders, or laws shall be investigated by the employee's Supervisor or other designated investigator before the employee may be subject to discipline for the violation. The investigator shall complete a written report of the investigation, including the employee's statement, the specific violations, all available facts related to the alleged violation(s), and statements of witnesses, if any. The investigator may recommend appropriate discipline. Based on the information received in the investigation, the Supervisor shall determine appropriate disciplinary action.

2. Notice of Proposed Discipline.

The Supervisor shall provide written notice of the proposed disciplinary action to the affected employee. The notice of proposed discipline shall contain the following information:

- A statement which clearly defines the intent to take action and the specific action to be taken;
- The date the action is intended to take effect;
- A statement of the rule(s) or regulation(s) that has/have allegedly been violated;
- A statement of the specific action, charge(s), and facts on which the proposed action is based;
- Copies of the written materials, reports, and documents considered by the Department Head in his/her decision to impose the proposed action.
- Notice of the employee's right to respond to the charges, verbally or in writing, to the Department Head within seven (7) calendar days of receipt of the Notice of Proposed Discipline. A statement that the failure to respond within the prescribed time period following receipt of the Notice of Proposed Discipline shall constitute a waiver of the right to respond and the proposed discipline will be imposed.

3. Proposed Discipline Deferred.

If the employee or designated representative requests the right to respond, either orally or in writing, the imposition of proposed discipline shall be deferred until after a pre-disciplinary (Skelly) hearing.

4. Pre-Disciplinary (Skelly) Hearing.

Where a written or oral response has been elected, the Department Head shall schedule, coordinate, and conduct a Pre-Disciplinary Hearing within ten (10) calendar days of the employee's request. The purpose of the hearing is for the employee to provide additional information and facts relevant to the alleged violation in order for the Department Head to have all the facts prior to making a final decision regarding the proposed disciplinary action. The employee may elect to have representation at the hearing. If the employee fails to appear at or provide a written statement for the Pre-Disciplinary Hearing, his or her right to appeal the proposed discipline is forfeited.

5. Notice of Disciplinary Action.

Within seven (7) working days of the Pre-Disciplinary Hearing, the Department Head will notify the affected employee with a written Notice of Disciplinary Action. The Disciplinary Action will have been made following a factual finding and review of all the information provided. If the Department Head determines not to impose any disciplinary action, he or she will notify the employee of this as well. The Notice of Disciplinary Action shall state the disciplinary action, the date it will take effect, and the employee's right to appeal, if any. Disciplinary actions may be imposed prior to hearing the employee's Appeal hearing.

6. Paid Administrative Leave.

The Department Head shall have the right to put any employee on immediate paid administrative leave pending investigation and processing of any potential disciplinary action.

7. Exclusions.

The provisions of this Article 14 shall not apply to reductions in pay which are part of a general plan to reduce salaries and wages or to eliminate positions, employee reclassifications, reprimand, transfers without loss of pay, performance evaluations, or economic layoffs. Nor do the provisions of this Article 14 apply to Probationary Employees.

G. APPEAL.

1. Right of Appeal.

An employee who has received a Notice of Disciplinary Action that provides for the right to appeal may, within fourteen (14) calendar days of its receipt, appeal the decision pursuant to the procedures set forth below. An employee, who fails to appeal the disciplinary action within the fourteen (14) day time period, forfeits his or her appeal and the disciplinary action shall be final and binding.

2. Procedure.

In order to Appeal the Disciplinary Action, the employee shall file with the City Manager a written answer to the charges contained in the Notice of Proposed Disciplinary Action and/or the Notice of Disciplinary Action and request the right to appeal the City's disciplinary action (collectively, the "Request to Arbitrate"). Upon receipt of the Request to Arbitrate, the City Manager shall initiate the Appeal process.

3. Appointment of Hearing Panel.

a. The Hearing Panel shall consist of one person selected by the City, one person selected by the Association, and a neutral chairperson selected jointly by the City and the Association.

b. The neutral panel chairperson shall be selected jointly by the parties within fourteen (14) calendar days of receipt by the City Manager of the employee's Request to Appeal.

c. If the parties are unable to mutually agree on a neutral panel chairperson within the fourteen-day period, the City shall solicit a list of seven (7) neutrals from the State of California Mediation/Conciliation Service. After receipt of the list, the parties shall, with the City striking first, alternately strike arbitrators' names from the list until one remains. The parties shall make every effort to complete the striking process within ten (10) calendar days of receipt of the list from the State.

d. If the neutral selected declines appointment or is otherwise unavailable, a new list shall be requested as described above and the process repeated within the same time period, unless the parties can otherwise mutually agree on the selection of a neutral chairperson.

e. The cost of the neutral shall be shared equally, with fifty percent (50%) of the fee paid by the City and fifty percent (50%) of the fee paid by the Association.

4. Pre-Hearing Matters.

The hearing shall be held at the earliest administratively convenient date, taking into consideration the availability of the panel members and the availability of counsel and witnesses. The arbitration hearing shall be private. The panel may, prior to or during the hearing, grant a continuance for any reason the panel believes to be important in order to reach a fair and proper decision. Neither party shall have *ex parte* communications with the neutral panel chairperson .

5. Conduct of the Hearing.

a. The hearing shall be conducted in the manner most conducive to the determination of the truth. Both the City and the employee may be represented by legal counsel, or may elect to proceed without counsel. The employee may choose to be represented by an Association representative.

b. The panel shall determine the relevancy, weight, and credibility of the testimony and evidence. The panel shall not be bound by the technical rules of evidence. The panel shall base its finding on the preponderance of the evidence. The City shall have the burden of proof.

c. Each side will be permitted an opening statement and closing argument. The City shall first present its witnesses and evidence to sustain the charges and the employee will then present his/her witness(es) and evidence to rebut the charges.

d. A court reporter will be retained by the City to make a transcript of the hearing. No audio or video tape recording will be permitted. The employee or his/her representative may obtain a copy of the transcript of the hearing upon request and at his/her own cost.

e. Each side will be allowed to examine and cross-examine witnesses. The employee filing the appeal may be called and examined as if under cross-examination.

f. The panel shall, if requested by either party, subpoena witnesses and/or require production of other relevant records or material evidence. The panel may consider the records of any relevant prior disciplinary actions against the employee, as long as those actions are final.

6. Findings of the Panel.

After the conclusion of the hearing, the hearing panel shall prepare a recommended decision based on its findings of fact and application of law, and forward it to the City, the employee, and the Association. The recommended decision shall set forth which charges the panel sustains or does not sustain and the reason(s) for the panel's decision. The panel's findings and recommended decision must be supported by a majority of the panel members (i.e., at least two panel members must agree on each finding or recommendation).

7. Decision of the City Manager.

After receiving and considering the recommendation of the hearing panel, the City Manager may sustain or reject any or all of the charges filed against the employee. The City Manager may sustain, reject or modify the disciplinary action invoked against the employee. However, the City Manager may not increase the severity of the discipline originally invoked by the City.

H. REASONS FOR REPRIMAND, DISCIPLINE, DEMOTION, SUSPENSION, OR DISCHARGE INCLUDE:

The following are deemed sufficient cause to warrant disciplinary action. However, cause to discipline an employee is not limited to these reasons alone:

- Absence without prior approval or excessive tardiness.
- Use of, or being under the influence of illegal drugs or alcohol while on City business, or during work hours, or while representing the City.
- Violation of the City's anti-discrimination, anti-harassment policies and/or workplace violence policies.
- Failure to maintain any employment qualification, including but not limited to driver's license or other certifications.
- Theft, pilferage, or misuse of City property.
- Falsification of public records.
- Dishonesty.
- Disorderly or immoral conduct.
- Incompetence.
- Failure to meet expected performance standards.
- Neglecting to perform expected job duties.
- Inability to perform the essential duties of the job (with reasonable accommodation, if required by law).
- Insubordination or willful or disobedience.
- Negligence or willful damage to public property or the personal property of another employee.
- Fraud in securing employment.
- Discourteous treatment of the public or other employees.
- Conviction of a felony (including pleas of guilty and nolo contendere), or a conviction of a misdemeanor (including pleas of guilty) where the misdemeanor conviction is related to the position held.

- Violation of any reasonable regulation, policy, rule, SOP, or order.
- Failure to maintain satisfactory working relationships with supervisors, employees, contractors, or the public.
- Interference with the work performance of others.
- Acceptance of bribes or extortion.
- Acceptance of any gift, reward, or other form of compensation in addition to regular compensation for performance of official duties other than as provided for by written City policy.
- Illegal gambling on City property or during working hours.

ARTICLE 15
LAYOFF PROCEDURE

The procedures set forth in the City of St. Helena Layoffs and Furloughs Policy shall apply during the term of this MOU.

ARTICLE 16
SEPARABILITY

Notwithstanding any provisions of this MOU to the contrary, in the event that any Article or Subsections thereof of this MOU shall be declared invalid by any Court of competent jurisdiction or by any applicable State or Federal law or regulation, or shall a decision by any Court of competent jurisdiction or any applicable State or Federal law or regulation diminish the benefits provided by this MOU or impose additional obligations on the City, the parties shall meet and confer or negotiate on the Articles and Subsections thereof affected. All other provisions of this MOU shall continue in full force and effect.

ARTICLE 17
TERM & COMPLETION OF NEGOTIATIONS

Following approval by the City and the Association and ratification by the City Council, the term of this MOU shall commence on January 1, 2016 and shall expire on December 31, 2017.

Negotiations for the subsequent agreement will commence in time to be concluded by November 30, 2017.

During the term of this Agreement, the Association and the City agree that neither party shall be obligated to meet and confer with respect to any subject or matter covered by this Agreement, except as follows:

- The parties agree to meet and confer on any mandatory subjects of bargaining (as defined by the MMBA) associated with any City-proposed changes to the Employee Handbook and/or related policies and procedures;

- The parties may mutually agree to meet and confer on any topic.

ARTICLE 18
SIGNATURES

This Memorandum of Understanding has been ratified and adopted pursuant to the recommendation of the following representatives:

ST. HELENA EMPLOYEES ASSOCIATION

____

REPRESENTATIVE

____

REPRESENTATIVE

CITY OF ST. HELENA

Approved by the City Council by Resolution Numbers ____________

____

CITY MANAGER

EXHIBIT B

City of St. Helena
Publicly Available Salary Schedule
Effective January 9, 2016

Position		Steps A	B	C	D	E
St. Helena Employee Association - Miscellaneous Group						
Office Assistant (75%)	ANNUAL	40,667	42,700	44,835	47,077	49,431
Accounting Assistant I	MONTHLY	3,389	3,558	3,736	3,923	4,119
Office Assistant	PAY PERIOD	1,694	1,779	1,868	1,962	2,060
Library Assistant I	HOURLY	19.55	20.53	21.56	22.63	23.77
Maintenance Worker I	ANNUAL	41,487	43,561	45,740	48,027	50,428
	MONTHLY	3,457	3,630	3,812	4,002	4,202
	PAY PERIOD	1,729	1,815	1,906	2,001	2,101
	HOURLY	19.95	20.94	21.99	23.09	24.24
Library Assistant II	ANNUAL	42,219	44,330	46,546	48,873	51,317
	MONTHLY	3,518	3,694	3,879	4,073	4,276
	PAY PERIOD	1,759	1,847	1,939	2,036	2,138
	HOURLY	20.30	21.31	22.38	23.50	24.67
Plant Operator in Training	ANNUAL	43,070	45,224	47,485	49,859	52,352
Maintenance Worker I-Water Dist	MONTHLY	3,589	3,769	3,957	4,155	4,363
	PAY PERIOD	1,795	1,884	1,979	2,077	2,181
	HOURLY	20.71	21.74	22.83	23.97	25.17
Building Permit Technician I	ANNUAL	45,959	48,257	50,670	53,204	55,864
Recreation Coordinator	MONTHLY	3,830	4,021	4,223	4,434	4,655
	PAY PERIOD	1,915	2,011	2,111	2,217	2,328
	HOURLY	22.10	23.20	24.36	25.58	26.86
Accounting Assistant II	ANNUAL	46,887	49,231	51,692	54,277	56,991
	MONTHLY	3,907	4,103	4,308	4,523	4,749
	PAY PERIOD	1,954	2,051	2,154	2,262	2,375
	HOURLY	22.54	23.67	24.85	26.10	27.40
Senior Library Assistant	ANNUAL	47,952	50,350	52,867	55,511	58,286
	MONTHLY	3,996	4,196	4,406	4,626	4,857
	PAY PERIOD	1,998	2,098	2,203	2,313	2,429
	HOURLY	23.05	24.21	25.42	26.69	28.02
Plant Operator I - Wastewater	ANNUAL	48,676	51,110	53,665	56,348	59,166
Plant Operator I - Water	MONTHLY	4,056	4,259	4,472	4,696	4,930
	PAY PERIOD	2,028	2,130	2,236	2,348	2,465
	HOURLY	23.40	24.57	25.80	27.09	28.45
Accounting Assistant III	ANNUAL	49,287	51,752	54,339	57,056	59,909
	MONTHLY	4,107	4,313	4,528	4,755	4,992
	PAY PERIOD	2,054	2,156	2,264	2,377	2,496
	HOURLY	23.70	24.88	26.13	27.43	28.80
Librarian I	ANNUAL	49,411	51,881	54,475	57,199	60,059
Lib Assoc Bilingual Services	MONTHLY	4,118	4,323	4,540	4,767	5,005
	PAY PERIOD	2,059	2,162	2,270	2,383	2,502
	HOURLY	23.76	24.94	26.19	27.50	28.87
Administrative Assistant	ANNUAL	49,658	52,141	54,748	57,485	60,360
	MONTHLY	4,138	4,345	4,562	4,790	5,030
	PAY PERIOD	2,069	2,173	2,281	2,395	2,515
	HOURLY	23.87	25.07	26.32	27.64	29.02
Maintenance Worker II	ANNUAL	50,533	53,060	55,713	58,499	61,424
	MONTHLY	4,211	4,422	4,643	4,875	5,119
	PAY PERIOD	2,106	2,211	2,321	2,437	2,559
	HOURLY	24.30	25.51	26.79	28.12	29.53

Position		Steps A	B	C	D	E
Equipment Operator/Maint Worker III	ANNUAL	51,041	53,593	56,272	59,086	62,040
	MONTHLY	4,253	4,466	4,689	4,924	5,170
	PAY PERIOD	2,127	2,233	2,345	2,462	2,585
	HOURLY	24.54	25.77	27.05	28.41	29.83
Building Permit Technician II	ANNUAL	51,168	53,727	56,413	59,234	62,195
	MONTHLY	4,264	4,477	4,701	4,936	5,183
	PAY PERIOD	2,132	2,239	2,351	2,468	2,591
	HOURLY	24.60	25.83	27.12	28.48	29.90
Maintenance Lead Worker Accounting Assistant/Building Tech	ANNUAL	51,553	54,131	56,837	59,679	62,663
	MONTHLY	4,296	4,511	4,736	4,973	5,222
	PAY PERIOD	2,148	2,255	2,368	2,487	2,611
	HOURLY	24.79	26.02	27.33	28.69	30.13
Maintenance Worker II-Water Dist	ANNUAL	52,593	55,223	57,984	60,883	63,927
	MONTHLY	4,383	4,602	4,832	5,074	5,327
	PAY PERIOD	2,191	2,301	2,416	2,537	2,664
	HOURLY	25.29	26.55	27.88	29.27	30.73
Plant Operator II - WW Plant Operator II - Water Maintenance Lead Worker-Water Dist	ANNUAL	53,654	56,337	59,154	62,112	65,217
	MONTHLY	4,471	4,695	4,929	5,176	5,435
	PAY PERIOD	2,236	2,347	2,465	2,588	2,717
	HOURLY	25.80	27.09	28.44	29.86	31.35
Librarian II	ANNUAL	53,923	56,619	59,450	62,423	65,544
	MONTHLY	4,494	4,718	4,954	5,202	5,462
	PAY PERIOD	2,247	2,359	2,477	2,601	2,731
	HOURLY	25.92	27.22	28.58	30.01	31.51
Project Coordinator/Admin Asst Building Permit Technician III	ANNUAL	54,737	57,474	60,347	63,365	66,533
	MONTHLY	4,561	4,789	5,029	5,280	5,544
	PAY PERIOD	2,281	2,395	2,514	2,640	2,772
	HOURLY	26.32	27.63	29.01	30.46	31.99
Plant Operator III - Water	ANNUAL	54,874	57,617	60,498	63,523	66,699
	MONTHLY	4,573	4,801	5,042	5,294	5,558
	PAY PERIOD	2,286	2,401	2,521	2,647	2,779
	HOURLY	26.38	27.70	29.09	30.54	32.07
Recreation Supervisor	ANNUAL	55,148	57,906	60,801	63,841	67,033
	MONTHLY	4,596	4,825	5,067	5,320	5,586
	PAY PERIOD	2,298	2,413	2,533	2,660	2,793
	HOURLY	26.51	27.84	29.23	30.69	32.23
Accounting Technician	ANNUAL	55,563	58,341	61,258	64,321	67,537
	MONTHLY	4,630	4,862	5,105	5,360	5,628
	PAY PERIOD	2,315	2,431	2,552	2,680	2,814
	HOURLY	26.71	28.05	29.45	30.92	32.47
Senior Librarian	ANNUAL	56,121	58,927	61,873	64,967	68,215
	MONTHLY	4,677	4,911	5,156	5,414	5,685
	PAY PERIOD	2,338	2,455	2,578	2,707	2,842
	HOURLY	26.98	28.33	29.75	31.23	32.80
Equipment Mechanic	ANNUAL	56,826	59,667	62,650	65,783	69,072
	MONTHLY	4,735	4,972	5,221	5,482	5,756
	PAY PERIOD	2,368	2,486	2,610	2,741	2,878
	HOURLY	27.32	28.69	30.12	31.63	33.21
Plant Operator III - Water & WW Building Technician III/Office Manager	ANNUAL	60,789	63,828	67,020	70,371	73,889
	MONTHLY	5,066	5,319	5,585	5,864	6,157
	PAY PERIOD	2,533	2,660	2,792	2,932	3,079
	HOURLY	29.23	30.69	32.22	33.83	35.52

EXHIBIT C

City of St. Helena
Publicly Available Salary Schedule
Effective January 9, 2017

Position		Steps A	B	C	D	E
St. Helena Employee Association - Miscellaneous Group						
Office Assistant (75%) Accounting Assistant I Office Assistant Library Assistant I	ANNUAL	41,684	43,768	45,956	48,254	50,667
	MONTHLY	3,474	3,647	3,829	4,021	4,222
	PAY PERIOD	1,737	1,824	1,915	2,011	2,111
	HOURLY	20.04	21.04	22.09	23.20	24.36
Maintenance Worker I	ANNUAL	42,524	44,650	46,884	49,228	51,689
	MONTHLY	3,543	3,721	3,907	4,102	4,307
	PAY PERIOD	1,772	1,860	1,953	2,051	2,154
	HOURLY	20.44	21.47	22.54	23.67	24.85
Library Assistant II	ANNUAL	43,274	45,438	47,710	50,095	52,600
	MONTHLY	3,606	3,786	3,976	4,175	4,383
	PAY PERIOD	1,803	1,893	1,988	2,087	2,192
	HOURLY	20.80	21.84	22.94	24.08	25.29
Plant Operator in Training Maintenance Worker I-Water Dist	ANNUAL	44,147	46,355	48,672	51,105	53,661
	MONTHLY	3,679	3,863	4,056	4,259	4,472
	PAY PERIOD	1,839	1,931	2,028	2,129	2,236
	HOURLY	21.22	22.29	23.40	24.57	25.80
Building Permit Technician I Recreation Coordinator	ANNUAL	47,108	49,463	51,937	54,534	57,261
	MONTHLY	3,926	4,122	4,329	4,545	4,771
	PAY PERIOD	1,963	2,061	2,164	2,272	2,386
	HOURLY	22.65	23.78	24.97	26.22	27.53
Accounting Assistant II	ANNUAL	48,059	50,462	52,984	55,634	58,416
	MONTHLY	4,005	4,206	4,416	4,636	4,868
	PAY PERIOD	2,002	2,103	2,208	2,318	2,434
	HOURLY	23.11	24.26	25.47	26.75	28.08
Senior Library Assistant	ANNUAL	49,151	51,609	54,189	56,899	59,743
	MONTHLY	4,096	4,301	4,516	4,742	4,978
	PAY PERIOD	2,048	2,150	2,258	2,371	2,489
	HOURLY	23.63	24.81	26.05	27.36	28.72
Plant Operator I - Wastewater Plant Operator I - Water	ANNUAL	49,893	52,388	55,007	57,757	60,645
	MONTHLY	4,157	4,365	4,584	4,813	5,053
	PAY PERIOD	2,079	2,183	2,292	2,407	2,527
	HOURLY	23.99	25.19	26.45	27.77	29.16
Accounting Assistant III	ANNUAL	50,519	53,046	55,697	58,482	61,407
	MONTHLY	4,210	4,421	4,641	4,874	5,117
	PAY PERIOD	2,105	2,210	2,321	2,437	2,559
	HOURLY	24.29	25.50	26.78	28.12	29.52
Librarian I Lib Assoc Bilingual Services	ANNUAL	50,646	53,178	55,837	58,629	61,560
	MONTHLY	4,221	4,431	4,654	4,886	5,130
	PAY PERIOD	2,110	2,216	2,327	2,443	2,565
	HOURLY	24.35	25.57	26.84	28.19	29.60
Administrative Assistant	ANNUAL	50,899	53,445	56,117	58,922	61,869
	MONTHLY	4,241	4,454	4,676	4,910	5,156
	PAY PERIOD	2,121	2,227	2,338	2,455	2,578
	HOURLY	24.47	25.69	26.98	28.33	29.74
Maintenance Worker II	ANNUAL	51,796	54,387	57,106	59,961	62,960
	MONTHLY	4,316	4,533	4,759	4,997	5,247
	PAY PERIOD	2,158	2,266	2,379	2,498	2,623
	HOURLY	24.90	26.15	27.45	28.83	30.27

Position		Steps A	B	C	D	E
Equipment Operator/Maint Worker III	ANNUAL	52,317	54,933	57,679	60,563	63,591
	MONTHLY	4,359	4,578	4,806	5,047	5,299
	PAY PERIOD	2,180	2,289	2,403	2,523	2,650
	HOURLY	25.15	26.41	27.73	29.12	30.57
Building Permit Technician II	ANNUAL	52,447	55,070	57,823	60,715	63,750
	MONTHLY	4,371	4,589	4,819	5,059	5,313
	PAY PERIOD	2,185	2,295	2,409	2,530	2,656
	HOURLY	25.22	26.48	27.80	29.19	30.65
Maintenance Lead Worker	ANNUAL	52,842	55,484	58,258	61,171	64,230
Accounting Assistant/Building Tech	MONTHLY	4,403	4,624	4,854	5,097	5,353
	PAY PERIOD	2,202	2,312	2,427	2,549	2,676
	HOURLY	25.40	26.67	28.01	29.41	30.88
Maintenance Worker II-Water Dist	ANNUAL	53,908	56,604	59,434	62,405	65,525
	MONTHLY	4,493	4,717	4,953	5,201	5,460
	PAY PERIOD	2,246	2,358	2,476	2,600	2,730
	HOURLY	25.92	27.21	28.57	30.00	31.50
Plant Operator II - WW	ANNUAL	54,995	57,745	60,633	63,665	66,847
Plant Operator II - Water	MONTHLY	4,583	4,812	5,052	5,305	5,571
Maintenance Lead Worker-Water Dist	PAY PERIOD	2,291	2,406	2,526	2,653	2,785
	HOURLY	26.44	27.76	29.15	30.61	32.14
Librarian II	ANNUAL	55,271	58,034	60,936	63,984	67,183
	MONTHLY	4,606	4,836	5,078	5,332	5,599
	PAY PERIOD	2,303	2,418	2,539	2,666	2,799
	HOURLY	26.57	27.90	29.30	30.76	32.30
Project Coordinator/Admin Asst.	ANNUAL	56,105	58,911	61,856	64,949	68,196
Building Permit Technician III	MONTHLY	4,675	4,909	5,155	5,412	5,683
	PAY PERIOD	2,338	2,455	2,577	2,706	2,842
	HOURLY	26.97	28.32	29.74	31.23	32.79
Plant Operator III - Water	ANNUAL	56,246	59,057	62,010	65,111	68,366
	MONTHLY	4,687	4,921	5,168	5,426	5,697
	PAY PERIOD	2,344	2,461	2,584	2,713	2,849
	HOURLY	27.04	28.39	29.81	31.30	32.87
Recreation Supervisor	ANNUAL	56,527	59,354	62,321	65,437	68,709
	MONTHLY	4,711	4,946	5,194	5,453	5,726
	PAY PERIOD	2,355	2,473	2,597	2,727	2,863
	HOURLY	27.18	28.53	29.96	31.46	33.03
Accounting Technician	ANNUAL	56,952	59,800	62,789	65,929	69,225
	MONTHLY	4,746	4,984	5,233	5,494	5,769
	PAY PERIOD	2,373	2,492	2,616	2,747	2,884
	HOURLY	27.38	28.75	30.19	31.70	33.28
Senior Librarian	ANNUAL	57,524	60,400	63,420	66,591	69,920
	MONTHLY	4,794	5,034	5,285	5,549	5,827
	PAY PERIOD	2,397	2,517	2,643	2,775	2,913
	HOURLY	27.66	29.04	30.49	32.01	33.62
Equipment Mechanic	ANNUAL	58,247	61,159	64,216	67,428	70,799
	MONTHLY	4,853	5,096	5,352	5,619	5,900
	PAY PERIOD	2,427	2,548	2,676	2,809	2,950
	HOURLY	28.00	29.40	30.87	32.42	34.04
Plant Operator III - Water & WW	ANNUAL	62,309	65,424	68,696	72,130	75,736
Building Technician III/Office Manager	MONTHLY	5,193	5,452	5,725	6,011	6,311
	PAY PERIOD	2,596	2,726	2,862	3,005	3,156
	HOURLY	29.96	31.45	33.03	34.68	36.41

Position		Steps A	B	C	D	E
Jr. Engineer Assistant Planner HR Manager / Acctg Technician II	ANNUAL	64,848	68,091	71,495	75,070	78,824
	MONTHLY	5,404	5,674	5,958	6,256	6,568
	PAY PERIOD	2,702	2,837	2,979	3,128	3,284
	HOURLY	31.18	32.74	34.37	36.09	37.90
Public Works Supervisor	ANNUAL	66,322	69,639	73,119	76,776	80,614
	MONTHLY	5,527	5,804	6,094	6,398	6,718
	PAY PERIOD	2,763	2,902	3,047	3,199	3,359
	HOURLY	31.89	33.48	35.15	36.91	38.76
Public Works Supervisor-Parks	ANNUAL	69,718	73,203	76,864	80,707	84,743
	MONTHLY	5,810	6,101	6,405	6,726	7,062
	PAY PERIOD	2,905	3,050	3,203	3,363	3,531
	HOURLY	33.52	35.19	36.95	38.80	40.74
Associate Planner	ANNUAL	69,893	73,387	77,056	80,909	84,954
	MONTHLY	5,824	6,115	6,422	6,742	7,080
	PAY PERIOD	2,912	3,058	3,211	3,371	3,540
	HOURLY	33.60	35.28	37.05	38.90	40.84
Chief Plant Operator - Water Chief Plant Operator - Wastewater Chief Water Distribution Operator	ANNUAL	72,378	75,998	79,797	83,788	87,977
	MONTHLY	6,031	6,333	6,650	6,982	7,332
	PAY PERIOD	3,016	3,167	3,325	3,491	3,666
	HOURLY	34.80	36.54	38.36	40.28	42.30

(1) Longevity Pay - Employees are eligible to receive longevity based on continuous years of employment according to the dates and rates below:

5 years - 2.5% of base salary

10 years - 5.0% of base salary

15 years - 7.5% of base salary

20 years - 10% of base salary

(2) Bilingual Pay - Employees who are certified as fluent in both written and verbal Spanish language will receive a 5% pay differential that is added to the employee's base salary. Employees who are certified as fluent only in verbal Spanish language will receive a 2.5% pay differential that is added to the employee's base salary.

(3) Standby Pay - Shall be paid at a rate of $75.00 per weekend to those employees in the Public Works Department who are required to be on Standby on weekends (3:30 p.m. Friday to 7:00 a.m. Monday), $75.00 per week for those employees who are required to Standby for the week (Monday - Friday) and $75.00 for those employees who are required to Standby on holidays (3:30 p.m. to 7:00 a.m. of the next regular work day).

(4) Certification Pay - $50.00 per month for each governmental certificate or licensing as follow:

"Operator Cross-certification" (Class I or above) for employees assigned to the Water Treatment Plant or Waste Water Treatment Plant, enabling those employees to perform duties at the other plant

A necessary pesticide certificate, for Public Works employees responsible for pesticide applications programs for the city

Certification for back-flow prevention devices for Public Works employees

Playground Inspection Certification for employees working in the Parks Division

Arborist Certificate for employees working in the Parks Division

(5) Uniform Allowance - The city will provide uniforms to employees in the following Public Works positions: Public Works Supervisor, Maintenance Worker I, Maintenance Worker II, Maintenance Lead Worker, Chief Water Distribution Operator, Plant Operator in Training, Plant Operator I, Planter Operator II, Planter Operator III, Chief Operator. The City will provide and pay for cleaning services for the uniforms of employees. These costs will be reported each pay period as follows:

Employees assigned to Water Distribution and Public Works - $35.49 per pay period

Employees assigned to Parks-Trees-Buildings - $33.06 per pay period

Employees assigned to the Wastewater Treatment Plant (Chief Plant Operator and Plant Operator II) - $9.29 per pay period

Employees assigned to the Wastewater Treatment Plant (Plant Operator III) - $5.79 per pay period

Employees assigned to the Water Treatment Plant - $11.49 per pay period

Per CCR and CalPERS requirements salary schedules must be duly adopted by City Council to be used for calculating retirement benefits. The portion of the schedule pertaining to the St. Helena Employee Association will be presented to City Council and duly adopted on March 22, 2016. The portion of the schedule pertaining to the Police Officers Association will be presented to City Council and duly adopted in June 2016.

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Item No: 14

Report to the City Council
Council Meeting of March 22, 2016

Agenda Section: **New Business**

Subject: **Informational Item: Review of General Obligation Bonds as possible revenue measure**

CEQA Status: **Not a project**

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

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

BACKGROUND

During the February 11, 2016 Goal Setting Session, the City Council discussed the Ad Hoc Revenue Source Task Force report which included recommendations for Council's consideration related to revenue enhancing options. During this session, members of the community requested the City Council consider three additional taxes: parcel tax, payroll tax and gross receipts tax. Council directed staff to research these three options and return to Council with information. This information was presented to the City Council on March 8, 2016. Following the meeting, Mayor Galbraith requested an additional item be presented to the City Council on general obligations bonds.

DISCUSSION

In June 1986, Proposition 46 was passed by California voters that restored the authority of cities, counties and school districts to issue General Obligation bonds. General Obligation bonds are backed by the issuing agency, are paid by increasing local property taxes above the limited imposed by Proposition 13, and must be approved by a 2/3rd majority vote of the electorate.

General Obligation bonds are commonly used by cities, counties and school districts to finance schools, libraries, jails, and other large capital projects including street and road repair projects. Bond proceeds may not be used for equipment, maintenance or operations.

If a General Obligation bond is approved, the issuing agency is authorized to levy an ad valorem property tax at the rate necessary to repay the principal and interest of the bonds. The amount levied is calculated based on the assessed property value. Overall levy limitations exist to avoid excessive general obligation debt.

It should be noted that this "revenue option" was not presented to the Ad Hoc Revenue Source Task Force because General Obligation bonds are a financing mechanism resulting in debt versus a consistent revenue source for the City. Many of the City's General Fund revenues including sales, transient and transfer taxes can be used as collateral to issue and repay bonds. Issuing debt is always an option available to the Council to fund capital projects, but the cost of debt issuance and interest generally results in roughly doubling the cost of the capital projects. In addition, as part of the bond issuance process, the City's financial condition will be assessed and considered in determining the interest rate paid by the City.

RECOMMENDED ACTION

Information only

Item No: 15

Report to the City Council
Council Meeting of March 22, 2016

Agenda Section: **New Business**

Subject: **Voter Survey Results for a City Charter and Vital Services Measure in St. Helena**

CEQA Status: **Not a project**

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

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

BACKGROUND

In February 2015 the City Council adopted a Council Goal to consider long term revenue options including exploration of the process for the adoption of a real property transfer tax, coupled with identifying the process to become a Charter City. On September 8, 2015, Council directed staff to initiate the process for the City of St Helena to become a charter city and explore a real property transfer tax. On November 10, 2015, Council approved a contract with The Lew Edwards Group to provide polling and public outreach related to a City Charter and Real Property Transfer Tax.

DISCUSSION

Under the direction of the City and The Lew Edwards Group, FM3 conducted a voter survey beginning in January 26 and ending on February 6, 2016. FM3 has prepared the attached presentation and will present the survey methodology and results to the City Council.

RECOMMENDED ACTION

Provide direction to staff regarding pursuit of revenue options.

ATTACHMENTS

FM3 Presentation on St. Helena voter survey results

ST. HELENA

Support for a City Charter and Vital City Services Measure in St. Helena

Key Findings from a Survey Conducted January 26-February 6, 2016

Fairbank, Maslin, Maullin, Metz & Associates

FM3

THE LEW EDWARDS GROUP

CONSULTANT WORKING DRAFT. NOT FOR PUBLICATION. CA GOVT CODE 6254

220-4318

Introduction and Project Objectives

- The team of LEG/FM3 have extensive experience with small cities, including St. Helena.
- This is FM3's third study for the City, allowing "tracking" of constituent views.
- Survey questions were developed in close consultation with City staff to:
  - Objectively assess issues of interest to the City
  - Methodically conduct interviews in an effective manner
  - Sample size reached has a 95% confidence level, costs will be scaled

Survey Methodology

- 156 interviews with voters in St. Helena
- Interviews conducted January 26-February 6, 2016
- Interviews on landlines, cell phones, and online
- Margin of sampling error of +/- 7.9% at the 95% confidence level
- Some percentages may not sum to 100% due to rounding

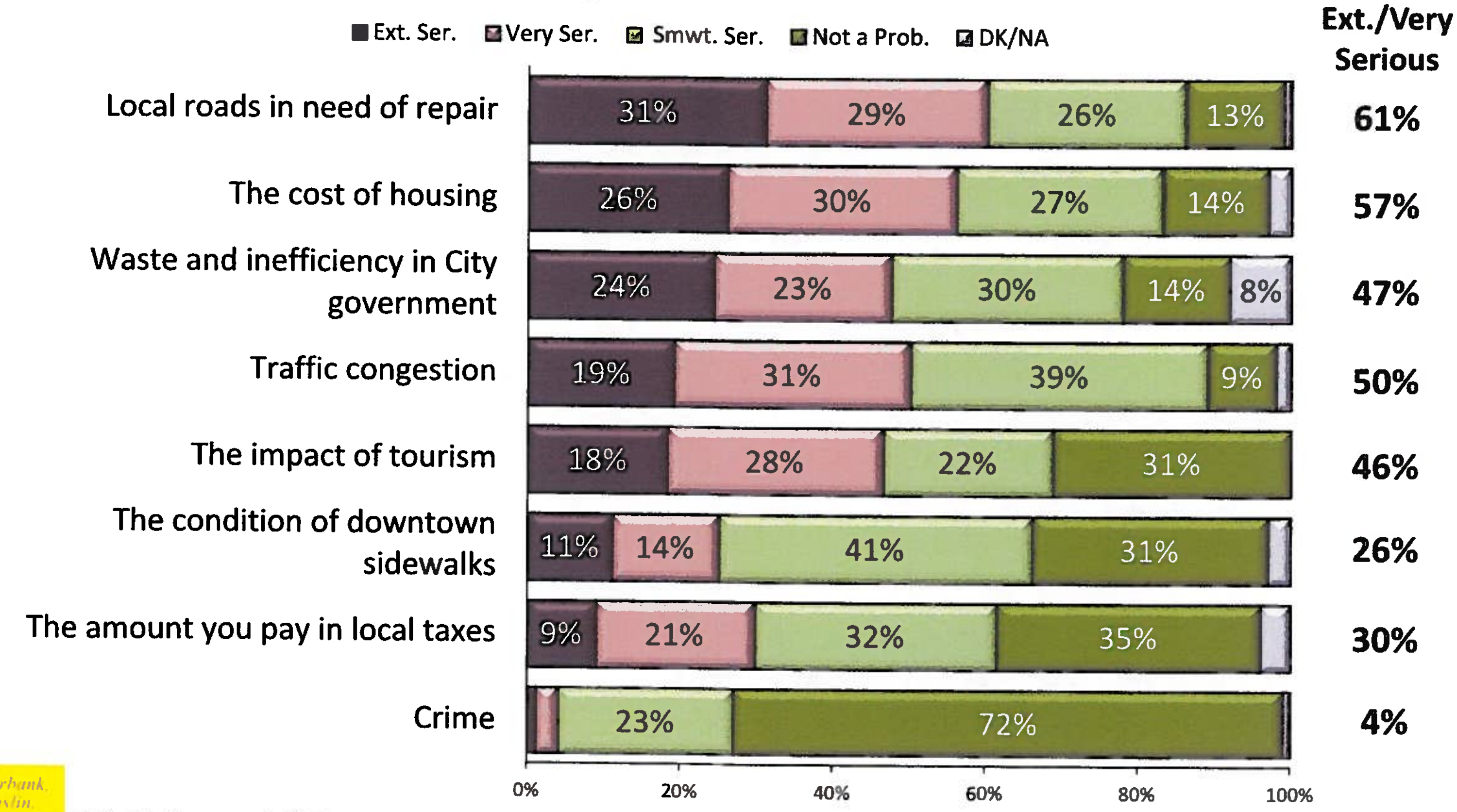
Key Findings

- Voters are concerned about roads, the cost of housing, and government waste.
- They express greatest satisfaction with police protection, library services, and the maintenance of parks.
- Approximately half of voters support a proposed charter measure (46%).
- Six-in-ten support a vital city services funding measure (59%).
  - Two-thirds see a need for additional funding for city services (66%).
  - An RTT tax is perceived more favorably than a sales tax, although support dips when voters learn the tax rate.
- Slightly more than half of voters support a sales tax measure (56%)

ST. HELENA
CALIFORNIA

Issue Context

Road conditions, the cost of housing, and the perception of government waste are seen as the most serious problems in St. Helena.



Q7. I'm going to read you a list of things some people say may be problems facing St. Helena. Please tell me whether you think it is an extremely serious problem, a very serious problem, a somewhat serious problem, or not a problem for St. Helena residents. Split Sample

Fairbank, Maslin, Maullin, Metz & Associates FM3

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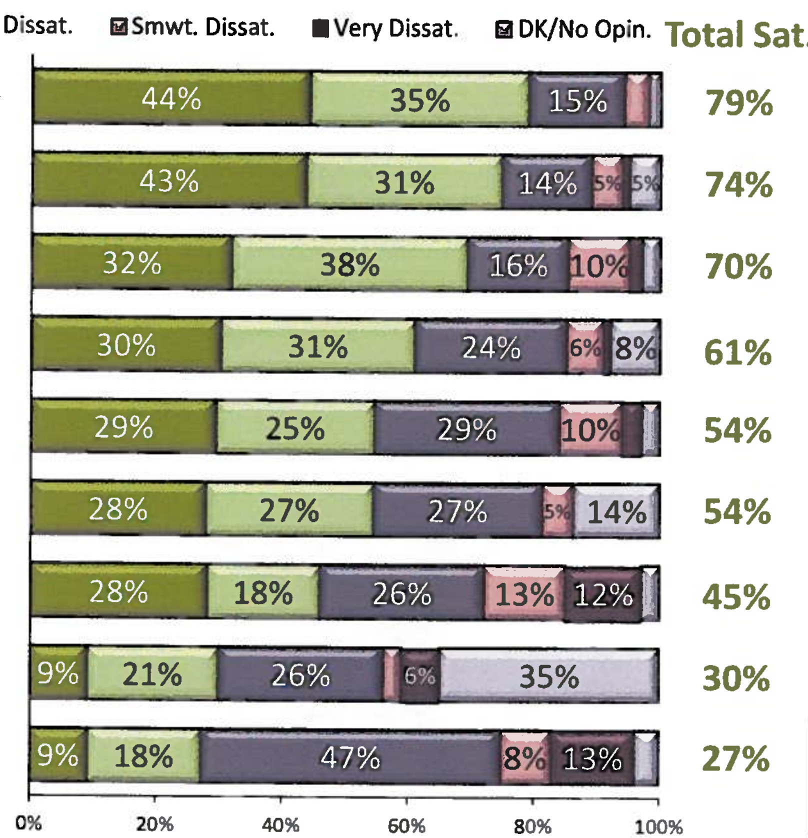
St. Helena residents are most satisfied with police protection and the conditions of the library and parks.



Q9. I am going to read you the same list of services provided by St. Helena City government. This time, after I mention each one, please tell me how satisfied you are with each service: very satisfied, somewhat satisfied, neither satisfied nor dissatisfied, somewhat dissatisfied, or very dissatisfied? Split Sample

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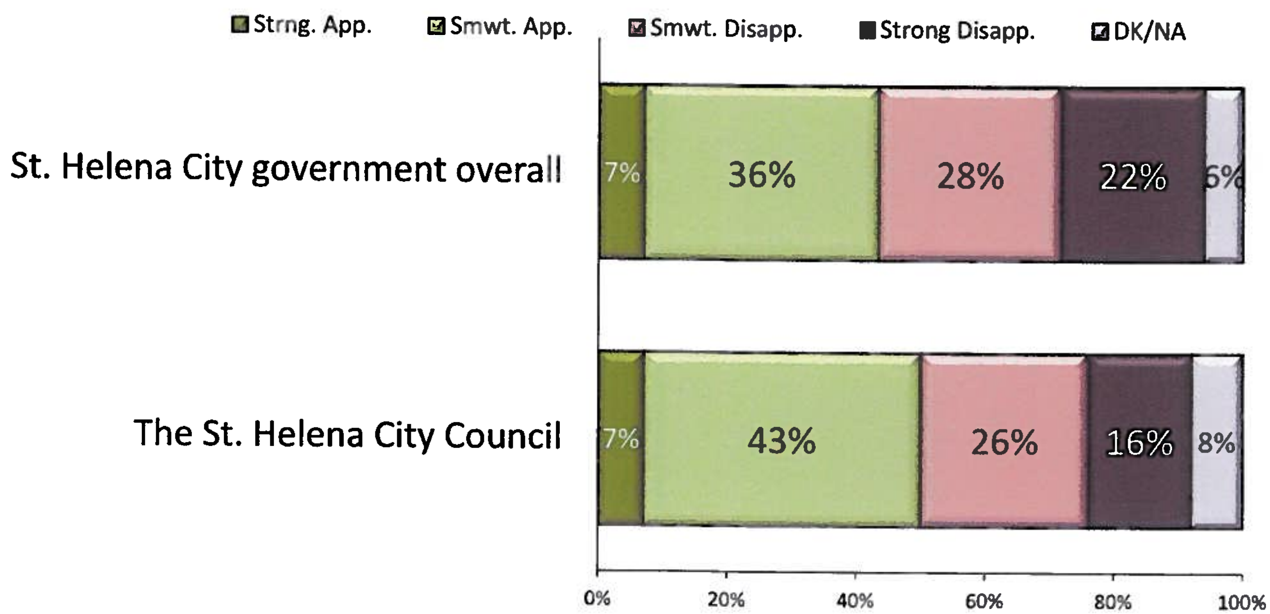
Residents are divided in their perception of City government.

I am going to read you a list of organizations and individuals. Please tell me if you approve or disapprove of the job being done by the organization or individual.

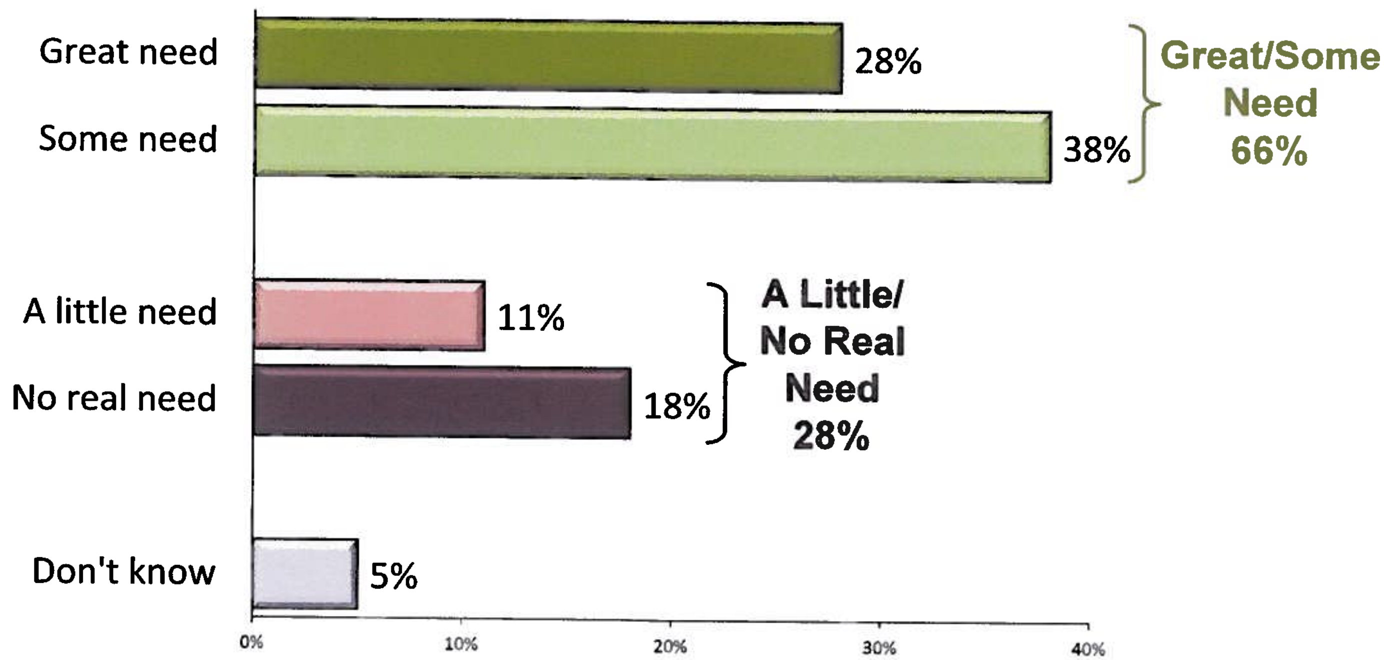


	Total App.	Total Disapp.
St. Helena City government overall	44%	50%
The St. Helena City Council	50%	42%

Q1.

Two-thirds see a need for additional funding in St. Helena.

In your personal opinion, do you think there is a great need, some need, a little need, or no real need for additional funds to provide the level of City services that St. Helena residents need and want?



Q10.

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ST. HELENA
CALIFORNIA

Initial Support for the Proposed Measures

9

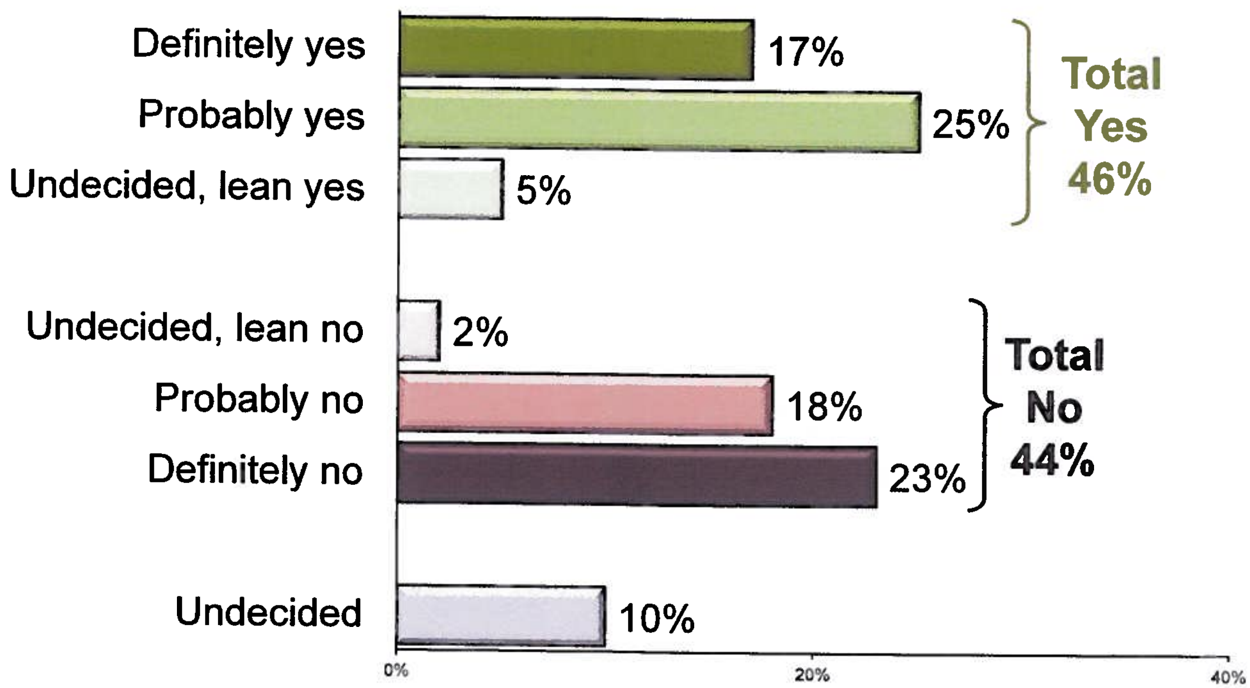
St. Helena Charter City Measure

To enhance local control over funding essential City services, shall the City of St. Helena Charter be adopted to establish St. Helena as a charter city with the ability to adopt local funding measures, such as a real property transfer tax, subject to voter approval? The City Council's powers otherwise remain unchanged and are governed by state general law, and any other powers as a charter city would have to be approved by the voters.

Q2. If the election were held today, would you vote yes in favor of it, or no to oppose this measure?

Nearly half of respondents support a charter city measure.

If the election were held today, would you vote yes in favor of it, or no to oppose this measure?



Q2.

St. Helena Vital City Services Funding Measure

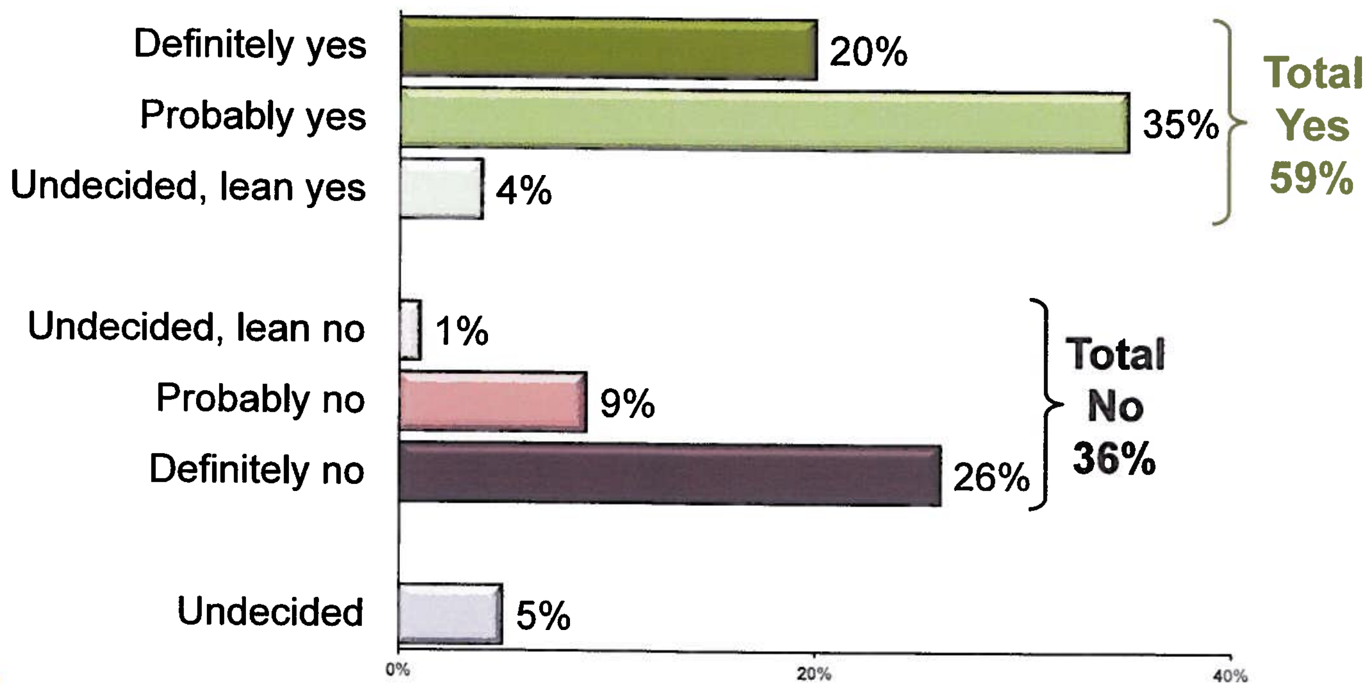
To provide funding for essential City services, such as local road and street maintenance, emergency services protection, park and library maintenance, and programs for youth and seniors, shall the City of St. Helena adopt a real property transfer tax of 1% of consideration, to be paid only by buyers and sellers of property at the time of sale, generating approximately $1.6 million annually on an ongoing basis, and all funds benefitting St. Helena?

Fairbank, Maslin, Maullin, Metz & Associates
FM3

Q3. If the election were held today, would you vote yes in favor of it, or no to oppose this measure?

Three in five support a city services funding measure.

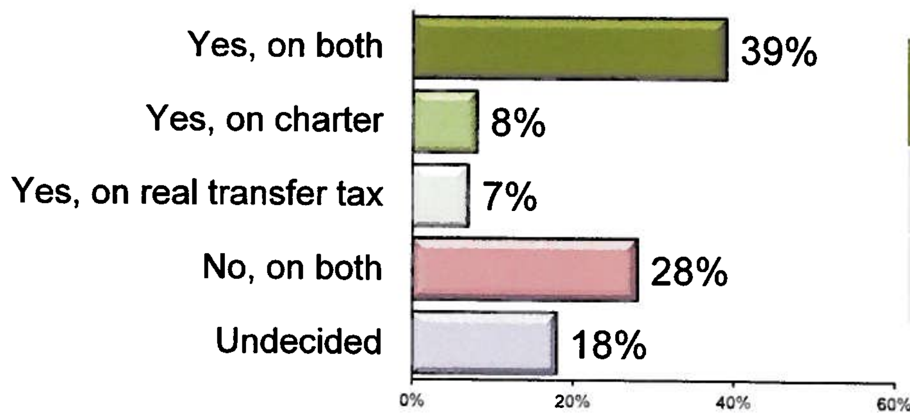
If the election were held today, would you vote yes in favor of it, or no to oppose this measure?



Q3.

Two in five say they will vote in favor of both measures.

*The **ST. HELENA CHARTER CITY MEASURE** would allow St. Helena to have more independence and local control over municipal affairs in relation to local taxes and revenues. The **ST. HELENA VITAL CITY SERVICES FUNDING MEASURE** will allow City voters to increase its revenue to fund critical City services, such as police services and road maintenance, through an increase to the one-time transfer tax paid only by sellers and/or buyers of the sale of real property in St. Helena.*

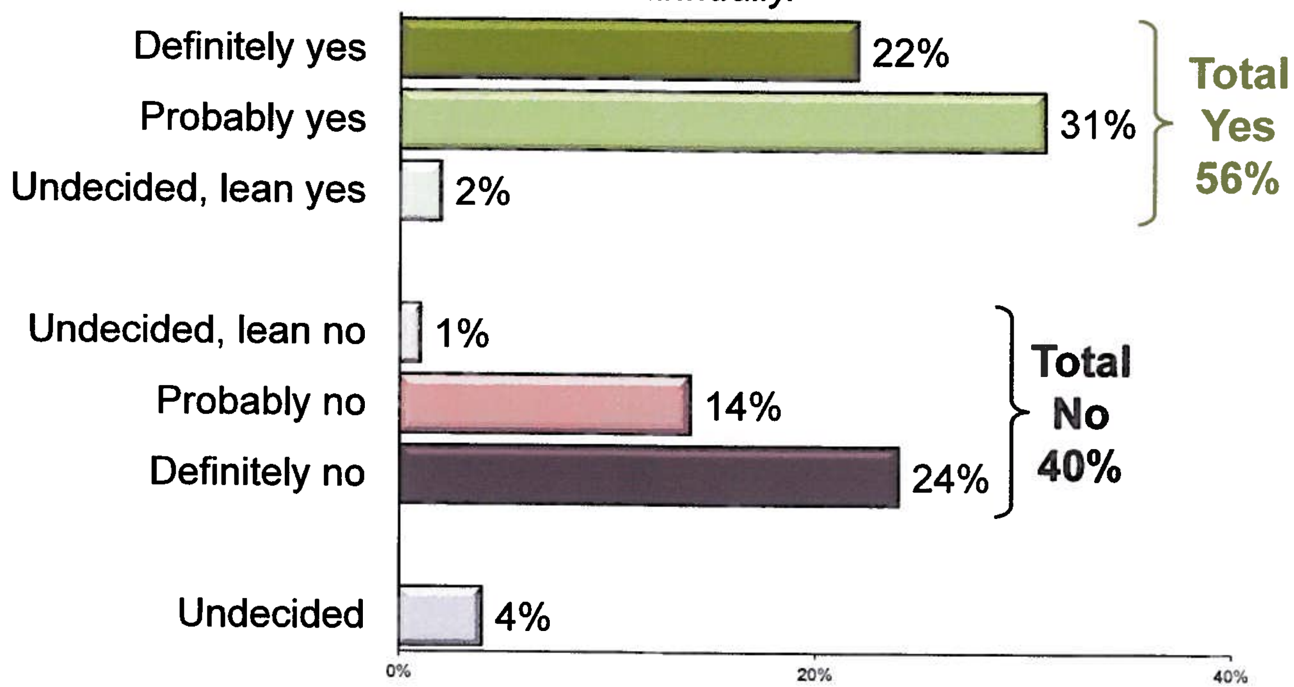


	Charter City Measure	Transfer Tax Measure
Total Yes	47%	46%
Total No	36%	46%

Q4. Now that you have heard more about these measures, if the election were held today would you vote yes on both measures, yes on only one, or no on both?

Residents display less support for funding the City Services Measure via sales tax.

Suppose that instead of being funded by a real property transfer tax of 1%, the proposed ***ST. HELENA VITAL CITY SERVICES FUNDING MEASURE*** *were funded by a half-cent increase in the sales tax, generating approximately $1.4 million annually.*

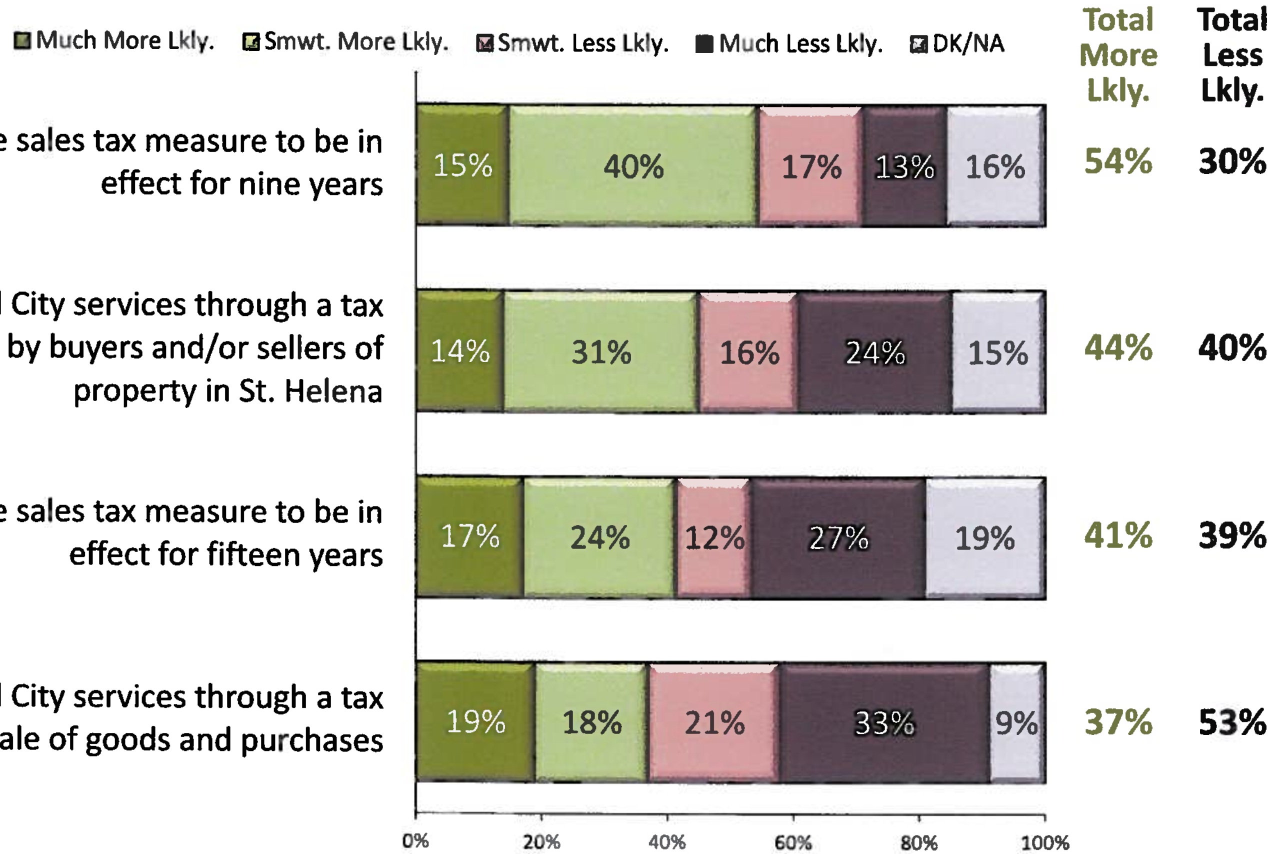


Q5. *In that case, would you vote yes in favor of it, or no to oppose this measure?*

ST. HELENA
CALIFORNIA

Structural Elements of the Measures

Over half would be more likely to support the measure if it included a nine-year sunset.



Q11. The final structure of these measures has not been determined. I am going to read you some possible provisions and funding mechanisms of these measures. Please tell me whether including that item makes you more likely or less likely to support these measures. Split Sample

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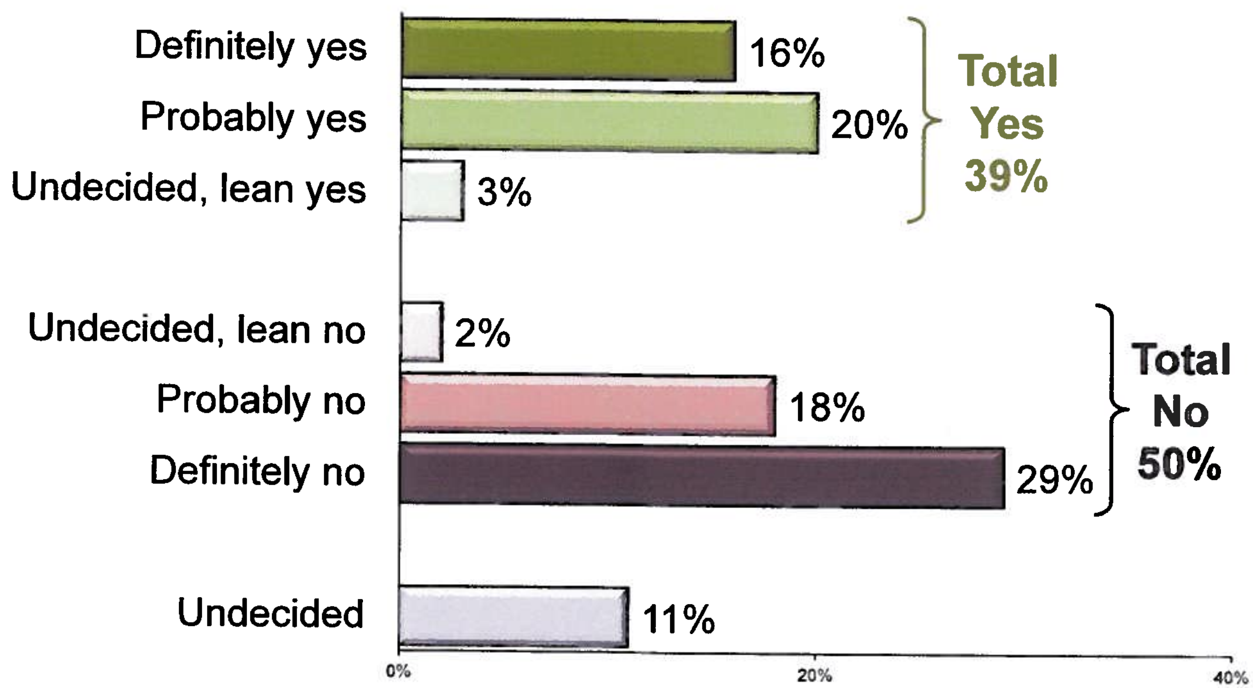
Support for an RTT tax weakens when voters learn a potential range of the tax rate.

And suppose the proposed real property transfer tax ranged between 1% of assessed property value for lower value properties and 1½% of assessed property value for higher value properties.



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Q6. Having heard this, would you vote yes in favor of it, or no to oppose this measure?

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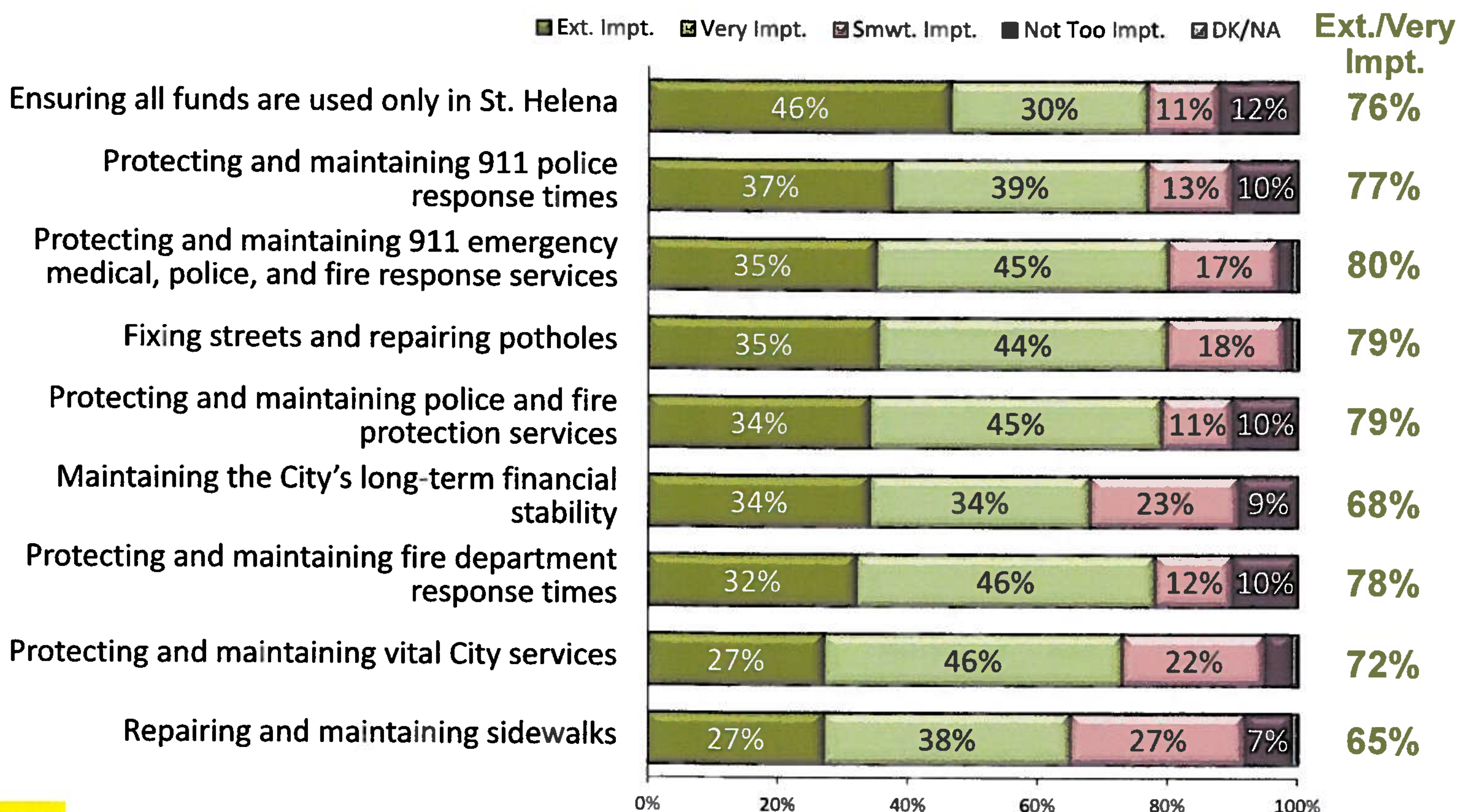
Residents prioritize keeping funds local, protecting emergency response, and fixing streets.



Q13. I am going to read you a list of ways in which the funds generated by this proposed ballot measure could be spent, and also provisions that could be included. Please tell me how important that provision or the use of funds is to you personally: is it extremely important, very important, somewhat important, or not too important? Split Sample

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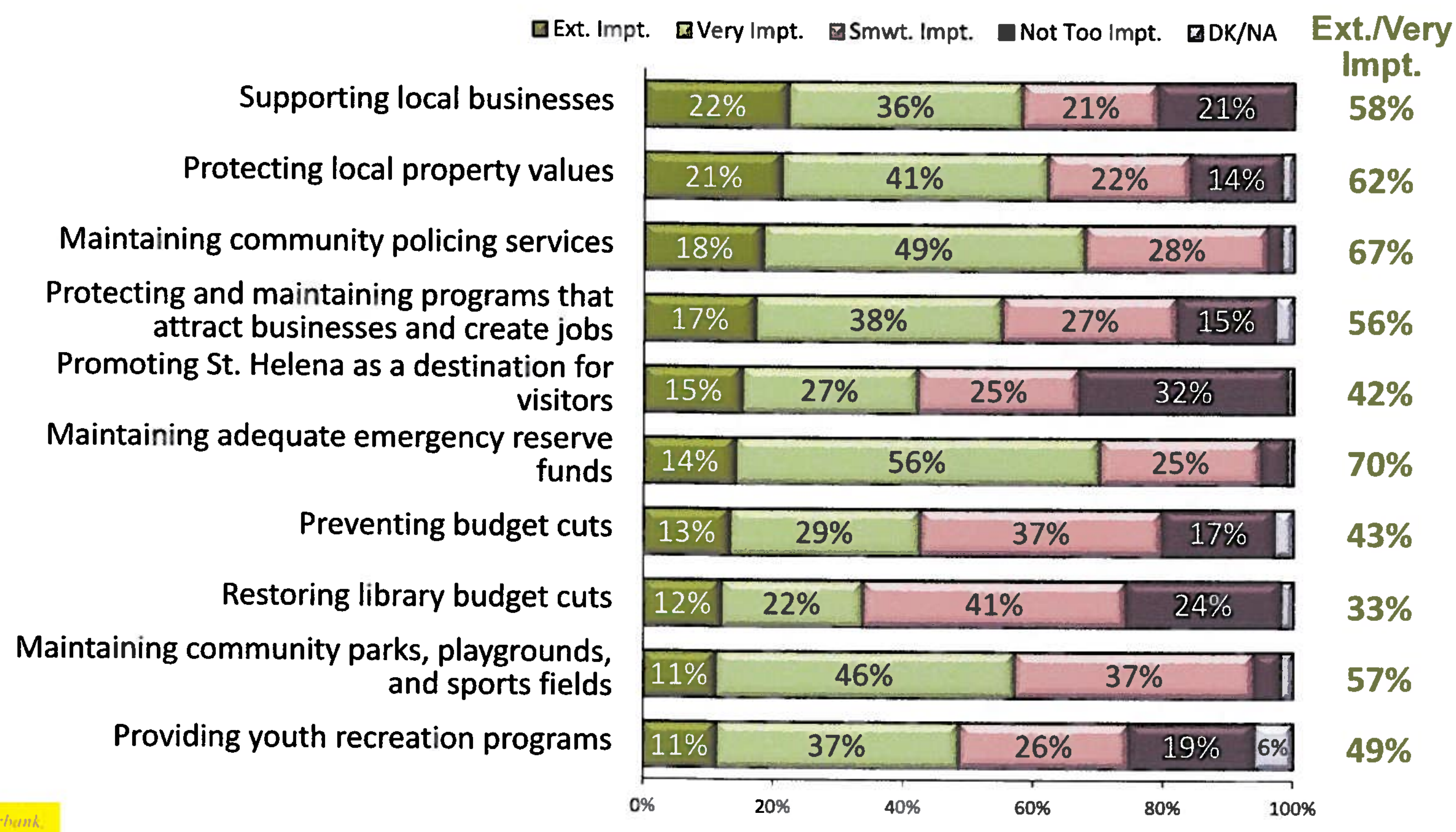
Lower priorities include restoring library cuts, maintaining parks, and providing youth programs.



Q13. I am going to read you a list of ways in which the funds generated by this proposed ballot measure could be spent, and also provisions that could be included. Please tell me how important that provision or the use of funds is to you personally: is it extremely important, very important, somewhat important, or not too important? Split Sample

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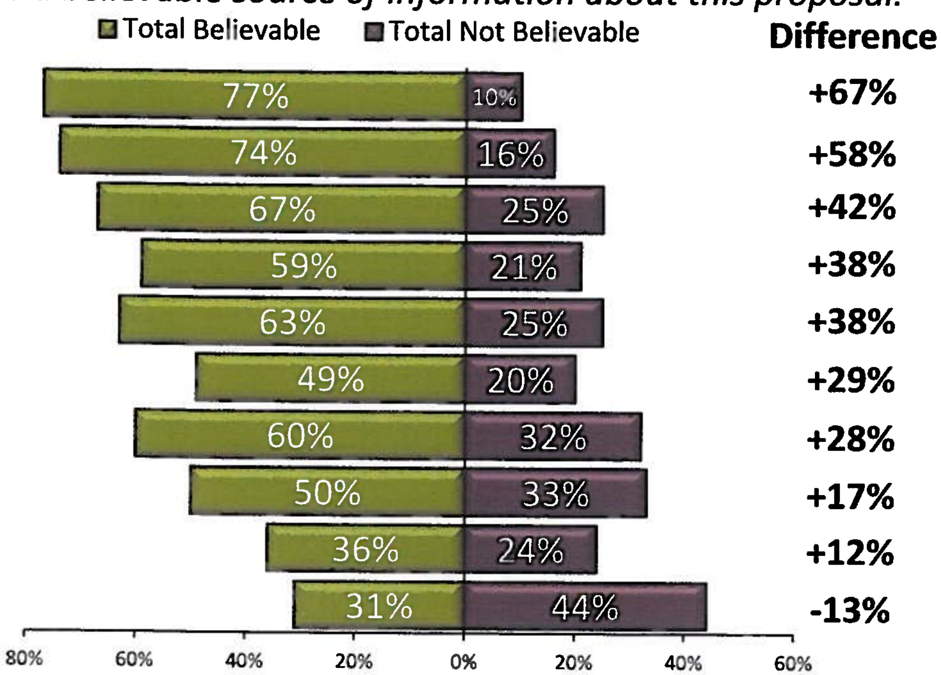
Constituents rely on a variety of sources of information including local police, the St. Helena Star, and local business owners.

I'm going to read the names of some people and organizations that might speak out about these measures we have been discussing. Please tell me whether or not you would consider that person or organization to be a believable source of information about this proposal.



Q20. Split Sample

ST. HELENA
CALIFORNIA

Conclusions

Conclusions

- We do not recommend proceeding with the Charter and RPTT Measures at this time.
- Although voters perceive a need for additional funding, the charter measure is highly polarizing and the City is not viewed credibly at this time.
- Public education on the issues and engagement with local residents within the context of ongoing budget issues could increase support for a potential measure at a later date.

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Fairbank, Maslin, Maullin, Metz & Associates – FM3
PUBLIC OPINION RESEARCH & STRATEGY

Item No: 16

Report to the City Council
Council Meeting of March 22, 2016

Agenda Section: **New Business**

Subject: **Receive and File Administrative Policy P-FI-007 Grant Application and Management Policy; Consideration and proposed Approval of a Resolution Rescinding any Previous Policies or Administrative Memorandum which are Inconsistent with Administrative Policy P-FI-007 Grant Application and Management Policy**

CEQA Status: **Not a CEQA project**

Prepared By: **April Mitts, Finance Director**
Tracey Perkosky, Grants Manager

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

BACKGROUND

Policies and procedures are a frequent request of grant program auditors as they are the guiding documents for the City's internal controls and understanding of key grant principals. Staff searched through the existing records to determine if a grant application and/or management policy or procedures existed and found none.

One of the key tasks of the newly created Grants Manager position was to develop an appropriate policy to help ensure that grants, loans and other sources of alternative funding are tracked and managed prudently.

DISCUSSION

The Grant Application and Management Policy, which is approved by the City Manager, is based on best practices and outlines the importance of grants in accomplishing City goals, sets up a framework for seeking and managing grants, identifies roles and responsibilities, and establishes compliance with Single Audit Act requirements and common Federal regulations. For this policy, the term "grants" refers to grants, cooperative awards, other agreements for assistance such as loans, and all similar alternative funding sources. Grants can be from a Federal, State, or local agency, not-for-profit agencies or private individuals. This policy does not cover donations from organizations or private individuals as long as the donations are not earmarked for a specific purpose.

City staff will focus their efforts on securing grants for capital improvements and consider operating and "pilot program" grants on a case by case basis after careful analysis of the benefits of the program and long term budget impacts. Staff will only seek grants when sufficient resources exist for the proper grants compliance, work scope and matching funds are available.

The City Council will approve all grant and loan agreements, all substantive amendments to these documents and all agreements, Memorandum of Understandings, Joint Powers Agreements and similar documents with local agencies where the City is receiving pass-through funds. Unless otherwise required by an agreement, the City Manager is the authorized representative. The Grants Manager has primary responsibility for writing and managing grants, and Operating Department staff will have secondary responsibility.

Staff will evaluate the benefits and costs of specific grant programs and use identified goals and objectives such as: (1) Council directed goals, (2) approved Capital Improvement Plan or other similar plans such as a bicycle or pedestrian master plan, (3) a State or Federal mandate, or (4) items listed in an approved Budget or similar document. This is to ensure that grant funded programs do not create new programs that are in conflict with established priorities or will create an unanticipated operating expense.

Grant applications only require Council pre-approval if it is required by the funder; adds new regular staffing; creates a new ongoing operational expense after the grant is complete; matching funds are from General Fund Assigned or Unassigned Reserves; there is an ongoing commitment to continue the program after the grant is complete; or the purpose of the grant is outside the current plans, policies or goals.

All reports, reimbursements and other grant related documents will be approved by the Grants Manager. When these are prepared by the Grants Manager, they will be approved by the Department Head responsible for the work scope, Finance Director or City Manager. To ensure sufficient time exists for review, all items must be submitted at least seven calendar days prior to the due date.

The Grants Manager will continue to give quarterly updates to Council on the grants program including information on new applications, award status, close out, and audit results.

All Council issued letters of support for a City-submitted grant must be approved by a majority of the members. All letters of support for an outside agency's grant application must also be approved by Council and specifically list any cash or in-kind match that is committed.

The City is subject to the financial and compliance requirements of the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards. This guidance supersedes and streamlines requirements from OMB Circulars A-89, A-102, and A-133 and the guidance in the A-50 on Single Audit Act follow-up. The Single Audit establishes uniform requirements for audits of Federal grants and assures that Federal departments and agencies rely upon and use audit work performed during a single audit rather than performing the work themselves. Under this Act, Federal grants are audited in a single audit program that is incorporated into the City's annual audit and financial report preparation process. The single audit when federal grant expenditures meet a certain threshold, currently $750,000 annually.

While no previous polices were identified, this resolution repeals and rescinds any previous policies and administrative memoranda related to grant applications and management.

FISCAL IMPACT

There is no fiscal impact associated with adopting this resolution.

RECOMMENDED ACTION

Receive and File Administrative Policy P-FI-007 Grant Application and Management Policy and Approve Resolution 2016-_____ Repealing and Rescinding any Previous Policies which are Inconsistent with Administrative Policy P-FI-007.

ATTACHMENTS

Attachment A – Administrative Policy P-FI-007 Grant Application and Management Policy

Attachment B – Resolution No. 2016-_____

Title:	Policy #	P-FI-0007
Grant Application and Management	Revision #	00
	Implementation Date	2016-03-23
	Last Update Date	2016-03-22
Approval by City Manager	Date Approved	

1. Purpose, Overview and Scope of this Policy

The City of Saint Helena recognizes that grant funding provides significant resources to enhance the City's ability to complete projects and offer services that would not otherwise be possible. Although grant programs themselves are being reduced and becoming more competitive, actively seeking out grant revenues that assist in achieving identified City goals and objectives should nevertheless play a key role in the City's overall financial health strategies. The City will examine the benefits of grant funding prior to application and decline funding determined not to meet this criteria.

The purpose of this policy is to set forth an overall framework for guiding the City of St. Helena's application and management of grant resources.

GOALS

1. Set forth the importance of grant programs in accomplishing City goals and objectives.
2. Establish general concepts and framework for seeking and managing grant programs.
3. Identify roles and responsibilities in applying for and managing grant programs.
4. Establish compliance with Single Audit Act requirements and common Federal regulations.

2. Authority

This policy is an implementation of the City Manager's authority under the City of Saint Helena's Municipal Code and shall take precedence over any inconsistent provisions of prior approved Personnel or Administrative policies. To the extent any previous administrative policies or administrative direction issued by the City Manager is inconsistent with this Policy, those inconsistent policies and directions are hereby repealed and rescinded.

This Policy is hereby approved by the City Manager.

3. *Policy*

FRAMEWORK

1. The City of St. Helena will pursue grant funding from Federal, State and other sources, consistent with identified City goals and objectives.
2. The City should focus its efforts on securing grants for capital improvements. The approach will allow the City to compete for projects that might otherwise be unaffordable, while maintaining financial independence should future grant sources diminish. Grants for operating purposes may be considered on a case-by-case basis after careful consideration of the benefits of the program and the ongoing impacts on the City budget if grant funding is no longer available. Grant applications for operating costs must be pre-approved by City Council prior to application submittal.
3. The City should extensively analyze grants that fund "pilot" operating programs or short-term staffing enhancements to existing programs. Taking on these programs could ultimately aggravate the City's fiscal position should the desire for the program remain once the grant funding is no longer available.
4. The City will only seek grants when sufficient staff resources are available to effectively administer the program in compliance with grant requirements, successfully perform the grant work scope and provide necessary matching requirements (both cash and in-kind matches).
5. The Grants Manager, located in the Finance Department, will have the primary responsibility for seeking out grant opportunities, for preparing effective grant applications with the support of the Operating Departments, and for successfully managing grant programs after they have been awarded. Operating Departments will have secondary responsibility for these functions.

ROLES AND RESPONSIBILITIES

1. **City Council:**
   a. The City Council will approve all grant and loan agreements and all substantive contract amendments such as a change in grant award amount or project scope. Council will delegate contract execution to the City Manager, unless a grant agreement requires otherwise.
   b. Council will also approve all agreements, Memorandum of Understandings, letters, Joint Powers Agreements and similar documents with local agencies where the City is receiving pass-through funds.
2. **City Manager:**
   a. The City Manager executes all contract related documents unless the grant agreement requires another position. Staff Reports and Resolutions must mention by title not an individual's name.

3. **Grants Manager:**
    a. Develops, recommends and maintains grant management policies with approval from City Council, City Manager or Finance Director as applicable.
    b. Provide technical assistance to Operating Departments in preparing grant applications, submitting reports, maintaining records and responding to any audit or information requests from granting agencies.
    c. All reports, requests for reimbursements and similar documents prepared by the Grants Manager will be approved by the Department Head where the project exists, the Finance Director, or the City Manager. When such documents and requests are prepared by Operating Department Staff, the Grants Manager will approve before submittal. All reports, requests for reimbursement and similar documents must be submitted for approval at least seven (7) days before the due date.
    d. Coordinates preparation of the Single Audit Report with the Finance Director and is responsible for the distribution of single audit reports.
    e. Maintains a master file of all grant award documents
    f. Prepares list of State, Federal and Pass-through Grants to prepare for annual Schedule of Expenditures of Federal Awards (SEFA). Operating Departments will assist with information gathering.
    g. As needed monitors and assists Operating Departments on grant-related tasks:
        i. Maintains financial and other records in accordance with grant requirements
        ii. Monitors grant expenditures and receipt of revenues:
            1. All income including Program Income resulting from a grant funded project or program shall be managed and maintained per the terms of the award letter, grant agreement, contract or other document from the granting agency.
            2. Cash on hand from a funder shall be used first before requesting additional funds unless permitted under the terms of the grant agreement.
            3. Review advances and disbursements no less than annually to determine interest earned. Disbursement of interest must be made to the granting agency unless otherwise stated in the agreement.
            4. All grant receivables will be reconciled quarterly by the Grants Manager and approved by the Finance Director.

5. Unless otherwise prohibited by the grant agreement, cash on hand shall be invested in an interest bearing account until required for disbursement.

h. Submits required reports, including requests for funds, whether prepared by Finance or Operating Departments staff.

i. Coordinates on-site management reviews by the grantor agency during the grant term.

j. Ensures compliance with grant requirements, paying special attention to those areas where the grantor's administrative procedures are different than the City's.

k. Provides a quarterly report to the City Council outlining all grant activity such as applications, awards, closeouts and audit findings.

4. Operating Departments:

a. Support Grants Manager with subject matter technical assistance in preparing grant applications, submitting reports, maintaining records and responding to any audit or information requests from granting agencies.

b. When grant applications are written by Operating Department Staff, they must be approved by the Grants Manager prior to submittal.

c. Monitors and assists Grant Manager, as needed, on grant-related tasks:

i. Completes "Grant Information Form" for all grant awards

ii. Maintains financial and other records in accordance with grant requirements

iii. Monitors grant expenditures and receipt of revenues

1. All income including Program Income resulting from a grant funded project or program shall be managed and maintained per the terms of the award letter, grant agreement, contract or other document from the granting agency.
2. Cash on hand from a funder shall be used first before requesting additional funds unless permitted under the terms of the grant agreement.
3. Unless otherwise prohibited by the grant agreement, cash on hand shall be invested in an interest bearing account until required for disbursement.

iv. Prepares required reports, including requests for funds, which are approved by the Grants Manager. All reports, requests for reimbursement and similar documents must be submitted for approval at least seven (7) days before the due date.

v. Ensures compliance with grant requirements, paying special attention to those areas where the grantor's administrative procedures are different than the City's.
vi. Information gathering for annual Schedule of Expenditures of Federal Awards (SEFA).

GRANTS PROCESS

1. **Grant Evaluation**: Staff will evaluate benefits and costs of specific grant programs on a case-by-case basis based on the following:
   a. Purpose of the grant program and its compatibility with identified City goals and objectives such as: (1) Council directed goals, (2) approved Capital Improvement Plan or similar plan such as a bicycle or pedestrian master plan, (3) a State or Federal mandate, or (4) items listed in an approved Budget or similar document.
   b. Additional staffing, office space, facilities, supplies or equipment that will be required if the grant is awarded.
   c. Ongoing impacts of the grant program after it is completed.
   d. Responsibilities of other departments and impacts on them in preparing the grant application or performing work scope if the grant is approved.
   e. Total program or project costs, including portion funded through grant revenues and any required City contribution, both through a cash or in-kind match.
   f. Source of funding for any required City share. All match commitments over $5,000 must be pre-approved *in writing* by the Grants Manager or the Finance Director prior to application submittal[A1].
   g. Compliance and audit requirements, paying special attention to those areas where the grantor's administrative procedures are different than the City's.
2. **Letters of Support**
   a. All Council issued letters of support for a City-submitted grant must be approved by a majority of the City Council.
   b. All Council issued letters of support for an outside agency must be approved by a majority of the City Council. Any commitment of match funds, either cash or in-kind, must be explicitly stated in the letter with anticipated Fiscal Year(s) of the appropriations.
3. **Grant Application:**
   a. Grants Manager or Operating Department staff work with grantor agency in identifying special program requirements and developing strategies for preparing a successful grant application.
   b. Staff completes grant application documents, which are signed by the City Manager unless the grant requirements stipulate otherwise. A copy of the

grant application is placed in the Master File located in the Finance Department.

c. Grant writer coordinates with affected departments as necessary
d. Grant applications only need City Council approval prior to submittal when:
    i. It is required by the application instructions;
    ii. The application adds new regular staffing;
    iii. It creates a new ongoing operational expense such as salaries after the grant period is over;
    iv. It creates a new operational program that is likely to want to be continued after the grant is complete;
    v. The matching funds will be requested from General Fund Assigned or Unassigned Reserves;
    vi. At the conclusion of the grant, there is an ongoing commitment or obligation to continue the program; or
    vii. The purpose of the grant is outside the City's current plans, policies and goals.

4. Grant Administration

a. For all grants, staff prepares a City Council Staff Report and Resolution accepting the grant award. Unless otherwise indicated in the grant guidelines, the City Manager is the authorized representative and signer. The Staff Report must include the agreement for execution and as necessary, a budget request form.
b. For all grants, staff prepares a "Grant Information Form" and submits to Grants Manager for the Master File.
c. Following City Council acceptance of the grant award, the Grants Manager will coordinate the execution of grant documents by the City Manager and return the executed documents to the grantor agency.
d. In all cases for grant and loan administration, there will be a secondary approval on all documents, requests, reports, close outs, etc. submitted to a grantor agency in accordance with grant best practices.
e. All items created by Operating Department Staff will be approved by the Grants Manager. Documents prepared by the Grants Manager will be approved by the Department Head or Supervisor in charge of the project management.
f. Operating Department Staff or the Grants Manager maintains financial and other records on accordance with grant requirements. Some of this information may be duplicates to the Master File maintained by the Finance Department.
g. Operating Department Staff will coordinate with Grants Manager on account coding and financial documentation.

h. Operating Department Staff or the Grants Manager completes and submits the required reports, including requests for funds. Operating Department staff must submit any document to the Grants Manager at least seven (7) days prior to the submittal for approval. The Grants Manager must submit any document to the Department Head at least seven (7) days prior to submittal for approval.
i. Project and Grant staff monitors grant expenditures and receipt of revenues and ensures all costs are charged to the grant.
j. Grants Manager coordinates on-site management reviews and/or audits by the grantor agency during the grant term.
k. Project and Grant staff ensures compliance with grant requirements, paying special attention to those areas where the grantor's administrative procedures are different than the City's.
l. Operating Department staff performs the grant work scope.
m. Grant Manager will review grant status quarterly with Finance Director.
n. Each grant will be assigned a grant project number by the Grants Manager which must be included on all internal correspondence.

5. Grant Closeout & Audit:

a. Operating Department staff completes the grant work scope.
b. Operating Department staff notifies the affected departments that the project is completed and schedules a "closeout" meeting if necessary to resolve any final procedural issues.
c. Operating Department works with Grants Manager to "Zero out" budget accounts for grant revenues and expenditures, complete a budget adjustment form and justification as necessary.
d. Grants Manager ensures final receipt of any required grant closeout documents.
e. Grants Manager reviews Master File for completeness which retains all necessary program and financial records for the period of time required by the City's Records Retention Policy or the grantor agency, whichever is longer.
f. Grants Manager coordinates any on-site management reviews or audits after the grant is completed. All audit findings are included in the Grant Manager's Quarterly Report to City Council. Operating Department Staff will notify the Grants Manager of an expected audit no later than five (5) calendar days following the receipt of such information from the granting entity. The Grants Manager or designee from the Finance Department will participate in the audit.
g. Grants Manager resolves any audit findings.
h. Grants Manager ~~E~~ensures files are compliant for City's Annual Audit or for the Federal Single Audit Act.

6. Fixed Assets Funded by Federal Grants:

This section will be updated when the City's Fixed Asset Policy is established.

SINGLE AUDIT & GENERAL FEDERAL RULES

The City is subject to the financial and compliance requirements of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. This guidance supersedes and streamlines requirements from OMB Circulars A-89, A-102, and A-133 and the guidance in the A-50 on Single Audit Act follow-up. The Single Audit establishes uniform requirements for audits of Federal grants and assures that Federal departments and agencies rely upon and use audit work performed during a single audit rather than performing the work themselves. Under this Act, Federal grants are audited in a single audit program that is incorporated into the City's annual audit and financial report preparation process. The single audit when federal grant expenditures meet a certain threshold, currently $750,000 annually. During the audit, tests are made to determine the adequacy of the internal control structure and that the City has complied with applicable laws and regulations.

THIS POLICY SPECIFICALLY REPEALS AND REPLACES PRIOR CITY POLICIES AND ADMINISTRATIVE MEMORANDA RELATED TO GRANT APPLICATIONS AND GRANT MANAGEMENT.

4. Attachments

Grant Information Form

5. Definitions

In this policy "grant" refers to grants, cooperative awards, other agreements for assistance such as loans and all similar alternative funding sources. Grants can be from a Federal, State or local agency, Not-for-Profit Agencies or private individuals.

City of Saint Helena Grant Information Form

Grant Title: ____
Grant Award Number (Contract Number): ______________________________
City Grant Number: ______________________________

Amount of Grant Award:______________________________
Description of grant & scope: ______________________________________
____
____
____

Will this grant require City match? ☐ Yes ☐ No
If yes, define the match and amount: ______________________________
____
____

Name of Granting Agency: ______________________________
Type of Agency: ☐ Federal ☐ State ☐ Other______________
If Federal pass-through, name the Federal Agency: ______________________
Catalog of Federal Domestic Assistance Number (CDFA): ______________
Pass-through entity number: ______________
Name of Agency Contact & Position Title: ______________________________
Telephone & Email: ______________________________________

Responsible City Department: ______________________________________
Department Contact name & position title: ______________________________
Telephone number & email:______________________________________

City Council Resolution Number: ______________ Date Approved: __________
Award Period: Start Date ______________ End Date ______________
Basis of grant cash draws: ☐ Advance ☐ Reimbursement
If advance, what is this grant's policy of drawing the advance? ______________
____
____

Will this grant purchase fixed asset? ☐ Yes ☐ No
If yes, provide brief description of fixed asset: ______________________
____
____
____

Grant Budget Description	Account #	Match	Grant Portion	Total Cost
Revenue	________	$________	$________	$________
Staffing	________	$________	$________	$________
Contract Services	________	$________	$________	$________
Supplies	________	$________	$________	$________
Fixed Asset	________	$________	$________	$________
Capital Outlay (not fixed asset)	________	$________	$________	$________
Grand Total		$________	$________	$________

Is a budget amendment required? ☐ Yes (Attach Form) ☐ No

Comments (please note significant or unusual compliance requirements): ____________________

____

____

____

Prepared by: ______________________ Date ______________

Please scan and send the following to Grants Manager:

- ☐ Grant Application
- ☐ Award Letter
- ☐ Grant Agreement
- ☐ City Council Resolution
- ☐ Staff Report
- ☐ Budget Amendment (if applicable)

Attachment B

CITY OF ST. HELENA

RESOLUTION NO. 2016-____

RESOLUTION REPEALING AND RESCINDING ANY PREVIOUS POLICIES OR ADMINISTRATIVE MEMORANDA WHICH ARE INCONSISTENT WITH ADMINISTRATIVE POLICY P-FI-007 GRANT APPLICATION AND MANAGEMENT POLICY

RECITALS

A. The City of St. Helena recognizes that policies and procedures are a frequent request of grant program auditors; and

B. To avoid any inconsistencies with policy application, it is necessary to repeal and rescind any previous policies and procedures which conflict with Administrative Policy P-FI-007 Grant Application and Management Policy.

RESOLUTION

The City Council of the City of St. Helena hereby resolves as follows:

1. Repeals and rescinds any previous policies or administrative memoranda which are inconsistent with Administrative Policy P-FI-007 Grant Application and Management Policy.

Approved at a Regular Meeting of the St. Helena City Council on March 22, 2016, by the following vote:

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

APPROVED: ATTEST:

______________________ ______________________

Alan Galbraith, Mayor Cindy Black, City Clerk

Item No: 17

Report to the City Council
Council Meeting of March 22, 2016

Agenda Section: **New Business**

Subject: **Request for Direction on Repayment Strategy for State Revolving Loan Fund (SRF)**

CEQA Status: **Not a Project**

Prepared By: **April Mitts, Finance Director**

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

BACKGROUND

At the January 26, 2016 City Council meeting staff presented a report on the Comprehensive Flood Control Project (Flood Project). Part of this report included staff analysis of revenues received from the Department of Water Resources (DWR) grant and the State Revolving Loan Fund (SRF) loan through the State Water Resources Control Board (SWRCB). During the review of Flood Project it was discovered there are approximately $2.1 million of expenses that appear to be charged to both SRF and DWR.

DISCUSSION

Specific line items on the certain flood project invoices were eligible for grant reimbursement (DWR) or loan disbursement (SRF). Staff analysis found several of the line items on invoices were submitted to both SRF and DWR for reimbursement when they should have only been submitted to one funding source. The total amount charged to both funding sources is approximately $2.1 million. From the amount charged to both funding sources $2.1 million has been received from SRF and $1.89 million has been received from DWR. The remaining amount to be received from DWR is contingent on successful close out of the grant.

City staff reached out to both DWR and SRF to explain the situation. The City is working to closeout the DWR grant and retain the grant funding.

To resolve, SRF recently requested the City propose a payback schedule for the $2.1 million in funding received for flood related expenses which were also received from DWR. All payback to SRF is to be paid from the General Fund. Since the City has received $1.89 million from DWR to-date staff is proposing an initial repayment to SRF of $1.89 million, and, upon successful closeout of the DWR grant, the additional

$210,000 funding will go directly to SRF principal. SRF stated it was agreeable to this. If DWR does not close out the remaining $210,000, the City will need to add this amount to the SRF repayment schedule to be paid from the General Fund.

Staff is presenting to City Council the following payback scenarios to consider and provide direction on which payback strategy to pursue. It is important to note that (1) any repayment schedule is dependent on SRF approval and (2) the total repayment schedule timeline of the SRF loan will be dependent on actual money received from Measure A funds. The scenarios below are based on Measure A estimates provided by the County of Napa Auditor/Controller on February 26, 2016. Based on this information it is estimated approximately $4,000,000 will be available in Measure A funding for drawdown to be used as payment for the SRF loan per the terms of the loan agreement. As new estimates are received from the County, staff will update the City Council as this can affect the overall timeline for repayment of SRF.

The proposed payment to SRF is not a substitution for the City's regular payment schedule but repayment for duplicate monies received. The regular payment due annually to SRF is $526,805. This annual payment was paid from the General Fund in FYs 2014/15 and 2015/16. Once Measure A funding is available for draw-down the amounts drawn-down will be applied promptly to the SRF regular payments. Staff is currently working with the County of Napa to audit previous Measure A draw-downs and prepare for additional draw-downs. It is anticipated that during FYs 2016/17, 2017/18, and 2018/19 the regular loan payment of $526,805 will be covered by draw-down monies available from Measure A; however, the availability of Measure A draw-down is dependent on City and County staff completing Measure A required documentation prior to November 20, 2016 - the date the next SRF payment is due.

The scenarios presented below are based off of the financials presented in the Long Range Financial Forecast (LRFF). The LRFF document is being used to give the Council the opportunity to see how each scenario is affects the City's LRFF.

<u>Scenario 1</u>
Gradual Repayment (Attachment A)

This SRF repayment schedule proposes smaller, gradual payments in FYs 2016/17, 2017/18, and 2018/19 and defer larger payments to FYs 2019/20, 2020/21, 2021/22, and 2022/23.

General Fund Fiscal Impact
Immediate – The immediate fiscal impact to the General Fund, using the LRFF, is a reduction of expenses of $451,805 in FY 2016/17, $426,805 in FY 2017/18, and $376,805 in FY 2018/19. Beginning in FY 2019/20 regular SRF payments will resume

of $526,805 from the General Fund. Under this scenario it is estimated the SRF loan will be paid off in FY 2022/23.

Long Term – While there are immediate expense reductions to the General Fund in FYs 2016/17, 2017/18, and 2018/19, larger payments from the General Fund will be required in FYs 2019/20, 2020/21, 2021/22, and 2022/23. The LRFF accounted for the $526,805 SRF loan payment to come from the General Fund through FY 2020/21. While there will be General Fund expense reductions for the first three years, this scenario would increase spending from the General Fund for SRF payments for an additional 2 years. FY 2021/22 will continue with a full payment of $526,805 and FY 2022/23 would have one final payment due of approximately $60,000 from the General Fund.

Early Payback Savings – Under this gradual repayment scenario, the projected savings to the City over the life of the loan is estimated to be $627,807 in service/grant charges.

<u>Scenarios 2 & 3</u>
Flat Rate Repayment (Attachments B and C)

This schedule proposes a flat rate payment for FYs 2016/17, 2017/18, and 2018/19, and then resumes the minimum debt service payment requirement of $526,805 in FY 2019/20. Attachments 2 and 3 show scenarios of what a flat rate repayment would look like.

<u>Scenario 2</u>
General Fund Fiscal Impact
Immediate – The immediate fiscal impact to the General Fund, using the LRFF, is a reduction in expenses of $26,805 in FYs 2016/17, 2017/18, and 2018/19. Under this scenario it is estimated the SRF loan will be paid off in FY 2019/20 with a final payment of approximately $400,000.

Long Term – The LRFF accounted for the $526,805 SRF loan payment to come from the General Fund through FY 2020/21. If Scenario 2 is chosen, it is anticipated the SRF loan will be paid off in 2019/20 which would decrease anticipated expenses in FY 2020/21 by $526,805.

Early Payback Savings – Under this gradual repayment scenario, the projected savings to the City over the life of the loan is estimated to be $726,803 in service/grant charges.

<u>Scenario 3</u>
General Fund Fiscal Impact
Immediate – The immediate fiscal impact to the General Fund, using the LRFF, is a reduction in expenses of $401,805 in FYs 2016/17, 2017/18, and 2018/19. Beginning in FY 2019/20 regular SRF payments will resume of $526,805 from the General Fund with

a final payment in 2022/23 of $43,000. Under this scenario it is estimated the SRF loan will be paid off in FY 2022/23.

Long Term – The LRFF accounted for the $526,805 SRF loan payment to come from the General Fund through FY 2020/21. While there will be General Fund savings for the first three years, this scenario would increase expenses from the General Fund for SRF payments for an additional 2 years. FY 2021/22 will continue with a full payment of $526,805 and FY 2022/23 would have one final payment due of approximately $43,000 from the General Fund.

Early Payback Savings – Under this gradual repayment scenario, the projected savings to the City over the life of the loan is estimated to be $632,132 in service/grant charges.

Consideration for all scenarios:

1. The current Long Range Financial Forecast (LRFF) takes into account $526,805 from the General Fund through FY 2020/21. Scenarios 1 and 3 will increase the amount needed from the General Fund for an additional 2 years.
2. City Council has set as its Council Goals that economic vitality is a priority for the City and new revenues are being considered. While they are under consideration there is no guarantee the revenues will be realized. When considering a scenario with a smaller amount from the General Fund in the first few years with larger payments in the final years it is important to consider the financial impacts if additional revenues are not realized.
3. The Scenarios listed above assume Measure A money will be available to draw-down in FYs 2016/17, 2017/18, and 2018/19 to make the regular $526,805 SRF payment. While not a concern for FYs 2017/18 and 2018/19 staff is cautiously optimistic a drawdown will be available by November 20, 2016 for the FY 2016/17 regular payment. If documentation is not in place by this time the $526,805 regular payment would need to come from General Fund reserves.

Next Steps

Based on City Council direction, staff will propose a repayment schedule to SRF for consideration. Once a repayment schedule is agreed upon, it will be presented to City Council for approval.

FISCAL IMPACT

The fiscal impact to the City of St. Helena is dependent on two things:

1. The strategy City Council directs staff to propose to SRF, and
2. SRF agreeing to the proposed payback schedule.

The timeline for full SRF repayment is contingent on actual Measure A revenues received. The estimated revenues may change dependent on sales tax revenues collected, Council will be updated with any changes in the projected amounts or actual amounts collected for Measure A.

RECOMMENDED ACTION
Provide staff direction on City Council preferred repayment strategy to pursue with SRF.

ATTACHMENTS
Attachment A – Scenario 1 – Gradual Repayment Scenario
Attachment B – Scenario 2 – Flat Repayment Scenario - $500,000
Attachment C – Scenario 3 – Flat Repayment Scenario - $125,000

Attachment A - Scenario 1 Gradual Repayment Option

Payment Date	Beginning Balance	Service Charge (1%)	Grant Charge (1.4%)	Payback $1.89 m Principal	General Fund Service Charge Payments	Measure A Amount	DWR Retention Payment	Remaining Balance
FY 16/17	$ 5,823,738.20	$ 58,237.38	$ 81,532.33	$ 75,000.00	$ -	$ 1,358,000.00		$ 4,530,507.92
FY 17/18	$ 4,530,507.92	$ 45,305.08	$ 63,427.11	$ 100,000.00	$ -	$ 1,400,000.00	$ 210,000.00	$ 2,929,240.11
FY 18/19	$ 2,929,240.11	$ 29,292.40	$ 41,009.36	$ 150,000.00	$ -	$ 1,290,000.00		$ 1,559,541.87
FY 19/20	$ 1,559,541.87	$ 15,595.42	$ 21,833.59	$ 489,376.00	$ 37,429.00			$ 1,070,165.87
FY 20/21	$ 1,070,165.87	$ 10,701.66	$ 14,982.32	$ 501,121.02	$ 25,683.98			$ 569,044.86
FY 21/22	$ 569,044.86	$ 5,690.45	$ 7,966.63	$ 513,147.92	$ 13,657.08			$ 55,896.93
FY 22/23	$ 55,896.93	$ 558.97	$ 782.56	$ 55,896.93	$ 1,341.53			$ -
		$ 165,381.36	$ 231,533.90	$ 1,884,541.87	$ 78,111.59			

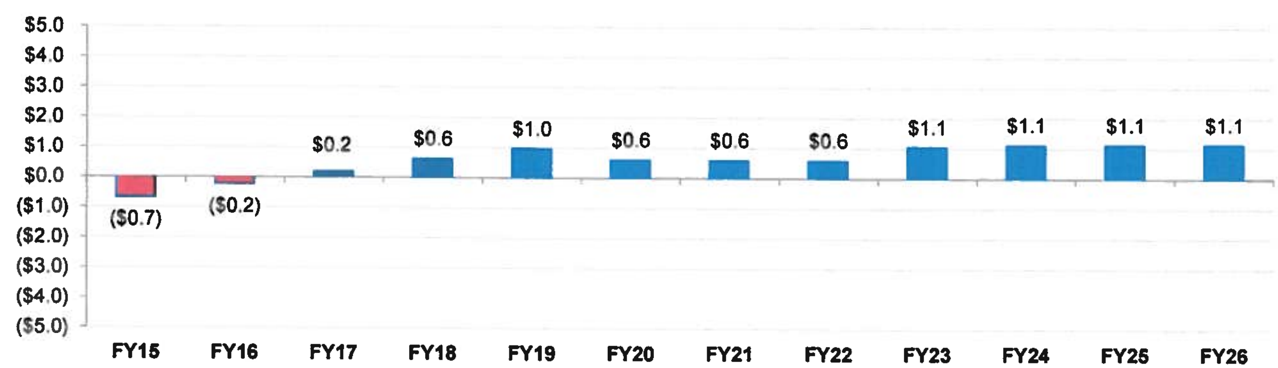
Service/Grant Charge (Remaining Full Schedule)	$ 1,024,722.18
Service/Grant Charge in proposed repayment schedule	$ 396,915.26
Service/Grant Charge Savings	$ 627,806.92

($110,000 available for payback to General Fund from Measure A)

Scenario 1 - Baseline Revenue Forecast with FY 2014-15 actuals (unaudited) and revised FY 2015-16 budget

	unaudited FY15	revised FY16	estimated FY17	FY18	FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26
Revenues												
Property Taxes & VLF	$3.9	$3.7	$3.8	$4.0	$4.1	$4.2	$4.3	$4.4	$4.6	$4.7	$4.9	$5.0
Sales Tax	$2.7	$2.8	$3.0	$3.1	$3.2	$3.4	$3.5	$3.6	$3.8	$4.0	$4.1	$4.3
Transit Occupancy Tax	$1.9	$1.9	$2.4	$3.0	$3.4	$3.5	$3.6	$3.8	$3.9	$4.1	$4.2	$4.4
Other Taxes	$0.3	$0.3	$0.3	$0.3	$0.3	$0.3	$0.3	$0.3	$0.4	$0.4	$0.4	$0.4
Licenses and Permits	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6
Other Revenues	$1.1	$1.0	$1.0	$1.1	$1.1	$1.2	$1.2	$1.3	$1.4	$1.4	$1.5	$1.6
Total Revenues	**$10.4**	**$10.3**	**$11.1**	**$12.0**	**$12.6**	**$13.1**	**$13.6**	**$14.1**	**$14.6**	**$15.1**	**$15.7**	**$16.3**
Expenses												
Salaries	($3.4)	($3.5)	($4.0)	($4.1)	($4.2)	($4.3)	($4.4)	($4.5)	($4.6)	($4.7)	($4.9)	($5.0)
PERS	($0.9)	($0.9)	($0.9)	($1.0)	($0.8)	($0.9)	($0.9)	($1.0)	($1.0)	($1.0)	($1.1)	($1.1)
Health Premiums	($0.8)	($0.9)	($0.9)	($1.0)	($1.1)	($1.1)	($1.2)	($1.3)	($1.3)	($1.4)	($1.5)	($1.6)
Other Benefits	($0.5)	($0.5)	($0.6)	($0.6)	($0.7)	($0.7)	($0.7)	($0.7)	($0.8)	($0.8)	($0.8)	($0.8)
Services & Supplies	($5.5)	($4.7)	($4.4)	($4.7)	($4.9)	($5.5)	($5.8)	($6.0)	($5.8)	($6.0)	($6.3)	($6.6)
Total Expenses	**($11.1)**	**($10.5)**	**($10.9)**	**($11.4)**	**($11.7)**	**($12.5)**	**($13.0)**	**($13.5)**	**($13.5)**	**($14.0)**	**($14.6)**	**($15.1)**
Net Operating Revenues	**($0.7)**	**($0.2)**	**$0.2**	**$0.6**	**$1.0**	**$0.6**	**$0.6**	**$0.6**	**$1.1**	**$1.1**	**$1.1**	**$1.1**
Beginning Assigned GF Reserve	**$2.3**	**$2.4**	**$2.2**	**$2.4**	**$2.8**	**$2.9**	**$3.1**	**$3.2**	**$3.4**	**$3.4**	**$3.5**	**$3.6**
Operating Surplus/(Deficit)	**($0.7)**	**($0.2)**	**$0.2**	**$0.6**	**$1.0**	**$0.6**	**$0.6**	**$0.6**	**$1.1**	**$1.1**	**$1.1**	**$1.1**
Ending GF Reserve	**$2.4**	**$2.2**	**$2.4**	**$3.0**	**$3.8**	**$3.5**	**$3.7**	**$3.8**	**$4.5**	**$4.5**	**$4.6**	**$4.7**
Assigned GF Reserve of 25% (goal)	**$2.8**	**$2.6**	**$2.7**	**$2.8**	**$2.9**	**$3.1**	**$3.2**	**$3.4**	**$3.4**	**$3.5**	**$3.6**	**$3.8**
Assigned GF Reserve surplus/(deficit)	($0.4)	($0.5)	($0.4)	$0.1	$0.9	$0.4	$0.5	$0.4	$1.1	$1.0	$1.0	$1.0
Unassigned GF Reserve	**$0.0**	**$0.0**	**$0.0**	**$0.1**	**$1.0**	**$1.3**	**$1.8**	**$2.2**	**$3.3**	**$4.3**	**$5.3**	**$6.2**

Key Assumptions:
1) Sales taxes grow at 4.2% per year
2) Property taxes grow at 3%per year
3) TOT at 4%
4) Salary expense grows at 2.5% per year (COLA). No change in headcount for 10 years except 10 months of Police Officer and PT Firefighters
5) PERS expense based on Valuation Report as of June 30, 2013, out years from report at 4% increase
6) Last General Fund payment to SRF ends in FY 22/23
7) City makes regular SRF payment in FY 16/17 from Measure A drawdown

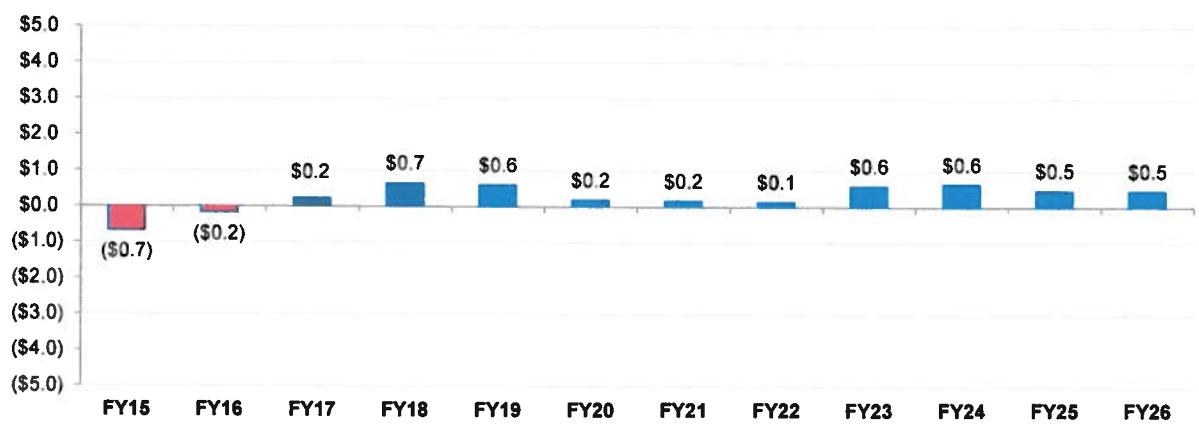


Scenario 1 - Recession Revenue Forecast with FY 2014-15 actuals (unaudited) and adjusted FY 2015-16 budget

	actuals FY15	adjusted FY16	estimated FY17	FY18	FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26
Revenues												
Property Taxes & VLF	$3.9	$3.7	$3.8	$3.9	$4.0	$4.1	$4.2	$4.3	$4.4	$4.6	$4.7	$4.9
Sales Tax	$2.7	$2.8	$3.0	$2.9	$3.0	$3.1	$3.2	$3.4	$3.5	$3.6	$3.8	$4.0
Transit Occupancy Tax	$1.9	$1.9	$2.4	$3.2	$3.3	$3.4	$3.6	$3.7	$3.9	$4.0	$4.0	$4.2
Other Taxes	$0.3	$0.3	$0.3	$0.3	$0.3	$0.3	$0.3	$0.4	$0.4	$0.4	$0.4	$0.4
Licenses and Permits	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6
Other Revenues	$1.1	$1.0	$1.0	$1.1	$1.1	$1.2	$1.2	$1.3	$1.4	$1.4	$1.5	$1.6
Total Revenues	**$10.4**	**$10.3**	**$11.1**	**$12.0**	**$12.3**	**$12.7**	**$13.1**	**$13.6**	**$14.1**	**$14.6**	**$15.0**	**$15.6**
Expenses												
Salaries	($3.4)	($3.5)	($4.0)	($4.1)	($4.2)	($4.3)	($4.4)	($4.5)	($4.6)	($4.7)	($4.9)	($5.0)
PERS	($0.9)	($0.9)	($0.9)	($1.0)	($0.8)	($0.9)	($0.9)	($1.0)	($1.0)	($1.0)	($1.1)	($1.1)
Health Premiums	($0.8)	($0.9)	($0.9)	($1.0)	($1.1)	($1.1)	($1.2)	($1.3)	($1.3)	($1.4)	($1.5)	($1.6)
Other Benefits	($0.5)	($0.5)	($0.6)	($0.6)	($0.7)	($0.7)	($0.7)	($0.7)	($0.8)	($0.8)	($0.8)	($0.8)
Services & Supplies	($5.5)	($4.7)	($4.4)	($4.7)	($4.9)	($5.5)	($5.8)	($6.0)	($5.8)	($6.0)	($6.3)	($6.6)
Total Expenses	**($11.1)**	**($10.5)**	**($10.9)**	**($11.4)**	**($11.7)**	**($12.5)**	**($13.0)**	**($13.5)**	**($13.5)**	**($14.0)**	**($14.6)**	**($15.1)**
Net Operating Revenues	**($0.7)**	**($0.2)**	**$0.2**	**$0.7**	**$0.6**	**$0.2**	**$0.2**	**$0.1**	**$0.6**	**$0.6**	**$0.5**	**$0.5**
Beginning Assigned GF Reserve	**$2.3**	**$2.4**	**$2.2**	**$2.4**	**$2.8**	**$2.9**	**$3.1**	**$3.2**	**$3.4**	**$3.4**	**$3.5**	**$3.6**
Operating Surplus/(Deficit)	**($0.7)**	**($0.2)**	**$0.2**	**$0.7**	**$0.6**	**$0.2**	**$0.2**	**$0.1**	**$0.6**	**$0.6**	**$0.5**	**$0.5**
Ending GF Reserve	**$2.4**	**$2.2**	**$2.4**	**$3.1**	**$3.4**	**$3.1**	**$3.3**	**$3.3**	**$3.4**	**$4.0**	**$4.0**	**$4.1**
Assigned GF Reserve of 25% (goal)	**$2.8**	**$2.6**	**$2.7**	**$2.8**	**$2.9**	**$3.1**	**$3.2**	**$3.4**	**$3.4**	**$3.5**	**$3.6**	**$3.8**
Assigned GF Reserve surplus/(deficit)	($0.4)	($0.4)	($0.3)	$0.2	$0.5	($0.0)	$0.0	($0.0)	($0.0)	$0.5	$0.3	$0.3
Unassigned GF Reserve	**$0.0**	**$0.0**	**$0.0**	**$0.2**	**$0.7**	**$0.7**	**$0.7**	**$0.7**	**$0.6**	**$1.1**	**$1.5**	**$1.8**

Key Assumptions:

1) Property taxes grow at 3% per year except FY 18-20 when 2%
2) Sales taxes grow at 3% per year, except in FY 18-20 with 2 years at 2% and 1 year at -1%
3) TOT at 4% per year, except FY 18-20 at 2%
4) Salary expense grows at 2.5% per year (COLA). No change in headcount for 10 years except 10 months of Police Officer and PT Firefighters
5) PERS expense based on Valuation Report as of June 30, 2013, out years from report at 4% increase
6) SRF payment from General Fund ends in FY 22/23
7) City makes regular SRF payment in FY 16/17 from Measure A drawdown



Attachment B - Scenario 2 Flat Repayment Option $500,000

Payment Date	Beginning Balance	Service Charge (1%)	Grant Charge (1.4%)	Payback $1.89 m Principal	General Fund Service Charge Payments	Measure A Amount	DWR Retention Payment	Remaining Balance
FY 16/17	$ 5,823,738.20	$ 58,237.38	$ 81,532.33	$ 500,000.00		$ 1,358,000.00		$ 4,105,507.92
FY 17/18	$ 4,105,507.92	$ 41,055.08	$ 57,477.11	$ 500,000.00		$ 1,400,000.00	$ 210,000.00	$ 2,094,040.11
FY 18/19	$ 2,094,040.11	$ 20,940.40	$ 29,316.56	$ 500,000.00		$ 1,254,297.00		$ 390,000.07
FY 19/20	$ 390,000.07	$ 3,900.00	$ 5,460.00	$ 390,000.00	$ 9,360.00			$ 0.07
		$ 124,132.86	$ 173,786.01	$ 1,890,000.00	$ 9,360.00			

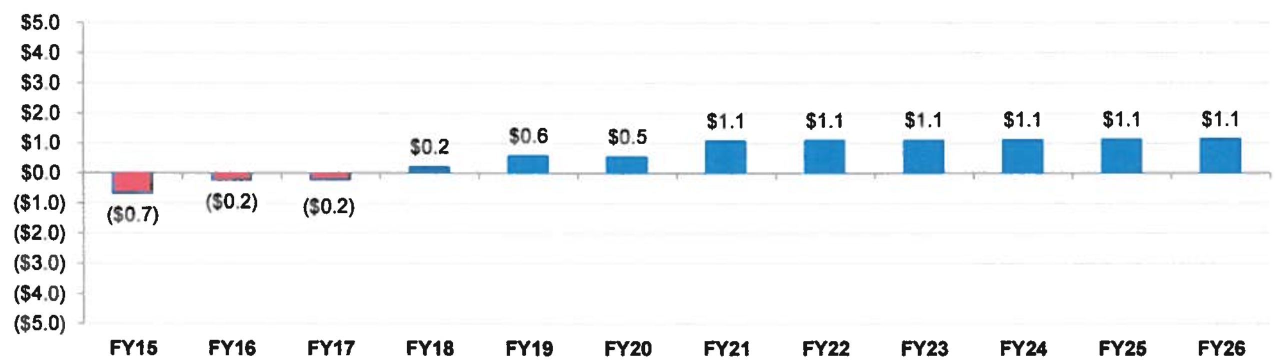
Service/Grant Charge (Remaining Full Schedule)	$ 1,024,722.18
Service/Grant Charge in proposed repayment schedule	$ 297,918.87
Service/Grant Charge Savings	$ 726,803.31

($145,700 available for payback to General Fund from Measure A)

Scenario 2 - Baseline Revenue Forecast with FY 2014-15 actuals (unaudited) and revised FY 2015-16 budget

	unaudited FY15	revised FY16	estimated FY17	FY18	FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26
Revenues												
Property Taxes & VLF	$3.9	$3.7	$3.8	$4.0	$4.1	$4.2	$4.3	$4.4	$4.6	$4.7	$4.9	$5.0
Sales Tax	$2.7	$2.8	$3.0	$3.1	$3.2	$3.4	$3.5	$3.6	$3.8	$4.0	$4.1	$4.3
Transit Occupancy Tax	$1.9	$1.9	$2.4	$3.0	$3.4	$3.5	$3.6	$3.8	$3.9	$4.1	$4.2	$4.4
Other Taxes	$0.3	$0.3	$0.3	$0.3	$0.3	$0.3	$0.3	$0.3	$0.4	$0.4	$0.4	$0.4
Licenses and Permits	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6
Other Revenues	$1.1	$1.0	$1.0	$1.1	$1.1	$1.2	$1.2	$1.3	$1.4	$1.4	$1.5	$1.6
Total Revenues	**$10.4**	**$10.3**	**$11.1**	**$12.0**	**$12.6**	**$13.1**	**$13.6**	**$14.1**	**$14.6**	**$15.1**	**$15.7**	**$16.3**
Expenses												
Salaries	($3.4)	($3.5)	($4.0)	($4.1)	($4.2)	($4.3)	($4.4)	($4.5)	($4.6)	($4.7)	($4.9)	($5.0)
PERS	($0.9)	($0.9)	($0.9)	($1.0)	($0.8)	($0.9)	($0.9)	($1.0)	($1.0)	($1.0)	($1.1)	($1.1)
Health Premiums	($0.8)	($0.9)	($0.9)	($1.0)	($1.1)	($1.1)	($1.2)	($1.3)	($1.3)	($1.4)	($1.5)	($1.6)
Other Benefits	($0.5)	($0.5)	($0.6)	($0.6)	($0.7)	($0.7)	($0.7)	($0.7)	($0.8)	($0.8)	($0.8)	($0.8)
Services & Supplies	($5.5)	($4.7)	($4.9)	($5.1)	($5.3)	($5.6)	($5.3)	($5.5)	($5.8)	($6.1)	($6.3)	($6.6)
Total Expenses	**($11.1)**	**($10.5)**	**($11.3)**	**($11.8)**	**($12.1)**	**($12.6)**	**($12.5)**	**($13.0)**	**($13.5)**	**($14.0)**	**($14.6)**	**($15.1)**
Net Operating Revenues	**($0.7)**	**($0.2)**	**($0.2)**	**$0.2**	**$0.6**	**$0.5**	**$1.1**	**$1.1**	**$1.1**	**$1.1**	**$1.1**	**$1.1**
Beginning Assigned GF Reserve	**$2.3**	**$2.4**	**$2.2**	**$1.9**	**$2.2**	**$2.7**	**$3.1**	**$3.1**	**$3.2**	**$3.4**	**$3.5**	**$3.6**
Operating Surplus/(Deficit)	**($0.7)**	**($0.2)**	**($0.2)**	**$0.2**	**$0.6**	**$0.5**	**$1.1**	**$1.1**	**$1.1**	**$1.1**	**$1.1**	**$1.1**
Ending GF Reserve	**$2.4**	**$2.2**	**$1.9**	**$2.2**	**$2.7**	**$3.3**	**$4.2**	**$4.2**	**$4.3**	**$4.5**	**$4.6**	**$4.8**
Assigned GF Reserve of 25% (goal)	**$2.8**	**$2.6**	**$2.8**	**$3.0**	**$3.0**	**$3.1**	**$3.1**	**$3.2**	**$3.4**	**$3.5**	**$3.6**	**$3.8**
Assigned GF Reserve surplus/(deficit)	($0.4)	($0.5)	($0.9)	($0.8)	($0.3)	$0.1	$1.0	$1.0	$1.0	$1.0	$1.0	$1.0
Unassigned GF Reserve	**$0.0**	**$0.0**	**$0.0**	**$0.0**	**$0.0**	**$0.1**	**$1.2**	**$2.1**	**$3.1**	**$4.1**	**$5.1**	**$6.1**

Key Assumptions:
1) Sales taxes grow at 4.2% per year
2) Property taxes grow at 3%per year
3) TOT at 4%
4) Salary expense grows at 2.5% per year (COLA). No change in headcount for 10 years except 10 months of Police Officer and PT Firefighters
5) PERS expense based on Valuation Report as of June 30, 2013, out years from report at 4% increase
6) Last General Fund payment to SRF ends in FY 19/20
7) City makes regular SRF payment in FY 16/17 from Measure A drawdown



Scenario 2 - Recession Revenue Forecast with FY 2014-15 actuals (unaudited) and adjusted FY 2015-16 budget

	actuals FY15	adjusted FY16	estimated FY17	FY18	FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26
Revenues												
Property Taxes & VLF	$3.9	$3.7	$3.8	$3.9	$4.0	$4.1	$4.2	$4.3	$4.4	$4.6	$4.7	$4.9
Sales Tax	$2.7	$2.8	$3.0	$2.9	$3.0	$3.1	$3.2	$3.4	$3.5	$3.6	$3.8	$4.0
Transit Occupancy Tax	$1.9	$1.9	$2.4	$3.2	$3.3	$3.4	$3.6	$3.7	$3.9	$4.0	$4.0	$4.2
Other Taxes	$0.3	$0.3	$0.3	$0.3	$0.3	$0.3	$0.3	$0.4	$0.4	$0.4	$0.4	$0.4
Licenses and Permits	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6
Other Revenues	$1.1	$1.0	$1.0	$1.1	$1.1	$1.2	$1.2	$1.3	$1.4	$1.4	$1.5	$1.6
Total Revenues	**$10.4**	**$10.3**	**$11.1**	**$12.0**	**$12.3**	**$12.7**	**$13.1**	**$13.6**	**$14.1**	**$14.6**	**$15.0**	**$15.6**
Expenses												
Salaries	($3.4)	($3.5)	($4.0)	($4.1)	($4.2)	($4.3)	($4.4)	($4.5)	($4.6)	($4.7)	($4.9)	($5.0)
PERS	($0.9)	($0.9)	($0.9)	($1.0)	($0.8)	($0.9)	($0.9)	($1.0)	($1.0)	($1.0)	($1.1)	($1.1)
Health Premiums	($0.8)	($0.9)	($0.9)	($1.0)	($1.1)	($1.1)	($1.2)	($1.3)	($1.3)	($1.4)	($1.5)	($1.6)
Other Benefits	($0.5)	($0.5)	($0.6)	($0.6)	($0.7)	($0.7)	($0.7)	($0.7)	($0.8)	($0.8)	($0.8)	($0.8)
Services & Supplies	($5.5)	($4.7)	($4.9)	($5.1)	($5.3)	($5.6)	($5.3)	($5.5)	($5.8)	($6.1)	($6.3)	($6.6)
Total Expenses	**($11.1)**	**($10.5)**	**($11.3)**	**($11.8)**	**($12.1)**	**($12.6)**	**($12.5)**	**($13.0)**	**($13.5)**	**($14.0)**	**($14.6)**	**($15.1)**
Net Operating Revenues	**($0.7)**	**($0.2)**	**($0.2)**	**$0.2**	**$0.2**	**$0.1**	**$0.6**	**$0.6**	**$0.6**	**$0.6**	**$0.5**	**$0.4**
Beginning Assigned GF Reserve	**$2.3**	**$2.4**	**$2.2**	**$2.0**	**$2.2**	**$2.5**	**$2.6**	**$3.1**	**$3.2**	**$3.4**	**$3.5**	**$3.6**
Operating Surplus/(Deficit)	**($0.7)**	**($0.2)**	**($0.2)**	**$0.2**	**$0.2**	**$0.1**	**$0.6**	**$0.6**	**$0.6**	**$0.6**	**$0.5**	**$0.4**
Ending GF Reserve	**$2.4**	**$2.2**	**$2.0**	**$2.2**	**$2.5**	**$2.6**	**$3.2**	**$3.7**	**$3.2**	**$4.0**	**$4.0**	**$4.1**
Assigned GF Reserve of 25% (goal)	**$2.8**	**$2.6**	**$2.8**	**$3.0**	**$3.0**	**$3.1**	**$3.1**	**$3.2**	**$3.4**	**$3.5**	**$3.6**	**$3.8**
Assigned GF Reserve surplus/(deficit)	($0.4)	($0.4)	($0.8)	($0.7)	($0.6)	($0.6)	$0.1	$0.5	($0.1)	$0.5	$0.3	$0.3
Unassigned GF Reserve	**$0.0**	**$0.0**	**$0.0**	**$0.0**	**$0.0**	**$0.0**	**$0.1**	**$0.6**	**$0.5**	**$1.0**	**$1.3**	**$1.6**

Key Assumptions:

1) Property taxes grow at 3% per year except FY 18-20 when 2%
2) Sales taxes grow at 3% per year, except in FY 18-20 with 2 years at 2% and 1 year at -1%
3) TOT at 4% per year, except FY 18-20 at 2%
4) Salary expense grows at 2.5% per year (COLA). No change in headcount for 10 years except 10 months of Police Officer and PT Firefighters
5) PERS expense based on Valuation Report as of June 30, 2013, out years from report at 4% increase
6) SRF payment from General Fund ends in FY 19/20
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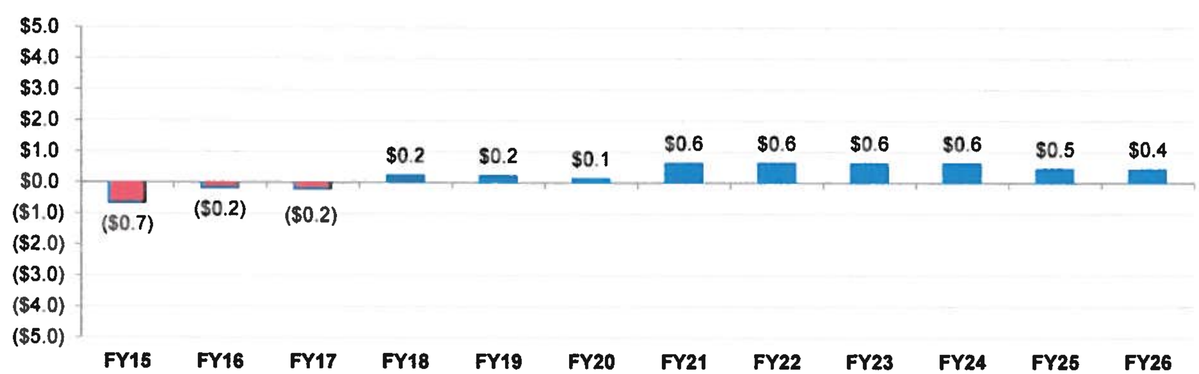

Attachment C - Scenario 3 Flat Repayment Option $125,000

Payment Date	Beginning Balance	Service Charge (1%)	Grant Charge (1.4%)	Payback $1.89 m Principal	General Fund Service Charge Payments	Measure A Amount	DWR Retention Payment	Remaining Balance
FY 16/17	$ 5,823,738.20	$ 58,237.38	$ 81,532.33	$ 125,000.00		$ 1,358,000.00		$ 4,480,507.92
FY 17/18	$ 4,480,507.92	$ 44,805.08	$ 62,727.11	$ 125,000.00		$ 1,400,000.00	$ 210,000.00	$ 2,853,040.11
FY 18/19	$ 2,853,040.11	$ 28,530.40	$ 39,942.56	$ 125,000.00		$ 1,250,000.00		$ 1,546,513.07
FY 19/20	$ 1,546,513.07	$ 15,465.13	$ 21,651.18	$ 489,688.69	$ 37,116.31			$ 1,056,824.38
FY 20/21	$ 1,056,824.38	$ 10,568.24	$ 14,795.54	$ 501,441.21	$ 25,363.79			$ 555,383.17
FY 21/22	$ 555,383.17	$ 5,553.83	$ 7,775.36	$ 513,475.80	$ 13,329.20			$ 41,907.36
FY 22/23	$ 41,907.36	$ 419.07	$ 586.70	$ 41,907.36	$ 1,005.78			$ -
		$ 163,579.14	$ 229,010.80	$ 1,921,513.07	$ 76,815.07			

Service/Grant Charge (Remaining Full Schedule)	$ 1,024,722.18
Service/Grant Charge in proposed repayment schedule	$ 392,589.94
Service/Grant Charge Savings	$ 632,132.24

($150,000 available for payback to General Fund from Measure A)

Scenario 3 - Baseline Revenue Forecast with FY 2014-15 actuals (unaudited) and revised FY 2015-16 budget

	unaudited FY15	revised FY16	estimated FY17	FY18	FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26
Revenues												
Property Taxes & VLF	$3.9	$3.7	$3.8	$4.0	$4.1	$4.2	$4.3	$4.4	$4.6	$4.7	$4.9	$5.0
Sales Tax	$2.7	$2.8	$3.0	$3.1	$3.2	$3.4	$3.5	$3.6	$3.8	$4.0	$4.1	$4.3
Transit Occupancy Tax	$1.9	$1.9	$2.4	$3.0	$3.4	$3.5	$3.6	$3.8	$3.9	$4.1	$4.2	$4.4
Other Taxes	$0.3	$0.3	$0.3	$0.3	$0.3	$0.3	$0.3	$0.3	$0.4	$0.4	$0.4	$0.4
Licenses and Permits	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6
Other Revenues	$1.1	$1.0	$1.0	$1.1	$1.1	$1.2	$1.2	$1.3	$1.4	$1.4	$1.5	$1.6
Total Revenues	**$10.4**	**$10.3**	**$11.1**	**$12.0**	**$12.6**	**$13.1**	**$13.6**	**$14.1**	**$14.6**	**$15.1**	**$15.7**	**$16.3**
Expenses												
Salaries	($3.4)	($3.5)	($4.0)	($4.1)	($4.2)	($4.3)	($4.4)	($4.5)	($4.6)	($4.7)	($4.9)	($5.0)
PERS	($0.9)	($0.9)	($0.9)	($1.0)	($0.8)	($0.9)	($0.9)	($1.0)	($1.0)	($1.0)	($1.1)	($1.1)
Health Premiums	($0.8)	($0.9)	($0.9)	($1.0)	($1.1)	($1.1)	($1.2)	($1.3)	($1.3)	($1.4)	($1.5)	($1.6)
Other Benefits	($0.5)	($0.5)	($0.6)	($0.6)	($0.7)	($0.7)	($0.7)	($0.7)	($0.8)	($0.8)	($0.8)	($0.8)
Services & Supplies	($5.5)	($4.7)	($4.5)	($4.7)	($4.9)	($5.5)	($5.8)	($6.0)	($5.8)	($6.0)	($6.3)	($6.6)
Total Expenses	**($11.1)**	**($10.5)**	**($11.0)**	**($11.4)**	**($11.7)**	**($12.5)**	**($13.0)**	**($13.5)**	**($13.5)**	**($14.0)**	**($14.6)**	**($15.1)**
Net Operating Revenues	**($0.7)**	**($0.2)**	**$0.2**	**$0.6**	**$1.0**	**$0.6**	**$0.6**	**$0.6**	**$1.1**	**$1.1**	**$1.1**	**$1.1**
Beginning Assigned GF Reserve	**$2.3**	**$2.4**	**$2.2**	**$2.3**	**$2.9**	**$2.9**	**$2.9**	**$3.2**	**$3.4**	**$3.4**	**$3.5**	**$3.6**
Operating Surplus/(Deficit)	**($0.7)**	**($0.2)**	**$0.2**	**$0.6**	**$1.0**	**$0.6**	**$0.6**	**$0.6**	**$1.1**	**$1.1**	**$1.1**	**$1.1**
Ending GF Reserve	**$2.4**	**$2.2**	**$2.3**	**$2.9**	**$3.9**	**$3.5**	**$3.5**	**$3.8**	**$4.4**	**$4.5**	**$4.6**	**$4.8**
Assigned GF Reserve of 25% (goal)	**$2.8**	**$2.6**	**$2.7**	**$2.9**	**$2.9**	**$3.1**	**$3.2**	**$3.4**	**$3.4**	**$3.5**	**$3.6**	**$3.8**
Assigned GF Reserve surplus/(deficit)	($0.4)	($0.5)	($0.4)	$0.1	$1.0	$0.4	$0.2	$0.5	$1.1	$1.0	$1.0	$1.0
Unassigned GF Reserve	**$0.0**	**$0.0**	**$0.0**	**$0.1**	**$1.1**	**$1.4**	**$1.7**	**$2.2**	**$3.2**	**$4.2**	**$5.2**	**$6.2**

Key Assumptions:
1) Sales taxes grow at 4.2% per year
2) Property taxes grow at 3%per year
3) TOT at 4%
4) Salary expense grows at 2.5% per year (COLA). No change in headcount for 10 years except 10 months of Police Officer and PT Firefighters
5) PERS expense based on Valuation Report as of June 30, 2013, out years from report at 4% increase
6) Last General Fund payment to SRF ends in FY 2022/23
7) City makes regular SRF payment in FY 16/17 from Measure A drawdown

Scenario 3 - Recession Revenue Forecast with FY 2014-15 actuals (unaudited) and adjusted FY 2015-16 budget

	actuals FY15	adjusted FY16	estimated FY17	FY18	FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26
Revenues												
Property Taxes & VLF	$3.9	$3.7	$3.8	$3.9	$4.0	$4.1	$4.2	$4.3	$4.4	$4.6	$4.7	$4.9
Sales Tax	$2.7	$2.8	$3.0	$2.9	$3.0	$3.1	$3.2	$3.4	$3.5	$3.6	$3.8	$4.0
Transit Occupancy Tax	$1.9	$1.9	$2.4	$3.2	$3.3	$3.4	$3.6	$3.7	$3.9	$4.0	$4.0	$4.2
Other Taxes	$0.3	$0.3	$0.3	$0.3	$0.3	$0.3	$0.3	$0.4	$0.4	$0.4	$0.4	$0.4
Licenses and Permits	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6	$0.6
Other Revenues	$1.1	$1.0	$1.0	$1.1	$1.1	$1.2	$1.2	$1.3	$1.4	$1.4	$1.5	$1.6
Total Revenues	**$10.4**	**$10.3**	**$11.1**	**$12.0**	**$12.3**	**$12.7**	**$13.1**	**$13.6**	**$14.1**	**$14.6**	**$15.0**	**$15.6**
Expenses												
Salaries	($3.4)	($3.5)	($4.0)	($4.1)	($4.2)	($4.3)	($4.4)	($4.5)	($4.6)	($4.7)	($4.9)	($5.0)
PERS	($0.9)	($0.9)	($0.9)	($1.0)	($0.8)	($0.9)	($0.9)	($1.0)	($1.0)	($1.0)	($1.1)	($1.1)
Health Premiums	($0.8)	($0.9)	($0.9)	($1.0)	($1.1)	($1.1)	($1.2)	($1.3)	($1.3)	($1.4)	($1.5)	($1.6)
Other Benefits	($0.5)	($0.5)	($0.6)	($0.6)	($0.7)	($0.7)	($0.7)	($0.7)	($0.8)	($0.8)	($0.8)	($0.8)
Services & Supplies	($5.5)	($4.7)	($4.5)	($4.7)	($4.9)	($5.5)	($5.8)	($6.0)	($5.8)	($6.0)	($6.3)	($6.6)
Total Expenses	**($11.1)**	**($10.5)**	**($11.0)**	**($11.4)**	**($11.7)**	**($12.5)**	**($13.0)**	**($13.5)**	**($13.5)**	**($14.0)**	**($14.6)**	**($15.1)**
Net Operating Revenues	**($0.7)**	**($0.2)**	**$0.2**	**$0.6**	**$0.6**	**$0.2**	**$0.2**	**$0.1**	**$0.6**	**$0.6**	**$0.5**	**$0.4**
Beginning Assigned GF Reserve	**$2.3**	**$2.4**	**$2.2**	**$2.4**	**$2.9**	**$2.9**	**$3.1**	**$3.2**	**$3.3**	**$3.4**	**$3.5**	**$3.6**
Operating Surplus/(Deficit)	**($0.7)**	**($0.2)**	**$0.2**	**$0.6**	**$0.6**	**$0.2**	**$0.2**	**$0.1**	**$0.6**	**$0.6**	**$0.5**	**$0.4**
Ending GF Reserve	**$2.4**	**$2.2**	**$2.4**	**$3.0**	**$3.5**	**$3.1**	**$3.3**	**$3.3**	**$3.4**	**$4.0**	**$4.0**	**$4.1**
Assigned GF Reserve of 25% (goal)	**$2.8**	**$2.6**	**$2.7**	**$2.9**	**$2.9**	**$3.1**	**$3.2**	**$3.4**	**$3.4**	**$3.5**	**$3.6**	**$3.8**
Assigned GF Reserve surplus/(deficit)	($0.4)	($0.4)	($0.4)	$0.2	$0.6	($0.0)	$0.0	($0.0)	($0.0)	$0.5	$0.3	$0.3
Unassigned GF Reserve	**$0.0**	**$0.0**	**$0.0**	**$0.2**	**$0.8**	**$0.7**	**$0.7**	**$0.7**	**$0.7**	**$1.2**	**$1.5**	**$1.8**

Key Assumptions:

1) Property taxes grow at 3% per year except FY 18-20 when 2%
2) Sales taxes grow at 3% per year, except in FY 18-20 with 2 years at 2% and 1 year at -1%
3) TOT at 4% per year, except FY 18-20 at 2%
4) Salary expense grows at 2.5% per year (COLA). No change in headcount for 10 years except 10 months of Police Officer and PT Firefighters
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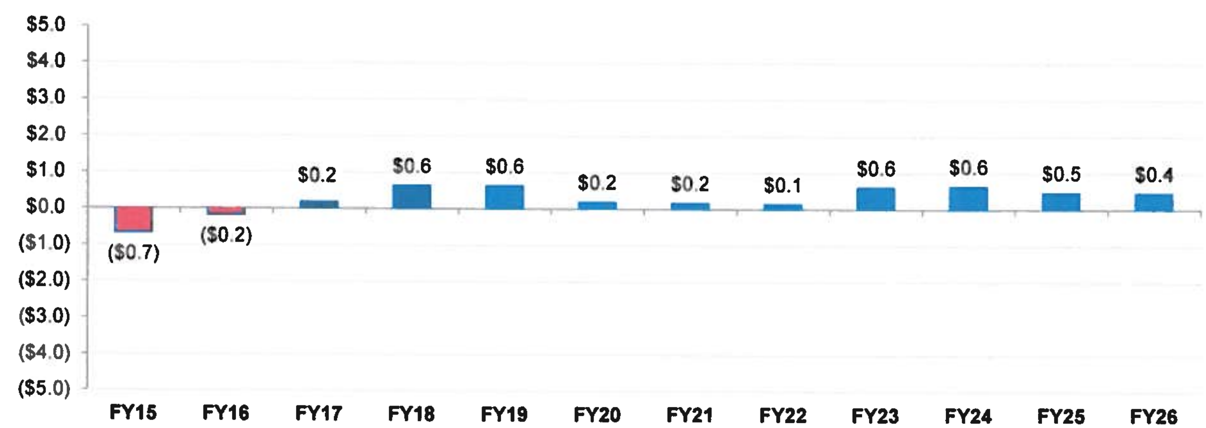

Item No: 18

Report to the City Council
Council Meeting of March 22, 2016

Agenda Section: **New Business**

Subject: **Consider Opposition Letter for Senate Bill 876 (Liu) – Homelessness**

CEQA Status: **Not a project**

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

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

DISCUSSION
SB 876 (Liu) is legislation introduced by Senator Liu that affords persons experiencing homelessness the right to use public spaces without discrimination based on their housing status and describe basic human and civil rights that may be exercised without being subject to criminal or civil sanctions, including the right to use and to move freely in public spaces, the
right to rest in public spaces and to protect oneself from the elements, the right to eat in any public space in which having food is not prohibited, and the right to perform religious observances in public spaces, as specified.

This bill is now set for hearing on March 29, 2016 with the Senate Transportation and Housing Committee.

This bill would preempt local authority and is another unfunded state mandate. Despite this bill being well-intended, SB 876 (Liu) would not solve the challenges of homelessness in our state and within our communities. The bill contains no solutions for homelessness. It offers no new programs, no funding for housing, and no effort to improve services.

The League of California Cities is opposed to this measure.

RECOMMENDED ACTION
Authorize the Mayor to sign the letter of opposition for SB 876 - Homelessness

ATTACHMENTS
Attachment 1 - SB 876 – Bill
Attachment 2 – Opposition Letter for SB 876

Item No: 18

AMENDED IN SENATE MARCH 7, 2016

AMENDED IN SENATE FEBRUARY 22, 2016

SENATE BILL **No. 876**

Introduced by Senator Liu

January 14, 2016

An act to add Part 2.2 (commencing with Section 53.8) to Division 1 of the Civil Code, and to add Section 11139.2 to, the Government Code, relating to homelessness.

LEGISLATIVE COUNSEL'S DIGEST

SB 876, as amended, Liu. Homelessness.

Existing law provides that no person shall, on the basis of race, national origin, ethnic group identification, religion, age, sex, sexual orientation, color, genetic information, or disability, be unlawfully denied full and equal access to the benefits of, or be unlawfully subjected to discrimination under, any program or activity that is conducted, operated, or administered by the state or by any state agency, is funded directly by the state, or receives any financial assistance from the state.

This bill would afford persons experiencing homelessness the right to use public spaces without discrimination based on their housing status and describe basic human and civil rights that may be exercised without being subject to criminal or civil sanctions, including the right to use and to move freely in public spaces, the right to rest in public spaces and to protect oneself from the elements, the right to eat in any public space in which having food is not prohibited, and the right to perform religious observances in public spaces, as specified. The bill would state the intent of the Legislature that these provisions be interpreted broadly so as to prohibit policies or practices that are discriminatory in either their purpose or effect.

The bill would authorize a person whose rights have been violated pursuant to these provisions to enforce those rights in a civil action in which the court may award the prevailing ~~party~~ *plaintiff* injunctive and declaratory relief, restitution, damages, statutory damages of $1,000 per violation, and fees and costs.

The bill would also require all applicants for the United States Department of Housing and Urban Development's Continuum of Care Homeless Assistance Program to annually provide to the Department of Housing and Community Development's Division of Housing Policy Development a copy of its application for funding from the United States Department of Housing and Urban Development that includes the organization's response to the application question regarding steps that its community is taking to reduce criminalization of homelessness. Because the bill would require local agencies to perform additional duties, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) According to the United States Department of Housing and Urban Development's report to Congress, 115,738 people were estimated to be homeless in California in 2014, a rate that is unprecedented following a deep and prolonged economic recession, a severe shortage of safe and affordable housing, a failed veteran and civilian mental health system, and a diminished social safety net.

(b) According to the United States Department of Education, 284,086 schoolchildren were known to have experienced homelessness in the 2013–14 school year.

(c) Homelessness is an independent risk factor for a number of illnesses, making people more susceptible to increased health problems due to high stress, sleep deprivation, unsanitary surroundings, lack of access to hygiene facilities, and a myriad of other situational stressors experienced by people without stable housing. Subsequently, people who are chronically homeless are more medically frail and three to four times more likely to die prematurely than their housed counterparts.

(d) Throughout California, local governments have enacted ordinances that make it illegal to rest or receive nourishment in public spaces.

(e) Ending homelessness in California will require significant state and federal resources and there is ample evidence that policies that invest in ending homelessness, rather than criminalizing and marginalizing people who are experiencing homelessness, adequately balance the needs of all parties: community residents, government agencies, businesses, and men and women who are experiencing homelessness.

(f) Passing this act will not reduce homelessness, but neither will local ordinances that criminalize homelessness. Instead, ordinances that criminalize homelessness result in increased incarceration rates and financial indebtedness of people who simply have no means of support and prolong homelessness by making it more difficult for people to secure housing, employment, and medical care. Criminalization policies further marginalize men and women who are experiencing homelessness, fuel inflammatory attitudes, and may even unduly restrict constitutionally protected liberties.

(g) That is why, on September 18, 2015, the United States Department of Housing and Urban Development included in the annual Notice of Funding Availability for the *2015* Continuum of Care *Program* funding competition, provisions that would award additional points to any application that could include steps the community is taking to reduce criminalization of homelessness.

(h) It is also why, on August 6, 2015, the United States Department of Justice submitted a rare statement of interest in a United States District Court in opposition to the criminalization of people who are homeless, calling it cruel and unusual punishment to punish someone for a crime with the potential for imprisonment and a violation of constitutional rights.

(i) While these ordinances apply to all residents, they disproportionately impact people without homes, who have no private place to rest or seek nourishment, and are often selectively applied by law enforcement to people based upon their appearance or an assumption of homelessness.

(j) In practice, these ordinances deprive persons experiencing homelessness and those who may be perceived as homeless of a safe and legal place to rest and seek nourishment, which adversely impacts their health and well-being.

(k) Sleep deprivation impairs cognitive processes and puts one at risk for obesity, heart disease, heart attack, heart failure, irregular heartbeat, high blood pressure, stroke, diabetes, and depression. People who are homeless suffer from sleep deprivation and, absent a place to rest, they suffer it more frequently.

(*l*) Because current practices have denied the right to adequate legal representation to people cited or arrested while resting or sharing food, homeless persons are often denied relief or damages through the courts.

(m) Both the federal government, through its Interagency Council on Homelessness, and the United Nations have recognized that discrimination and criminalization violate a homeless person's human rights and have called upon state and local governments to cease enactment and enforcement of those laws.

(n) Homelessness and the increasing criminalization of homelessness and discrimination against those experiencing homelessness are widespread throughout California and are matters of statewide concern.

(o) Section 1 of Article I of the California Constitution provides that "[a]ll people are by nature free and independent and have inalienable rights. Among these are enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety, happiness, and privacy," without qualification as to whether or not a person is, or appears to be, homeless.

(p) Subdivision (a) of Section 7 of Article I of the California Constitution provides that "[a] person may not be deprived of life, liberty, or property without due process of law or denied equal protection of the laws ... ."

(q) Concordant with this fundamental belief, a person should not be subject to discrimination based on his or her income, housing status, or ability or desire to appear housed. Therefore, it is the intent of the Legislature in enacting this legislation to protect the rights of all Californians, regardless of their housing status, and ameliorate the adverse effects caused by the criminalization of homelessness on our communities and our citizens.

(r) Decriminalization of rest allows municipal governments to redirect resources from local enforcement activities to activities that address the root causes of homelessness and poverty.

SEC. 2. Part 2.2 (commencing with Section 53.8) is added to Division 1 of the Civil Code, to read:

PART 2.2. HOMELESS PERSONS

53.8. For purposes of this part, the following definitions shall apply:

(a) "Homeless persons," "homeless people," or "persons experiencing homelessness" means those individuals or members of families who lack a fixed, regular, and adequate nighttime residence, including people defined as homeless using the criteria established in the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009.

(b) "Public space" means any property that is owned by a government entity or any property upon which there is an easement for public use and that is held open to the public, including, but not limited to, plazas, courtyards, parking lots, sidewalks, public transportation facilities and services, public buildings, shopping centers, and parks.

(c) "Rest" means the state of not moving, holding certain postures that include, but are not limited to, sitting, standing, leaning, kneeling, squatting, sleeping, or lying.

53.81. (a) It is the intent of the Legislature that this section be interpreted broadly so as to prohibit policies or practices that are discriminatory in either their purpose or effect.

(b) Persons experiencing homelessness shall be permitted to use public space in the ways described in this section at any time that the public space is open to the public without discrimination based upon their housing status, and without being subject to criminal, civil, or administrative penalties. Permitted use of the public space include, but are not limited to, all of the following:

(1) Free movement without restraint.

(2) Sleeping or resting, and protecting ~~onself~~ *oneself* from the elements while sleeping or resting in a nonobstructive manner.

(3) Eating, sharing, accepting, or giving food in a space in which having food is not otherwise generally prohibited.

(4) Praying, meditating, worshiping, or practicing religion.

(c) Nothing in this section shall prevent law enforcement from enforcing laws to protect the right of people to use the sidewalk pursuant to the *federal* Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.).

(d) Nothing in this section shall prevent law enforcement from enforcing the Penal Code, except subdivision (e) of Section 647 of the Penal Code, so far as it prohibits rest.

53.82. (a) Any person whose rights have been violated pursuant to this part may enforce those rights in a civil action.

(b) The court may award appropriate injunctive and declaratory relief, restitution for loss of property or personal effects and belongings, actual damages, compensatory damages, exemplary damages, statutory damages of one thousand dollars ($1,000) per violation, and reasonable attorney's fees and costs to a prevailing ~~party.~~ *plaintiff.*

SEC. 3. Section 11139.2 is added to the Government Code, to read:

11139.2. To improve monitoring of discrimination based upon housing status and violations of Part 2.2 (commencing with Section 53.8) of Division 1 of the Civil Code, and to ensure that people who are experiencing homelessness are not unlawfully denied full and equal access to the benefits of state-funded programs or assistance, or unlawfully subjected to discrimination, all applicants for the United States Department of Housing and Urban Development's Continuum of Care Homeless Assistance Program shall annually provide to the Department of Housing and Community Development's Division of Housing Policy Development a copy of its application for funding from the United States Department of Housing and Urban Development that includes the organization's response to the application question regarding steps that its community is taking to reduce criminalization of homelessness.

SEC. 4. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

City of St. Helena
"We will conduct city affairs on behalf of our citizens using an open and creative process"

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March 22, 2016

The Honorable Senator Carol Liu
California State Senate
State Capitol, Room 5097
Sacramento, CA 95814
FAX: (916) 651-4925

RE: SB 876 (Liu) Enforcement of Local Ordinances
Notice of OPPOSITION, as Amended 2/22/16

Dear Senator Liu:

On behalf of the City of St. Helena City Council, I am writing to inform you that the City Council voted on March 22, 2016 to oppose of Senate Bill 876 (Liu).

This measure is preempting local authority to address important issues affecting public health and safety in public spaces and on private property that is held open to the public, including not limited to, plazas, courtyards, parking lots, sidewalks, public transportation facilities, public buildings, shopping centers and parks. We recognize that this measure is well intentioned; however, local agencies must continue to be able to protect the public, health, safety and welfare of their communities. Moreover, we do not believe this measure will make a positive impact in the effort to address chronic homelessness.

Removing local enforcement authority as you propose in SB 876 will do nothing to help the problem, and would actually undermine existing efforts. SB 876 contains no solutions for ending homelessness. In fact, the bill specifically states, "Passing this Act will not reduce homelessness." The amendments offered in the bill remove local authority to enforce ordinances and could exacerbate the problem by removing incentives for some to take advantage of existing resources and services being offered.

The key to reducing homelessness is to provide more shelter. We need resources: permanent housing beds and accompanying social services such as mental health treatment, job training, addiction counseling, etc. Cities and other local agencies need more funding and flexibility to provide these proven programs.

The City of St. Helena provides financial support to several local agencies that provide shelter and supportive services. In fact, the City voluntary increased its financial support to Community Action of Napa Valley to support their self-sufficiency and shelter programs.

Once again, the City of St. Helena regrets to inform you of our opposition to SB 876.

Sincerely,

Alan Galbraith
Mayor
City of St. Helena

cc: Lois Wolk, State Senator, 3rd District; senator.wolk@senate.ca.gov
Bill Dodd, State Assembly Member, 4th Assembly District; Assemblymember.Dodd@assembly.ca.gov
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