



***AMENDED MAY 4, 2018**
City of St. Helena
Regular City Council Meeting
Tuesday, May 8, 2018 @ 6:00 PM
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 do so, but please observe the time limit of three minutes.

Page

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Mayor: Alan Galbraith, Vice Mayor: *Peter White, City Council: Paul Dohring, Geoff Ellsworth and Mary Koberstein

* Vice Mayor Peter White will be teleconferencing from 824 Chiles Avenue, St. Helena, CA 94574

4. 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.

4.1. [Public Comment-George Caloyannidis](#)

11 - 19

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

Reports by staff and/or Councilmembers on items of general interest. Brief questions for clarification may be posed and answered, and Councilmembers may request that items be placed on a future agenda. Except under certain circumstances, the Brown Act prohibits any other discussion or action by the City Council.

6. PRESENTATIONS AND PUBLIC RECOGNITIONS

6.1. Proclamation for National Travel & Tourism Week

21

[Proclamation](#)

6.2. Proclamation for Mental Health Awareness Month

23

[Proclamation](#)

6.3. Proclamation for Bike to Work Day

25

[Proclamation](#)

6.4. Proclamation Lupus Awareness Month

27

[Proclamation](#)

7. STAFF BRIEFING

7.1. None

8. CONSENT ITEMS

Members of the Council or the public may ask that any items be considered individually for purposes of considering alternative action, for extended discussion, or for public comment. Unless that is done, one motion may be used to adopt all recommended actions. (Roll Call Vote)

- 8.1. Consideration and proposed approval of Resolution approving the St. Helena Chamber of Commerce to host the musical entertainment event, Concerts in the Park, at Lyman Park on the 2nd and 4th Thursdays of June, July and August of 2018, between the hours of 5:30 pm and 8:00 pm. This event request includes approval of a mobile food vendor with two parking spaces on Main Street, one local food purveyor, local merchandise, beer or wine vendors and to waive the City encroachment permit fee in the amount of \$200.00. 29 - 37

CEQA Determination: Categorically Exempt, Section 15323

Prepared By: Chrissy Cook, Administrative Assistant

Recommendation:

Staff recommends that City Council adopt the Resolution approving the St. Helena Chamber of Commerce to host the musical entertainment event, Concerts in the Park, at Lyman Park on the 2nd and 4th Thursdays of June, July and August of 2018, between the hours of 5:30 pm and 8:00 pm. This event request includes approval of a mobile food vendor with two parking spaces on Main Street, one local food purveyor, local merchandise, beer or wine vendors and to waive the encroachment permit fee in the amount of \$200.00.

[Staff Report](#)

- 8.2. Consideration and proposed approval of Regular Meeting Minutes of April 24, 2018 (~~Will be provided prior to the meeting~~) Provided May 4, 2018 39 - 50

Recommendation:

Staff recommends approving the minutes.

[4-24-18 Minutes](#)

- 8.3. Consideration and approval of a Resolution approving City of St. Helena City Council Policy P-FI-0013 Fraud Prevention and Detection Policy 51 - 58

CEQA Determination: Not a CEQA project

Prepared By: Mandy Kellogg, Admin Services Mgr

Recommendation:

Staff recommends City Council approve a Resolution approving City of St. Helena City Council Policy P-FI-0013 Fraud Detection and Prevention Policy.

[Staff Report](#)

- 8.4. Consideration and approval of a resolution authorizing Amendment No. 59 - 69

1 to the Cooperative Joint Powers Agreement to Fund and Administer the Napa Countywide Stormwater Program (Napa Countywide Stormwater Pollution Prevention Program)

CEQA Determination: Not a CEQA project

Prepared By: Michael Fontana, Environmental Services Tech

Recommendation:

Staff recommends that City Council adopt the attached resolution authorizing Amendment No. 1 to the Cooperative Joint Powers Agreement to Fund and Administer the Napa Countywide Stormwater Program (Napa Countywide Stormwater Pollution Prevention Program).

[Staff Report](#)

- 8.5. Staff recommends the City Council authorize the City Manager to execute a Production Agreement with Zambelli Fireworks in the amount of \$40,000.00 for the City-sponsored July 4, 2017 fireworks show. 71 - 110

CEQA Determination: Not a CEQA project

Prepared By: Andre Pichly, Recreation Director

Recommendation:

Staff recommends the City Council authorize the City Manager to execute a Production Agreement with Zambelli Fireworks in the amount of \$40,000.00 for the City-sponsored July 4, 2017 fireworks show.

[Staff Report](#)

- 8.6. Consider and approve a resolution authorizing the City Manager to execute Amendment No. 2 in the amount of \$234,624 to the Professional Services Agreement with Michael Baker International for the Upper York Creek Dam Removal Project, for a total not to exceed amount of \$840,994.80 111 - 212

CEQA Determination: Environmental Impact Report (SCH. No. 2006092096)

Prepared By: Erica Ahmann Smithies, Public Works Director and City Engineer

Recommendation:

Staff recommends that City Council approve the resolution authorizing the City Manager to execute Amendment No. 2 in the amount of \$234,624 to the Professional Services Agreement with Michael Baker International for the Upper York Creek Dam Removal Project, for a total not to exceed amount of \$840,994.80.

[Staff Report](#)

- 8.7. Consideration and proposed approval of a resolution approving a fourth amendment to the Unrepresented Compensation Program and authorizing and approving publicly available pay schedules in accordance with the requirement of California Code of Regulations, Title 2, Section 570.5 which includes revised salary schedules to include a 3.5% COLA effective July 1, 2018 to all mid-managers of the Unrepresented Compensation program and a 3.5% COLA to the following executive department heads: City Clerk, Fire Chief, Finance Director, Human Resources & Information Director, Library Director, 213 - 252

Planning & Community Improvement Director, Police Chief, Public Works Director, and Recreation Director

CEQA Determination: Not a CEQA project

Prepared By: Kathy Robinson, Human Resources & IT Director

Recommendation:

Adopt resolution approving the fourth amendment to the Unrepresented Compensation Program and authorizing and approving publicly available pay schedules in accordance with the requirement of California Code of Regulations, Title 2, Section 570.5 which includes revised salary schedules to include a 3.5% COLA effective July 1, 2018 to all mid-managers of the Unrepresented Compensation program and a 3.5% COLA to the following executive department heads: City Clerk, Fire Chief, Finance Director, Human Resources & Information Director, Library Director, Planning & Community Improvement Director, Police Chief, Public Works Director, and Recreation Director.

[Staff Report](#)

- 8.8. Consideration and proposed adoption of a resolution designating the City Manager and/or Director of Public Works as the authorized representatives to sign and file a Financial Assistance Application, for and on behalf of the City, for a loan and/or grant agreement from the State Water Resources Control Board and the United States Department of Agriculture for the planning, design, and/or construction of Capital Improvement Program projects. 253 - 263

CEQA Determination: Not a CEQA project

Prepared By: Felix Hernandez III, Utilities Operations Manager

Recommendation:

Adoption of a resolution designating the City Manager and/or Director of Public Works as the authorized representatives to sign and file a Financial Assistance Application, for and on behalf of the City, for a loan and/or grant agreement from the State Water Resources Control Board and the United States Department of Agriculture for the planning, design, and/or construction of Capital Improvement Program projects.

[Staff Report](#)

9. PUBLIC HEARINGS

- 9.1. Consideration and approval of a Resolution amending the Appropriations Limit for FY 2017-2018. 265 - 272

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

Recommendation:

Staff recommends the City Council of the City of St. Helena adopt a Resolution amending the appropriation limit for Fiscal Year 2017-2018.

[Staff Report](#)

10. NEW BUSINESS

- 10.1. Update on City Council "Stabilize, Maintain and Improve Access to Housing" Goal 273 - 294

	CEQA Determination: Not a CEQA project Recommendation: Receive and file. Staff Report Presentation	
10.2.	Introduction of Conceptual Countywide Workforce Housing Funding Mechanism CEQA Determination: Not a CEQA project Prepared By: Mark T. Prestwich, City Manager Recommendation: Discuss and consider designating a Council Member to participate in discussions with VNV and other Napa county local government representatives to return with a draft ordinance for consideration. Staff Report	295 - 301
10.3.	*Updated May 4, 2018 Discussion and Consideration of City Position on June 2018 Ballot Measures CEQA Determination: Exempt Prepared By: Mark T. Prestwich, City Manager Recommendation: Consider positions of support, oppose, neutral or no position on each measure. Staff Report Public Comment - George Caloyannidis Public Comment - Ken Bukowski	303 - 407
10.4.	Discussion of Capital Improvement Project C-82 Downtown Restrooms Project CEQA Determination: 15303 New Construction or Conversion of Small Structures Prepared By: Erica Ahmann Smithies, Public Works Director and City Engineer Recommendation: Discuss and provide direction to City staff. Staff Report Presentation	409 - 454
10.5.	Consideration and proposed approval of a resolution adopting the Five-Year Capital Improvement Program (Fiscal Years 2018/2019 to 2022/2023) Prepared By: Erica Ahmann Smithies, Public Works Director and City Engineer Recommendation: Approve the attached Resolution adopting the Five-Year Capital Improvement Program (Fiscal Years 2018/2019 to 2022/2023.) Staff Report - Consideration and proposed approval of a resolution adopting the Five-Year Capital Improvement Program (Fiscal Years	455 - 537

[2018/2019 to 2022/2023\) - Pdf](#)

- 10.6. Consideration and Approval of a Resolution approving City of St. Helena City Council Policy P-CC-0001 - Policy on the Management of Legal Services 539 - 551
- CEQA Determination: Exempt
Prepared By: Mark T. Prestwich, City Manager
Recommendation:
It is recommended the City Council review and approve City of St. Helena City Council Policy P-CC-0001 - Policy on the Management of Legal Services.
- [Staff Report](#)
- 10.7. Introduction and First Reading of an Ordinance Granting the City Manager Authority to Execute Settlement Agreements, Waive Otherwise Applicable Fees and Penalties up to \$2,000, and Resolve Appeals Subject to Chapter 1.16 of this Code and Other Disputes Involving City Codes 553 - 559
- CEQA Determination: Exempt from the requirements of CEQA under the "General Rule", Section 15061 (b)(3), in that it can be seen with certainty that the proposed action will have no impact on the environment.
Prepared By: Mark T. Prestwich, City Manager
Recommendation:
Staff recommends the City Council introduce and conduct first reading of the ordinance, by title only and waive further reading.
- [Staff Report](#)
- 10.8. Discussion of establishing a working group to review and make recommendations to possible amendment to the Non-Profit Grant Program; and 561 - 578
- Consideration and approval of a Resolution approving:
1. Funding for 17 Non-Profit grant awards in the FY 2018/19 Operations Budget; \$133,700 from General Fund and \$10,000 from the Affordable Housing Trust Fund; and
 2. Waive \$1,500 City Permit Fees from the Vailima Foundation for the Non-Profit project outlined in their FY 2018/19 Application
- CEQA Determination: Not a CEQA project
Prepared By: Mandy Kellogg, Admin Services Mgr
Recommendation:
Staff recommends City Council discuss and establish a working group to review and make recommendations to amend the Non-Profit Grant Program; and approve a Resolution approving:
1. Funding for 17 Non-Profit grant awards in the FY 2018/19 Operations Budget; \$133,700 from General Fund and \$10,000 from the Affordable Housing Trust Fund; and
 2. Waiving \$1,500 City Permit Fees for the Vailima Foundation Non-Profit project outlined in their FY 2018/19 Application.

[Staff Report](#)

11. ITEMS LIKELY TO BE PLACED ON THE NEXT OR FUTURE MEETING AGENDA:

11.1.

May City Council Meetings:

5/22 (staff reports due 5/4)

- 5/3 Fire Dept. Operations Study Session 3-5 pm
- 5/9 Special City Council Budget Study Session 9-12
- 5/23 Special City Council Budget Study Session 9-12 (If needed)

PROCLAMATIONS AND PUBLIC RECOGNITION:

5/22 Proclamation - Public Works Week 2018

CONSENT:

5/22 Agreement with Housing Authority of the City of Napa Expires June 30, 2018 – Planning

5/22 Light Up Lyman Park and Ice Rink - Rec

PH or NEW BUSINESS:

5/22 Pacific Legacy – Finance

5/22 Chamber Presentation/Contract - Admin

June City Council Meetings:

6/12 (staff reports due 5/25)

6/26 (staff reports due 6/8)

PROCLAMATIONS AND PUBLIC RECOGNITION:

Elder Abuse Prevention Month proclamation – PD

Parks & Rec Month

CONSENT:

6/12 Comp/Class Study HR

6/12 Little League Contract Amendment - Recreation

6/12 Budget adoption – Finance

6/12 Escheat – Finance

6/12 Water Storage Tanks and Pump Station Upgrades - Award of Contract – PW

High School to Submit Annual Request Re: Street Closure for Homecoming Parade - PW

Resolution Adopting GANN Limit (Appropriations) - Finance

Adopt and approve compensation schedule - HR

6/26 Award of Contract for overlay - PW

6/26 Award of Contract for downtown restroom - PW

6/26 Award of Contract for master utility plan - PW

6/26 Curb Ramp Upgrades - award of contract - PW

6/26 Kosmont

2525 Madrona Parcel Map

6/26 Smoking Ordinance - Rec

6/26 Amended Coop Agreement with Caltrans for Grayson Signal for electricity(Caltrans to attend)

PH or NEW BUSINESS:

Housing Workshop Discussion - Admin
6/12 SHAPE Committee Report Out - Admin
Bimonthly Goals and Objectives Update - Admin
6/12 Sign Ordinance

12. ADJOURNMENT

The next Regular City Council meeting is scheduled for May 22, 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 April 27, 2018.



Cindy Tzaopoulos, 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.

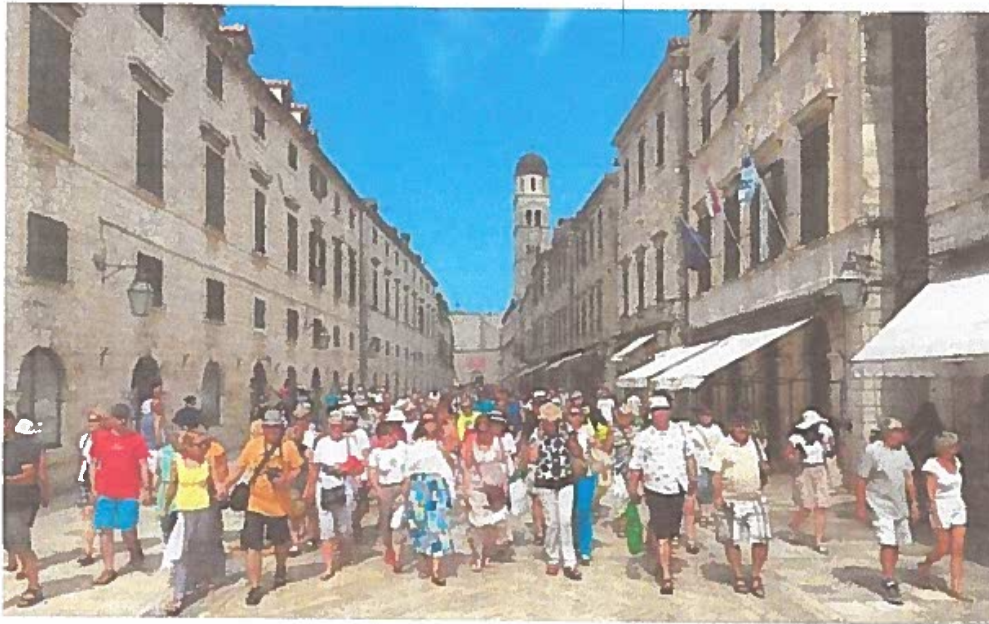
If a person wishes to challenge the above actions in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of St. Helena, at or prior to the meeting. In addition, judicial challenge 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 <https://sthelena.civicweb.net> and will be available for public review at the respective meeting.

First Venice and Barcelona: now anti-tourism marches spread across Europe
Demos in San Sebastián and crackdowns in Rome and Dubrovnik as locals vent frustration at city-breakers and cruise ships



Cruise ship visitors on the streets of Dubrovnik, where cameras now monitor the numbers of people in the old town. Photograph: muckylucky/Guardian Witness

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[Will Coldwell](#)

[@will_coldwell](#)

Thursday 10 August 2017 01.30 EDT
Last modified on Thursday 10 August 2017 09.55 EDT

With the continent sweltering under a heatwave nicknamed Lucifer, tempers have been boiling over, too, as a wave of anti-tourism protests take place in some of Europe's most popular destinations. Yet, as "tourism-phobia" becomes a feature of the summer, the World Tourism Organisation (UNWTO) has defended the sector, calling on local authorities to do more to manage growth in a sustainable manner.

Ensuring tourism is an enriching experience for visitors and hosts alike demands strong, sustainable tourism policies

Taleb Rifai, UNWTO secretary general

The focal point for much of this has been Spain, which had a record 75.6 million tourists last year, including 17.8 million from the UK. In [Barcelona](#), where tensions have been rising for years over the unchecked surge in visitors and [impact of sites such as Airbnb on the local housing market](#), Arran, the youth wing of the radical CUP (Popular Unity Candidacy), have been filmed [slashing the tyres of rental bicycles and a tour bus](#). An Arran spokesperson told the BBC: “Today’s model of tourism expels people from their neighbourhoods and harms the environment.” Spanish prime minister Mariano Rajoy described the group as “extremists”.

There have also been protests in Mallorca and [San Sebastián](#), where an anti-tourism march is planned for 17 August, to coincide with Semana Grande – a major festival of Basque culture.

Other demonstrations have taken place across southern Europe. Last month in Venice – which sees more than 20 million visitors a year and has just 55,000 residents – [2,000 locals marched](#) through the city, voicing anger at rising rents and the impact of huge cruise ships and the [pollution](#) they cause to the city’s delicate environment.



A resident holds a placard saying, in Venetian dialect “I’m not going, I’m staying” during a protest in Venice last month. Photograph: Manuel Silvestri/Reuters

Speaking to the Guardian, UNWTO secretary general Taleb Rifai said the rise in anti-tourist sentiment is “a very serious situation that needs to be addressed in a serious way”. If managed correctly, he added, tourism can be the “best ally” to conservation, preservation and the community.

“It should not be given up for the sake of mismanagement,” he said. “Ensuring that tourism is an enriching experience for visitors and hosts alike demands strong, sustainable tourism policies, practices and the engagement of national as well as local governments and administrations, private sector companies, local communities and tourists themselves.”

UNWTO recommends a number of proven methods for managing crowds in destinations, such as encouraging tourists to visit beyond the central sights, diversifying tourist activities, reducing seasonality and, importantly, addressing the needs of the local community. The focus should not be, it says, on simply stopping tourists arriving.

Earlier this year, Barcelona started cracking down on [unlicensed Airbnb rentals](#), doubling the numbers of inspectors checking properties. Of around 16,000 holiday rentals in the city, 7,000 are believed to be unlicensed.



Messages against tourism in Oviedo, northern Spain. Photograph: Alberto Morante/EPA

In Venice, the mayor’s office has also been attempting to tackle the problem. In June it said it would introduce a [ban on new tourist accommodation](#) in the city centre, and “people counters” have been installed at popular sites to monitor overcrowding.

(Factor in the layout of a lot of these continental cities and people get the sense that they're being taken over

Duncan McCann, researcher, New Economics Foundation)

Italy has also been cracking down on anti-social behaviour in other tourist hotspots. In Rome, this means a ban on people eating or paddling in the city's fountains and drinking on the street at night. Similar measures have been put into place in Milan – which introduced a summer ban on everything from food trucks to selfie sticks in the Darsena neighbourhood.

In Dubrovnik, another city where cruise ships unload thousands of visitors at a time, the mayor has introduced cameras to monitor the number of visitors in its Unesco-listed old town, so that the flow of people entering can be slowed – or even stopped – once a certain number is reached. Meanwhile, the mayor of popular Croatian party island Hvar has pledged to put an end to debauchery by mostly British tourists by slapping them with huge fines.

For Duncan McCann, researcher at the New Economics Foundation, there are a number of factors underlying the recent tensions, including the rise of Airbnb, an increasing number of tourists making short city breaks, and the burden of cruise ships. Both city breakers and cruise ship passengers are far more likely to remain in a city centre rather than explore further afield.

The perceived threat of terrorism in north Africa has also led to an increase in tourists holidaying in the Mediterranean over the past two years.

“These shifts are really putting pressure on these locations, increasing the numbers and reducing the spread of the tourists,” says McCann. “Once you factor in the layout of a lot of these continental cities – old, and with a network of smaller streets – people start to get the sense that they’re being taken over.”

He adds that this plays into the wider politics of the continent, with economies not seen to be working for people, and politics not addressing the problems.

“Though tourist numbers have increased, I am not sure they have increased enough in five years to cause this much agitation,” he says. “What has really changed? A lot is that politics isn’t out for the ordinary person any more. Until that is addressed I don’t think we’ll see this protest movement subside.”

Tuesday, 29 August 2017

the dubrovnik times

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LATEST NEWS

Photo – Tourists rest on the rooftop in Dubrovnik: Dubrovnik is beautiful, we all know that

(/news/dubrovnik/item/2993-photo-tourists-rest-on-the-rooftop-in-dubrovnik)

(http://www.facebook.com/TheDubrovnikTimes)

(http://www.twitter.com/dubrovniktimes)

(https://www.instagram.com/dubrovnik_times)

You are here: Home (/) / News (/news) / Dubrovnik (/news/dubrovnik) / EXCLUSIVE – Cruise ship industry "disappointed" with Mayor of Dubrovnik



(/media/k2/items/cache/1ee61bdae9e15a087794d9505849270_XL.jpg)

Dubrovnik struggling to cope with cruise ship crush

EXCLUSIVE – Cruise ship industry "disappointed" with Mayor of Dubrovnik

By Mark Thomas and Ivana Smilovic Aug 20, 2017 Print (/news/dubrovnik/item/2946-exclusive-cruise-ship-industry-disappointed-with-mayor-of-dubrovnik?tmpl=component&print=1)
Email (/component/mailto/?tmpl=component&template=ts_dailylimes&link=b43d1cb0fbb9f91dd89b6705f21340fbc69fc55e)

Cutting the number of cruise ships and passengers that visit Dubrovnik is quite clearly one of the new Dubrovnik Mayor's major priorities. This year almost 750,000 cruise ship passengers will disembark in the city on 538 ships and the Mayor, Mato Frankovic, thinks that number is way too high.

Published in
Dubrovnik
(/news/dubrovnik)

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1215 times

Speaking to the British newspaper The Telegraph he commented that he would half the cap of passengers allowed in the historic Old City from 8,000 to 4,000. "I am not here to make people happy but to make the quality of life better," he said. "Some of the cruise lines will disagree with what I'm saying but my main goal is to ensure quality for tourists and I cannot do it by keeping the situation as it is."

The control on the number and the flow of cruise ships is a problem that has troubled Dubrovnik authorities for years. With the Old City acting as a magnet the vast majority of passengers gravitate towards this UNESCO World Heritage Site. And it was this very organisation that gave the recommendation that no more than 8,000 guests should be

<http://www.alaboutcookies.org/>



27°C

Dubrovnik

Mostly sunny

Humidity: 59%

Wind: WNW at 28.97 km/h

Wednesday	Thursday	Friday	Saturday
21°C / 27°C	18°C / 27°C	21°C / 27°C	22°C / 27°C

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in the city at one time. The former Mayor of Dubrovnik, Andro Vlahusic, acted on this recommendation by installing surveillance camera on all the entrances into the historic core to act as people counters with the plan that when the magic number was reached the flow of passengers would be slowed down.



Could these sights be a thing of the past?

In reality this wouldn't mean barriers stopping people entering the city but the coaches that transport the passengers would be asked to wait in the Port of Dubrovnik with their guests until the number eased off. Now the new Mayor wants to halve this number to 4,000. "We will lose money in the next two years - a million Euros maybe by cutting the number of tourists - but in the future we will gain much more. We deserve to be a top quality destination," he commented.

But what about the other side of the coin? How does the cruise ship industry feel about this potential (/news/dubrovnik/item/2894-mayor-of-dubrovnik-plans-to-fight-cruise-ship-crush-with-bold-plan) move by the Mayor of Dubrovnik?

The Dubrovnik Times contacted The Cruise Lines International Association (CLIA (/https://www.cliaeuropa.eu/index.php?option=com_content&view=article&id=4&Itemid=114)), the world's largest cruise industry trade association, to get their side of the story. "Dubrovnik is a unique destination, and the cruise industry is deeply committed to protecting its cultural heritage and safeguarding its sustainability. The city is a treasure, and ensuring its preservation is crucial for all who live and work there, and indeed all of us who love it," commented a senior spokesperson for CLIA Europe. MSC (/https://www.msccruises.com/en-gb/Discover-MS-Cruise-Ships.aspx), Costa Cruise, Aida, Carnival, Celebrity Cruises, Disney, Thomson and Royal Caribbean Cruises are among the members of this organisation. In fact The Dubrovnik Times contacted many of these cruise lines for a response and all of them urged us to contact CLIA Europe. Almost every cruise company that operates ships to Dubrovnik is represented by CLIA Europe.

And the news that the Mayor planned to halve the number of guests to the city wasn't greeted with enthusiasm. "The presence of cruise ships in Dubrovnik substantially benefits the economy not only of the city, but of communities all around the Adriatic. The cruise industry believes that the decision to drastically limit the total number of tourists allowed in the Old Town at one time to 4000 without consultation is disappointing. CLIA hopes that the comments made by the Mayor of Dubrovnik will not be put into action without discussing their impact with the cruise lines and the tourism sector."

It would appear that CLIA Europe hadn't been contacted by either the Mayor or the Port of Dubrovnik. "Dubrovnik is a Pearl of the Adriatic and the cruise ships that visit are committed to maintain that, but we believe there should be consultation and agreement among vested stakeholders to ensure the best sustainable outcomes," concluded the cruise ship association.

(/http://www.allaboutcookies.org/)



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The New York Review of Books

November 9, 2017 / Volume LXIV, Number 17

Homage to Catalonia?

Omar G. Encarnación

The Struggle for Catalonia:

Rebel Politics in Spain

by Raphael Minder.

London: Hurst, 355 pp., £15.99 (paper)

Minder gives much attention as well to how Barcelona's identity is being radically transformed by "big money and international brands." To hear of another European city losing its soul to globalization is hardly news. But the case of Barcelona is perhaps unique, if only because the international isolation that Spain endured under the long Francoist dictatorship (the country only joined the European Economic Community, the precursor to the EU, in 1986) allowed the city to resist modernization and most of its less appealing outcomes, especially gentrification, longer than most other major European cities. Indeed, until recently it seemed that Barcelona had managed the rare feat of retaining its local flavor while opening itself to the world.

Barcelona's transformation is felt most dramatically in its old city center, traditionally known as the Gothic Quarter, where hundreds of centuries-old businesses, such as bookstores, bakeries, and toy stores, many of them family-run, have disappeared in the last few years due to rising rents. Less apparent, especially to those unfamiliar with pre-Olympics Barcelona, is the alteration of entire residential neighborhoods. Few visitors familiar with Barcelona, at least through the mid-1990s, would today recognize El Barrio Chino, the Chinese Quarter. Barcelona's traditional red-light district, which has all but disappeared as a consequence of gentrification. The district's radical makeover is poignantly captured in Jose Luis Guerín's 2001 documentary, *En construcción* (Under Construction), in which the filmmaker, who lived there for over a year, traces the building of a luxury apartment complex that both altered the district's future and also unearthed its ancient past with the discovery of previously unknown burial grounds.

Tourism 'destroying' cities, says Amsterdam marketing head

by Ian Taylor (/articles/author/17/Ian%20Taylor) © May 5th 2017, 10:20

f t in G+



Europe's historic cities are "dying" from pressure of tourism, according to the head of Amsterdam Marketing, who singled out Ryanair and Airbnb for criticism.

Frans van der Avert, Amsterdam Marketing chief executive, said: "Cities are dying from tourism. No one will be living in the historic centres any more.

"A lot of smaller historic cities in Europe are getting destroyed by visitors."

Van der Avert told the World Tourism Forum in Lucerne: "We don't spend even €1 in marketing Amsterdam any more.

"We don't want to have more people. We want to increase the quality of visitors – we want people who are interested in the city, not who want it as a backdrop for a party."

"We see lots of visitors with no respect for the character of the city. Low cost carriers create a problem. Ryanair [passengers] – they are the loudest."

He identified Barcelona, Prague and Dubrovnik as similarly affected and warned the industry faces a backlash from city residents which could determine future policies towards tourism.

"Amsterdam is not a big city – 800,000 live in the city and we have 17 million visitors a year," he said. "When you say to local people 'Tourism is about jobs' they say 'I don't care."

"They are voters and they say 'The visitors have to go.'"

Van der Avert added: "There are so many Airbnb rentals in the [Amsterdam] canal district that the city becomes empty.

"The sharing economy is really a big threat. Airbnb is a billion-dollar company that is destroying cities."

He explained: "Amsterdam Marketing works for residents, businesses and visitors. We believe there has to be a balance. The city has to be liveable.

"But the balance is going. Visitors are getting more important. Business and residents are being squeezed."

The Amsterdam city council has introduced more than 70 measures to combat tourism overcrowding, he said.

"It decided to close the cruise terminal in the city and to have no more hotels built in the city.

"To rent on Airbnb you have to register, you can have no more than four people at a time and for a maximum of 60 days, and there is fine of €20,000 [for non-compliance].

"We try to distribute visitors. We try to make the city bigger. But it's not the solution. The people of a city make the city. Inhabitants are key to the marketing strategy."

City of St. Helena

PROCLAMATION

National Travel & Tourism Week

WHEREAS, the City of Saint Helena is a place of great charm that attracts visitors from around the world;

WHEREAS, visitors coming to the City of Saint Helena enjoy its shops, restaurants, tasting rooms, parks, and many other amenities;

WHEREAS, visitors overnighting in Saint Helena can enjoy accommodations at a wide range of lodging establishments;

WHEREAS, leisure travel, which accounts for more than three-quarters of all trips taken in the United States, provides large benefits to travelers' health and wellness, cultural awareness, education, happiness, and relationships;

WHEREAS, it is the hard-working people employed in the tourism and hospitality industry who *daily* dedicate themselves to provide superior customer service and comfort for guests are the core of the industry and essential to its success;

WHEREAS, the City of Saint Helena remains deeply appreciative of the local hospitality's industry's contribution to the fire-fighting effort last fall, which included providing warm hospitality services to visiting first responders free of charge;

NOW, THEREFORE, I Mayor Alan Galbraith to hereby proclaim May 6-12, 2018 as National Travel and Tourism Week in Saint Helena, CA, and urge residents of Napa County to me in this special observance with appropriate events to commemorate, congratulate and celebrate the people in tourism and hospitality.

Dated: May 8, 2018

Alan Galbraith, Mayor
City of St. Helena

City of St. Helena

PROCLAMATION

Mental Health Month 2018

WHEREAS, one in four individuals will experience mental health issues in their lifetimes, which can affect parents, sisters, brothers, spouses, co-workers and others in our lives; and

WHEREAS, it is essential to eliminate disparities in mental health by promoting well-being for all, regardless of race, ethnicity, sexual orientation, gender identity, language, place of residence or age and ensure equity of access, delivery of services and improvement of outcomes; and

WHEREAS, the Mental Health Division seeks to reduce barriers to access, improve community outreach and engagement that ensures culturally and linguistically competent care to diverse communities through culturally competent services and policies; and

WHEREAS, while there is still much work to be done to eliminate disparities in services and increase education about mental illness, Napa County service providers are to be commended for their collaborative approach when working with individuals in need; and

WHEREAS, there is a strong body of research documenting that with support and treatment, between 70 and 90 percent of individuals with mental illness have a significant reduction in symptoms and improved quality of life; and

WHEREAS, every Napa County resident can be an ally by learning about and dispelling the myths related to mental illness and eliminating stigma by treating individuals with mental illness with respect.

THEREFORE, I, Mayor Alan Galbraith, do hereby proclaim May 2018 as Mental Health Month in the City of St. Helena. As the Mayor, I also call upon the citizens, government agencies, public and private institutions, businesses and schools in St. Helena to recommit ourselves and our community to increasing awareness and understanding of mental health, to supporting our community members so that they can take action to protect their mental health, and to promoting appropriate and accessible services for all people with mental health conditions.

Dated: May 8, 2018

Alan Galbraith, Mayor
City of St. Helena

City of St. Helena

PROCLAMATION

Bike to Work Day

WHEREAS, the City of St. Helena is committed to making our community safer and more convenient for bicycle commuters and encouraging increased bicycle use; and

WHEREAS, the City of St. Helena Bicycle Plan, adopted in 2012, identifies benefits of bicycle ridership including reduced congestion, reduced greenhouse gas emissions, and the public health benefits of active transportation; and

WHEREAS, riding a bicycle for transportation or recreation is a fun, endorphin-filled way to get around, and riding to work just three days a week can have significant health benefits, including improved cardiovascular strength and weight loss; and

WHEREAS, an increasing number of visitors to our community are using bicycles and other active transportation for trips to our local hotels, restaurants, tasting rooms, parks, and open spaces; and

WHEREAS, programs like Bike to Work Day and Bike to School Day are an important opportunity to both educate and encourage members of our community; and

WHEREAS, the City of St. Helena prioritizes the safety of all our residents and visitors, and encourages both bicycle riders and vehicle drivers to share the road and be respectful of other road users; and

WHEREAS, the City of St. Helena is proud to be hosting an “Energizer Station” on the morning of Bike to Work and School Day; and

WHEREAS, the City of St. Helena encourages everyone to participate in Bike to Work and School Day on May 10th, 2018 and Napa BikeFest on Saturday, May 5th, and to consider bicycling for short trips more often.

NOW, THEREFORE, BE IT RESOLVED that I, Mayor Galbraith, on behalf of the entire City of St. Helena, do hereby proclaim the Month of May as Bike Month and Thursday, May 10th, 2018 as Bike to Work Day in the City of St. Helena.

Dated: May 8, 2018

Alan Galbraith, Mayor
City of St. Helena

City of St. Helena

PROCLAMATION

Lupus Awareness Month

WHEREAS, More than five million people worldwide suffer from the devastating effects of lupus, and each year another 100,000 men, women and children will be diagnosed with this disease; and it is 2-3 times more prevalent among people of color, including African-Americans, Hispanics, Asians, and Native-Americans; and

WHEREAS, lupus is a chronic autoimmune disease that causes inflammation of various parts of the body particularly the skin, heart, joints and kidneys; and

WHEREAS, lupus research shows that 1.5 million Americans have been diagnosed with lupus, which strikes women about nine times more frequently than it does men; and

WHEREAS, while lupus is not infectious, rare or cancerous, it affects more people than cerebral palsy, multiple sclerosis, sickle cell anemia, and cystic fibrosis combined; and

WHEREAS, although lupus ranges from mild to life threatening and thousands of Americans who have lupus die each year, the majority of cases can be managed with proper treatment; and

WHEREAS, Existing public information and programs about Lupus in California remain inadequately disseminated and insufficient in addressing the needs of specific diverse populations and other underserved groups; and

WHEREAS, the Lupus Foundation of Northern California, serving California from Santa Cruz to the Oregon border, was founded as a nonprofit organizations to alleviate suffering for lupus patients through patient and family services, achieve early diagnosis of undiagnosed cases, through awareness promotion and achieve the eradication of lupus by supporting lupus research; and

WHEREAS, increased public awareness, education and research are the key to winning the battle against lupus;

NOW, THEREFORE, be it resolved by Mayor Alan Galbraith, that he recognized May 2018 as Lupus Awareness Month and extends heartfelt wishes to the Lupus Foundation of Northern California for success in their core objectives in the future.

Dated: May 8, 2018

Alan Galbraith, Mayor

City of St. Helena



Report to the City Council
Council Meeting of May 8, 2018

Agenda Section: Consent

Subject: Consideration and proposed approval of Resolution approving the St. Helena Chamber of Commerce to host the musical entertainment event, Concerts in the Park, at Lyman Park on the 2nd and 4th Thursdays of June, July and August of 2018, between the hours of 5:30 pm and 8:00 pm. This event request includes approval of a mobile food vendor with two parking spaces on Main Street, one local food purveyor, local merchandise, beer or wine vendors and to waive the City encroachment permit fee in the amount of \$200.00.

CEQA Determination: Categorically Exempt, Section 15323

Prepared By: Chrissy Cook, Administrative Assistant

Reviewed By: Erica Ahmann Smithies, Public Works Director and City Engineer

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

This June marks the 30th year the St. Helena Chamber of Commerce has hosted the Concerts in the Park Event. Attendance consists of locals from here in town, friends throughout Napa County, along with summer visitors who come to town for a month or two. It is very much a family event with all age groups represented. Typical attendance is 125-150 people per event.

DISCUSSION

The City Municipal Code does not include provisions for reserving Lyman Park, allowing mobile food vendors, or authorizing the waiver of fees. Consequently, the Chamber is required to submit an encroachment permit along with the required insurance and fee. The Chamber has requested the permit fee of \$200 be waived. In addition, the Chamber is requesting the mobile food vendor be allowed to park in two parking spaces

on Main Street. Parking in the two spaces would be reserved between the hours of 3:00 p.m. and 8:00 p.m. on event dates for the purpose of allowing a mobile food vendor to set up and serve.

It is important to note that Main Street right of way is owned by Caltrans, and the City is only responsible for parking enforcement. If Main Street parking is authorized, the Chamber will coordinate with Caltrans to obtain an additional encroachment permit for the street parking.

FISCAL IMPACT

The applicant has requested the following permit fee to be waived: Encroachment Permit: \$200.00.

RECOMMENDED ACTION

Staff recommends that City Council adopt the Resolution approving the St. Helena Chamber of Commerce to host the musical entertainment event, Concerts in the Park, at Lyman Park on the 2nd and 4th Thursdays of June, July and August of 2018, between the hours of 5:30 pm and 8:00 pm. This event request includes approval of a mobile food vendor with two parking spaces on Main Street, one local food purveyor, local merchandise, beer or wine vendors and to waive the encroachment permit fee in the amount of \$200.00.

ATTACHMENTS

[Permit Application](#)

[RESO - Concerts in the Park Series](#)



March 6th, 2018

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

Dear Mark,

The St. Helena Chamber of Commerce is requesting an encroachment permit for Lyman Park for the 2018 Concerts in the Park season-dates are listed below. The permit includes hosting musical entertainment and vendors in the park from 5:30pm-8:00pm. As an added enhancement to the picnic on the lawn experience we may sell some branded St. Helena merchandise and collect donations for our non-profit partners plus one local food purveyor or food truck and one winery or brewery to sell their products for profit.

The Chamber will handle all Alcoholic Beverage Control paperwork and fees associated with the necessary permits.

The Chamber will also have a free standing banner to be set up on the lawn of the park as well as 2 eight foot tables and a pop up tent at the time of the event.

Please contact us if you need anything else to obtain this permit. We appreciate your assistance in allowing us to always make Concerts In The Park an even better event!

Concert Dates

June 14th

June 28th

July 12th

July 26th

August 9th

August 23rd

Thanks in advance for your co-operation.

Susan M Duryea

A handwritten signature in dark ink, appearing to read "Susan M. Duryea".

Event Manager, St. Helena Chamber of Commerce

**CITY OF ST. HELENA
ENCROACHMENT PERMIT
APPLICATION**

PERMIT # _____

**TO: DEPARTMENT OF PUBLIC WORKS
1480 MAIN STREET
ST. HELENA, CA 94574**

Applicant:

St. Helena Chamber of Commerce
(Property Owner or Contractor)

Email:

Susan@stheleena.com

Phone:

707-963-4456

Job Location:

Lyman Park & Sidewalk

I (or we) hereby apply for an encroachment permit to carry out the following work:

Musical Picnics/Concerts in The Park Series, June 2018
through August 2018 - Six concerts, providing live music,
self food wine, beer and misc. items. Total of 6 concerts

Estimated Start Date

June 1st, 2018

Estimated Completion Date

August 31, 2018

DIAGRAM OF LOCATION OF PROPOSED WORK

Attach diagram on separate sheet(s) if necessary

See attached diagram

Permittee agrees to comply with all ordinances, regulations, specifications and conditions which may apply or be required as a condition of this Permit/Contract. (See insurance requirements and general and special conditions pages).

Permittee shall indemnify, defend and hold harmless The City of St. Helena and its agents, officers, officials employees and volunteers in interest from and against all claims, damages, losses and expenses including attorney fees arising out of or in connection with work performed under this Permit/Contract, except where caused by the sole negligence or willful misconduct of The City of St. Helena. This obligation of Permittee to indemnify, defend and hold harmless shall continue in effect after the completion of the project authorized under this Permit/Contract.

State Law required U.S.A. to be alerted for all underground work two (2) working days prior to start date

Applicant:

Susan M. Dwyer
Signature

Title

Date

Event Mgr. March 4, 2018

Conditions:

Related to Building Permit:

Approved By:

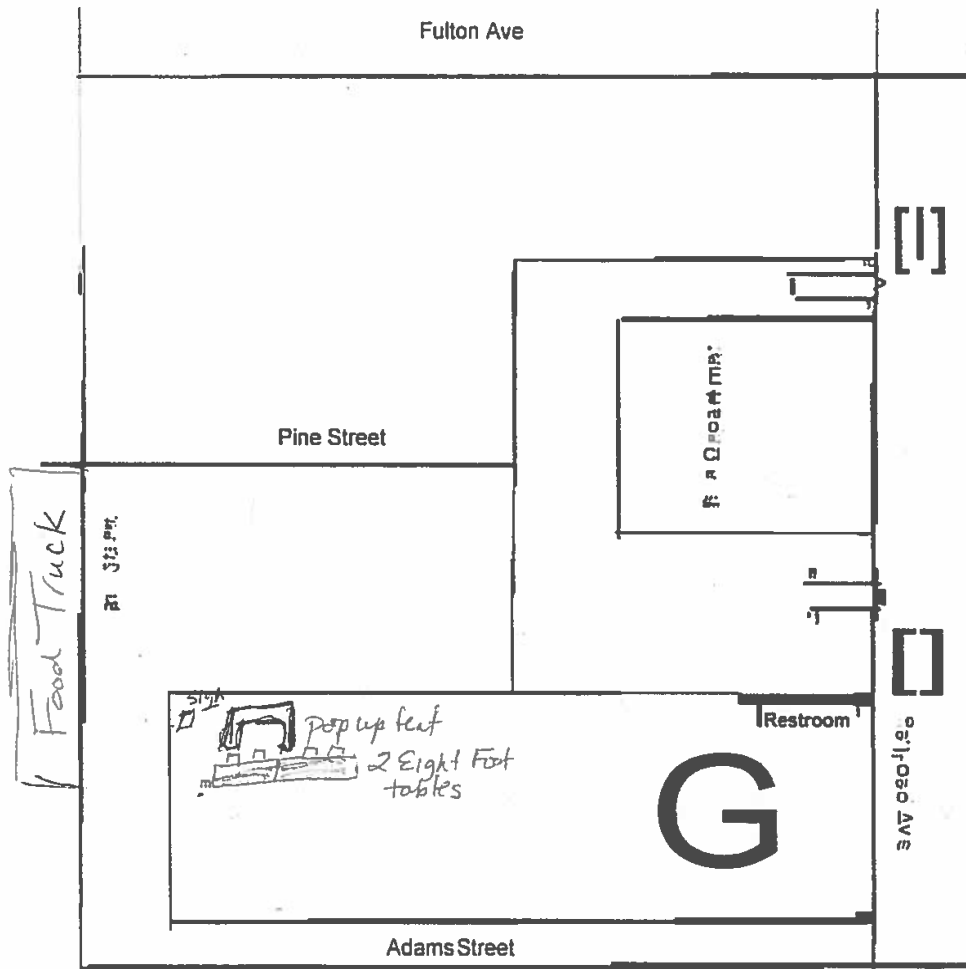
Public Works Staff

Date

Site Plan

Organizers of temporary events and/or certified farmers' markets are responsible for submitting a site plan showing the proposed location for each booth and the proximity to required toilet facilities.

Musical Picnics



I understand and agree to comply with all requirements regarding to temporary food facilities and/or certified farmer's markets in Napa County.

Signature of Organizer

Susan McDermott

date

March 6, 2018

G:\CONSUMER PROTECTION\Food Temporary Events\Temp Event Organizer Application 10-17-11.doc

3



STHELEN-07

AGELARDI

CERTIFICATE OF LIABILITY INSURANCE

 DATE (MM/DD/YYYY)
 07/12/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Malloy Imrie & Vasconi Insurance Services, LLC 899 Adams Street Suite C St. Helena, CA 94574		CONTACT NAME: PHONE (A/C, No, Ext): (707) 963-2777 FAX (A/C, No): (707) 963-4073 E-MAIL ADDRESS: myagency@mivinsurance.com	
		INSURER(S) AFFORDING COVERAGE INSURER A: Nova Casualty Company INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	
INSURED St. Helena Chamber of Commerce 657 Main Street St. Helena, CA 94574			

COVERAGES
CERTIFICATE NUMBER:
REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDITIONAL SUBROGATION	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☒ Liquor Liability GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:	X	CF1-ML-10001310-00	06/24/2017	06/24/2018	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/OP AGG \$ 2,000,000
A	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY		CF1-ML-10001310-00	06/24/2017	06/24/2018	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB ☐ OCCUR EXCESS LIAB ☐ CLAIMS-MADE DED ☐ RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) ☐ Y/N If yes, describe under DESCRIPTION OF OPERATIONS below	N/A				PER STATUTE ☐ OTH-ER ☐ E L EACH ACCIDENT \$ E L DISEASE - EA EMPLOYEE \$ E L DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 City of St. Helena, its Officers, Officials, Employees, Agents and Volunteers are named as additional insured on the general liability as required by written contract per form CG 20 26 06 13. This insurance is primary and waiver of subrogation is included as required by written contract per policy form AGL09340716. Proof of Hired and Non Owned Auto Liability is also provided.

CERTIFICATE HOLDER
CANCELLATION

City of St. Helena, its Officers, Officials, Employees and Volunteers 1480 Main Street Saint Helena, CA 94574	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
---	---

ACORD 25 (2016/03)

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Joseph E. Burger
James R. Coppens, CPCU
David J. Coppens, ARM
John H. Imrie, CPCU



Kate S. Imrie, CPCU
Thomas F. Malloy
Timothy P. Malloy

June 4, 2014

City of St. Helena
Attention: Public Works Department
1480 Main Street
St. Helena, CA 94574

RE: St. Helena Chamber of Commerce
Travelers Insurance Policy # X-660-3A178767-TCT-14

The insured's policy with Travelers Insurance provides non-owned autos and hired autos (only). This insured has no owned vehicles. The City is NOT listed as additional insured, including its agents, officers, officials, employees and volunteers on the auto portion of the policy. We cannot endorse "any auto" coverage or "owned auto coverage" onto their policy because they own no autos. We cannot endorse "additional insured status" when there are no owned autos.

Below are the coverage definitions:

***Hired Autos:** Coverage is provided only for autos leased, hired, rented or borrowed for use in the named insured's business.

***Non-Owned Autos:** Coverage is provided only for autos not owned, leased hired or borrowed by the named insured. Coverage includes autos owned by the insured's employees or members of their households, but only while used in the named insured's business or personal affairs.

Auto liability coverage is primary per the laws of the State of California; the primary coverage is with the registered owner of the vehicle, not with St. Helena Chamber of Commerce or with the City of St. Helena. To the extent that a vehicle might meet the definition of a Hired or Non Owned auto (if any) the policy for St. Helena Chamber of Commerce will provide \$2,000,000 in coverage excess of whatever coverage is provided by the registered owner of the vehicle

We trust this coverage meets the City requirements.

Sincerely,

Ted Bystrowski
Malloy Imrie and Vasconi Insurance Services LLC

St. Helena Office • P.O. Box 725 • 899 Adams St., "C" • St. Helena, CA 94574 • Ph (707) 963-2777 • Fax (707) 963-4073
Napa Office • P.O. Box 640 • 1584 Clay St. • Napa, CA 94559 • Ph (707) 255-2111 • Fax (707) 226-9024
www.mivinsurances.com • info@mivinsurances.com • License No. 0C34782

CITY OF ST. HELENA

RESOLUTION NO. 2018-

APPROVING THE ST. HELENA CHAMBER OF COMMERCE TO HOST THE MUSICAL ENTERTAINMENT EVENT, CONCERTS IN THE PARK, AT LYMAN PARK ON THE 2ND AND 4TH THURSDAYS OF JUNE, JULY AND AUGUST OF 2018, BETWEEN THE HOURS OF 5:30 PM AND 8:00 PM. THIS EVENT REQUEST INCLUDES APPROVAL OF A MOBILE FOOD VENDOR WITH TWO PARKING SPACES ON MAIN STREET, ONE LOCAL FOOD PURVEYOR, LOCAL MERCHANDISE, BEER OR WINE VENDORS AND TO WAIVE THE ENCROACHMENT PERMIT FEE IN THE AMOUNT OF \$200.00.

RECITALS

- A. The Municipal Code for the City of St. Helena does not allow or disallow mobile food vendors in areas designated as “Park District”, and
- B. The St. Helena City Council has the authority to regulate the use of public property, and
- C. This event will be open to the general community; and
- D. The St. Helena Chamber of Commerce has requested permission to host musical entertainment and vendors, including for profit sales of St. Helena branded merchandise, sales by one local food purveyor, and one winery or brewery per event at Lyman Park on the 2nd and 4th Thursdays of June, July and August of 2018, between the hours of 5:30pm and 8:00pm, and
- E. In consideration of the benefits of this event to the City, the City Council also desires to regulate the use of public property to include a mobile food vendor; and
- F. The Chamber would like to utilize two parking spaces on Main Street located as noted on site plan, per event for the mobile food vendor.

RESOLUTION

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

- 1. Permission is hereby granted to the St. Helena Chamber of Commerce to use Lyman Park for their “Concerts in the Park” event series.
- 2. The encroachment fee is waived.
- 3. The St. Helena Chamber of Commerce can coordinate one mobile food vendor per event.
- 4. Two parking spaces on Main Street will be reserved for the mobile food vendor between 3:00 pm and 8:00 pm on the days of the event.
- 5. Mobile food vendor must:
 - a. Possess a valid City of St. Helena Business License; and

- b. Only operate business between 5:30pm to 8:00pm; and
- c. Possess a valid Napa County Health Permit.

I HEREBY CERTIFY that this Resolution was adopted at a regular meeting of the City Council held on May 8, 2018 by the following roll call vote:

Mayor Galbraith: _____

Vice Mayor White: _____

Councilmember Dohring: _____

Councilmember Koberstein: _____

Councilmember Ellsworth: _____

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Tzaopoulos, City Clerk

MINUTES
City of St. Helena
Regular City Council Meeting
Tuesday, April 24, 2018 @ 6:00 PM
Vintage Hall Board Room - Second Floor
465 Main Street, St. Helena

A complete video recording of this meeting, except for closed session, can be found at <https://sthelena.civicweb.net/Portal/> or by calling the City Clerk at (707) 968-2742. The City Council video is the official record of the Council meeting.

Present: Mayor Alan Galbraith, Vice Mayor Peter White, Councilmember Paul Dohring, Councilmember Mary Koberstein, and Councilmember Geoff Ellsworth

Absent: None

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. PUBLIC FORUM:

Tom Belt, Mike Hackett, citizen, Nick Haley, Beth Novak Milliken addressed the City Council.

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

City Manager Mark Prestwich provided a SHAPE update.

Finance Director April Mitts reported on the upcoming May 9, 2018, Budget Study Session.

City Clerk Cindy Tzafopoulos announced the recruitment for boards, committees and commission openings.

Planning Director Noah Housh reported the scoping period for the General Plan EIR is coming to a close on May 1, 2018.

Public Works Director Erica Ahmann Smithies reported the City is hosting a "Bike to Work Day" on May 10, 2018, in front of the Carnegie building.

Council Member Ellsworth reported on the recent UpValley Community Leaders

Regular City Council
April 24, 2018

Coalition and NCLOG meetings. He also announced there will be a Napa water symposium on May 17, 2018 at Napa Valley College.

Vice Mayor White reported on the upcoming Highway 29 pavement repair project.

6. PRESENTATIONS AND PUBLIC RECOGNITIONS

- 6.1 Introduction of new Police Department staff and K9
- 6.2 Proclamation for Human Trafficking Awareness presented to Soroptimist International of St. Helena and Soroptimist International of St. Helena Sunrise
- 6.3 Proclamation for 2018 Earth Day

7. STAFF BRIEFING

- 7.1 None

8. CONSENT ITEMS

Members of the Council or the public may ask that any items be considered individually for purposes of considering alternative action, for extended discussion, or for public comment. Unless that is done, one motion may be used to adopt all recommended actions. (Roll Call Vote)

- 8.1 Consideration and proposed approval of a resolution 2018-30 or SHES/SHPS Parent Teacher Group to host a Community Cinco de Mayo Celebration event and vendors at Lyman Park on Saturday, May 5, 2018, between the hours of 2:00 pm and 10:00 pm, waive the requested fees in the amount of \$840.00, and authorize City staff to assist with set-up and tear down of equipment.

CEQA Determination: Categorically exempt from CEQA, Sections 15323, 15061

Prepared By: Chrissy Cook, Administrative Assistant

Recommendation:

Staff recommends the City Council adopt the Resolution approving the SHES/SHPS Parent Teacher Group to host a Community Cinco de Mayo Celebration event and vendors at Lyman Park on Saturday, May 5, 2018, between the hours of 2:00 pm and 10:00 pm, waive the requested fees in the amount of \$840.00, and authorize City staff to assist with set-up and tear down of equipment.

- 8.2 Consideration and proposed approval of Regular Meeting Minutes of April 10, 2018.

Prepared By: Cindy Tzafopoulos, City Clerk

- 8.3 City Council consideration of a request from Collabria Care (formerly Napa Valley Hospice and Adult Day Services) and adopt a resolution to waive the sign application and building permit fees (totaling approximately \$1,250) for a new sign at the La Boheme retail store, which supports their hospice work in the upper Napa Valley. Resolution 2018-40

Regular City Council
April 24, 2018

CEQA Determination: Exempt from the requirements of CEQA pursuant to Section 15301, Class 1, which exempts the operation, leasing, or minor alteration of existing facilities

Prepared By: Noah Housh, Planning & Community Improvement Director

Recommendation:

It is recommended that the City Council review and act on the request from Collabria Care to waive all development application fees associated with the pending request for new signage at their La Boheme retail location (1428 Main Street), totaling approximately \$1,250.

- 8.4 Consideration and approval of a Resolution 2018-41 approving:
1. Amendment #1 to STH Contract: 2017-012 with Bread of Life in the amount of \$11,000 for a total not-to-exceed amount of \$56,665 for governance related projects; and
 2. A budget increase of \$11,000 to Account #101-4100-2145; and
 3. Use of General Fund Reserves in the amount of \$11,000.

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

Recommendation:

Staff recommends City Council approve a Resolution approving:

1. Amendment #1 to STH Contract: 2017-012 with Bread of Life for an amount of \$11,000 for a total not-to-exceed amount of \$56,665; and
2. A budget increase of \$11,000 to Account #101-4100-2145; and
3. Use of General Fund reserves in the amount of \$11,000.

Item 8.5 was removed from Consent.

- 8.5 ~~Fiscal Year 2017/18 3rd Quarter Finance Report~~

Item 8.6 was removed from Consent.

- 8.6 ~~Receive and File Quarterly Grant Report for FY 2018 Q3, for the period ending March 31, 2018~~

- 8.7 Consideration and approval of a Resolution 2018-42 approving: (1) use of Wastewater Impact fees in connection with the Crinella Pump Station Upgrade Project S18-71 for 15% of the total project costs and (2) authorizing staff to transfer 15% of Crinella Pump Station Upgrade Project S18-71 costs from the Wastewater Impact Fee Fund 774 to the Wastewater CIP Fund 733.

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

Recommendation:

Staff recommends City Council approve a Resolution approving: (1) use of Wastewater Impact fees in connection with the Crinella Pump Station Upgrade Project S18-71 for 15% of the total project costs and (2) authorizing staff to

Regular City Council
April 24, 2018

transfer 15% of Crinella Pump Station Upgrade Project S18-71 costs from the Wastewater Impact Fee Fund 774 to the Wastewater CIP Fund 733.

Item 8.8 was removed from Consent.

- 8.8 ~~Consideration and approval of a Resolution 2018-42 approving: (1) use of Wastewater Impact fees in connection with the Crinella Pump Station Upgrade Project S18-71 for 15% of the total project costs and (2) authorizing staff to transfer 15% of Crinella Pump Station Upgrade Project S18-71 costs from the Wastewater Impact Fee Fund 774 to the Wastewater CIP Fund 733.~~
- 8.9 Consideration and adoption of a resolution 2018-44 finding the project R18-79 Pavement Restoration Project exempt from CEQA; approving and adopting the plans and project manual; and authorizing the bid request for the R18-79 Pavement Restoration Project

CEQA Determination: Class I Categorical Exemption under Section 15301 of CEQA

Prepared By: Tobias Barr, Project Manager

Recommendation:

Adopt the attached resolution finding the project R18-79 Pavement Restoration Project exempt from CEQA; approving and adopting the plans and project manual; and authorizing the bid request for the R18-79 Pavement Restoration Project.

- 8.10 Consideration and approval of a Resolution 2018-45 approving: (1) a budget increase of \$25,000 to #561-4400-2132 Attorney Litigation; (2) a budget increase of \$40,000 to #561-4400-2130 Attorney Professional Contracts; and (3) use of Enterprise Fund Balance in an amount of \$65,000 in FY 2017/18

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

Recommendation:

Staff recommends City Council approve a Resolution approving: (1) a budget increase of \$25,000 to #561-4400-2132 Attorney Litigation; (2) a budget increase of \$40,000 to #561-4400-2130 Attorney Professional Contracts; and (3) use of Enterprise Fund Balance in an amount of \$65,000 in FY 2017/18.

- 8.11 *NEW ITEM ADDED 4/20/2018

Consideration and approval of a Resolution 2018-46 authorizing the amendment of the existing semi-monthly payroll schedule to a bi-weekly payroll schedule effective July 1, 2018 and amendment to the Employee Handbook Section X, subsection K. Pay Periods

CEQA Determination: Not a CEQA project

Prepared By: Mandy Kellogg, Admin Services Mgr

Recommendation:

Staff recommends City Council approve a Resolution authorizing the

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amendment of the existing semi-monthly payroll schedule to a bi-weekly payroll schedule effective July 1, 2018 amendment to the Employee Handbook Section X, subsection K. Pay Periods

Councilmember Paul Dohring moved to approve Consent items 8.1 through 8.4, 8.7 and 8.9 through 8.11. The motion was seconded by Vice Mayor Peter White and on roll call carried by the following vote:

AYES: Mayor Alan Galbraith, Vice Mayor Peter White, Councilmember Paul Dohring, Councilmember Mary Koberstein, and Councilmember Geoff Ellsworth

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

8.5 Fiscal Year 2017/18 3rd Quarter Finance Report

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

Recommendation:

Receive and file the Q3 FY 2017/18 financial report.

Finance Director April Mitts reported on this item.

No public comment was received.

Councilmember Geoff Ellsworth moved to approve Item 8.5. The motion was seconded by Vice Mayor Peter White and on roll call carried by the following vote:

AYES: Mayor Alan Galbraith, Vice Mayor Peter White, Councilmember Paul Dohring, Councilmember Mary Koberstein, and Councilmember Geoff Ellsworth

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

8.6 Receive and File Quarterly Grant Report for FY 2018 Q3, for the period ending March 31, 2018

CEQA Determination: Not a CEQA project

Prepared By: Mandy Kellogg, Admin Services Mgr

Recommendation:

Receive and file report.

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Administrative Services Manager Mandy Kellogg reported on this item.

No public comment was received.

Vice Mayor Peter White moved to approve Item 8.6. The motion was seconded by Councilmember Geoff Ellsworth and on roll call carried by the following vote:

AYES: Mayor Alan Galbraith, Vice Mayor Peter White, Councilmember Paul Dohring, Councilmember Mary Koberstein, and Councilmember Geoff Ellsworth

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

- 8.8 Consideration and adoption of a resolution finding the project C-82 Downtown Restrooms exempt from CEQA; approving and adopting the plans and project manual; and authorizing the bid request.

CEQA Determination: 15303 New Construction or Conversion of Small Structures

Prepared By: Tobias Barr, Project Manager

Recommendation:

Adopt the attached resolution finding the projects exempt from CEQA; approved and adopting the Project Plans and Manual; and authorizing the bid request for the Downtown Restroom Project Capital Improvement Project C-82.

9. PUBLIC HEARINGS

- 9.1 City of St. Helena 2018 Housing Element Update

CEQA Determination: Mitigated Negative Declaration

Prepared By: Noah Housh, Planning & Community Improvement Director

Recommendation:

It is recommended the City Council review and consider the provided information, and file the report.

Planning Director Noah Housh provided an update and presentation.

No public comment was received.

Vice Mayor Peter White moved to receive and file the report. The motion was seconded by Councilmember Geoff Ellsworth and on roll call carried by the following vote:

AYES: Mayor Alan Galbraith, Vice Mayor Peter White, Councilmember Paul

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Dohring, Councilmember Mary Koberstein, and Councilmember Geoff Ellsworth
NOES: None
ABSENT: None
ABSTAIN: None
RECUSE: None

10. NEW BUSINESS

- 10.1 Consideration to Recommend Non Profit Grant Application Requests for Funding in the Fiscal Year (FY) 18/19 Budget for Boys & Girls Clubs of St. Helena and Calistoga; California Federation of Women; Friends of the Cameo; Kiwanis Foundation of St. Helena; Lincoln Theater; Native Sons of the Golden West; Nimbus Arts; Ole Health - St. Helena Health Center; Our Town St. Helena; Rianda House; Vailima Foundation (Robert Louis Stevenson Museum); Saint Helena Community Band; St. Helena Farmers' Market; St. Helena Historical Society; St. Helena Little League; St. Helena Preschool for All; and Upvalley Family Centers; in an aggregate amount up to \$145,200

CEQA Determination: Not a CEQA project

Prepared By: Mandy Kellogg, Admin Services Mgr

Recommendation:

It is recommended that the City Council consider the Non Profit Grant Application Requests for Boys & Girls Clubs of St. Helena and Calistoga; California Federation of Women; Friends of the Cameo; Kiwanis Foundation of St. Helena; Lincoln Theater; Native Sons of the Golden West; Nimbus Arts; Ole Health - St. Helena Health Center; Our Town St. Helena; Rianda House; Vailima Foundation (Robert Louis Stevenson Museum); Saint Helena Community Band; St. Helena Farmers' Market; St. Helena Historical Society; St. Helena Little League; St. Helena Preschool for All; and Upvalley Family Centers; and provide direction to staff on which organization and amounts should be included in the FY 18/19 Operations Budget, in an aggregate amount up to \$145,200.

Administrative Services Manager Mandy Kellogg reported on this item.

Mayor Galbraith called for public comment.

A citizen addressed the City Council.

Mayor Galbraith closed public comment.

Vice Mayor Peter White moved to fund the non profit applicants. The motion was seconded by Councilmember Geoff Ellsworth and on roll call carried by the following vote:

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AYES: Mayor Alan Galbraith, Vice Mayor Peter White, Councilmember Paul Dohring, Councilmember Mary Koberstein, and Councilmember Geoff Ellsworth
NOES: None
ABSENT: None
ABSTAIN: None
RECUSE: None

10.2 After Action Report (AAR) for the City's Response to the October 2017 Napa Fire Complex

CEQA Determination: Not a CEQA project
Prepared By: William Imboden, Chief of Police
Recommendation:
Receive and file

Chief of Police William Imboden reported on this item and provided a presentation.

Mayor Galbraith called for public comment.

Bobbi Monnette addressed the City Council.

Mayor Galbraith closed public comment.

10.3 St. Helena Assets Planning Engagement (SHAPE) Committee Progress Report

CEQA Determination: Not a CEQA project
Prepared By: Mark T. Prestwich, City Manager
Recommendation:
Staff recommends the City Council Pass a Motion authorizing an extension of the Committee's timeline by approximately 30 days to facilitate completion of their work.

SHAPE Committee Chair Mark Smithers reported on this item.

No public comment was received.

It was the consensus of the City Council to extend the Committee's timeline by 30 days.

10.4 Consideration and proposed approval of the following resolutions:

1. Authorizing the City Manager to execute a three (3) year lease agreement with William Scotsman for the removal and replacement of two ancillary buildings at the St. Helena Public Works Corporation Yard for an amount not to exceed \$63,689. FY 17/18 - \$14,153, FY 18/19 - \$15,084, FY 19/20 - \$15,084, and FY 20/21 - \$19,368 Resolution 2018-

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- 47;
2. Authorizing the City Manager to execute a construction contract with Modern Method Roofing for the St. Helena Public Works Corporation Yard main building for an amount not to exceed \$29,365 Resolution 2018-48;
 3. Authorizing the City Manager to execute a contract with William Scotsman for the floor replacement of the St. Helena Public Works Corporation Yard main building for an amount not to exceed \$11,310 Resolution 2018-49; and
 4. Authorizing FY 17/18 budget transfer and use of reserves and fund balances totaling \$54,828 in FY 2017/18 from Civic Impact Fees \$6,360, General Fund Reserves \$19,387, Water Fund Balance \$16,481, and Wastewater Fund Balance \$12,600 for building removal, building leases, roof and flooring repairs Resolution 2018-50

CEQA Determination: Exempt from the requirements of CEQA pursuant to Section 15301, Class 1, which exempts the operation, leasing, or minor alteration of existing facilities

Prepared By: Erica Ahmann Smithies, Public Works Director and City Engineer
Recommendation:

Staff recommends City Council approve the following resolutions:

1. Authorizing the City Manager to execute a three (3) year lease agreement with William Scotsman for the removal and replacement of two ancillary buildings at the St. Helena Public Works Corporation Yard for an amount not to exceed \$63,689. FY 17/18 - \$14,153, FY 18/19 - \$15,084, FY 19/20 - \$15,084, and FY 20/21 - \$19,368;
2. Authorizing the City Manager to execute a construction contract with Modern Method Roofing for the St. Helena Public Works Corporation Yard main building for an amount not to exceed \$29,365;
3. Authorizing the City Manager to execute a contract with William Scotsman for the floor replacement of the St. Helena Public Works Corporation Yard main building for an amount not to exceed \$11,310; and
4. Authorizing FY 17/18 budget transfers and use of reserves and fund balances totaling \$54,828 in FY 2017/18 from Civic Impact Fees \$6,360, General Fund Reserves \$19,387, Water Fund Balance \$16,481, and Wastewater Fund Balance \$12,600 for building removal, building leases, roof and flooring repairs.

Public Works Director Erica Ahmann Smithies reported on this item.

No public comment was received.

Vice Mayor Peter White moved to adopt staff's recommendation. The motion was seconded by Councilmember Paul Dohring and on roll call carried by the

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April 24, 2018

following vote:

AYES: Mayor Alan Galbraith, Vice Mayor Peter White, Councilmember Paul Dohring, Councilmember Mary Koberstein, and Councilmember Geoff Ellsworth

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

10.5 *NEW ITEM ADDED 4/20/2018

City Council consideration of a request from Larry Kroman of Calistoga Affordable Housing (CAH), that the City provide an additional loan of up to \$135,000 from the Affordable Housing Trust Fund (AHTF) to the Turley Flats Affordable Housing project (1105 Pope St) for a total AHTF contribution of \$835,000. Resolution 2018-51

CEQA Determination: This action is exempt from the requirements of CEQA under the "General Rule", Section 15061 (b) (3), in that it can be seen with certainty that no environmental impacts will result from this action; and Section 15273 given that CEQA does not apply to Rates, Tolls, Fares and Charges.

Prepared By: Noah Housh, Planning & Community Improvement Director

Recommendation:

It is recommended by the Planning and Community Improvement Department that the City Council approve the request to provide an increased AHTF loan of up to an additional \$135,000 to the Turley Flats eight unit affordable housing project.

Planning Director Noah Housh reported on this item.

Calistoga Affordable Housing representative Larry Kroman addressed the City Council.

No public comment was received.

Councilmember Paul Dohring moved to adopt staff's recommendation and seek repayment from CAH if they receive any grant or supplemental funding. The motion was seconded by Vice Mayor Peter White and on roll call carried by the following vote:

AYES: Mayor Alan Galbraith, Vice Mayor Peter White, Councilmember Paul Dohring, Councilmember Mary Koberstein, and Councilmember Geoff Ellsworth

NOES: None

ABSENT: None

ABSTAIN: None

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RECUSE: None

11. ITEMS LIKELY TO BE PLACED ON THE NEXT OR FUTURE MEETING AGENDA:

11.1

May City Council Meetings:

5/8 (staff reports due 4/20)

5/22 (staff reports due 5/4)

5/3 Fire Dept. Operations Study Session 3-5 pm (Notice April 23rd)

5/9 Special City Council Budget Study Session 9-12

5/23 Special City Council Budget Study Session 9-12 (If needed)

PROCLAMATIONS AND PUBLIC RECOGNITION:

5/8 Proclamation - May is Mental Health Awareness Month - Admin

5/8 Proclamation - Annual Public Works Week - PW

5/8 Bike to Work and School Day Proclamation - PW

5/8 Lupus Awareness month - Admin

5/8 National Travel & Tourism Week - Admin

CONSENT:

Music in the park, June thru August, waive fees, food - PW

Amendment to the JPA for the NVTa with the City - PW

Agreement with Housing Authority of the City of Napa Expires June 30, 2018 – Planning

Fireworks Contract - Rec

5/8 Little League Contract Amendment - Recreation

Fraud Policy - Finance

League of California Cities request for support of two initiatives that will appear on the June 5th ballot, Propositions 68 & 69 - Admin

5/22 Comp/Class Study HR

PH or NEW BUSINESS:

City legal management policy - Admin

St. Helena Ordinance Granting City Manager Fee Waiver Authority - Planning

5/8 Pacific Legacy – Finance

June City Council Meetings:

6/12 (staff reports due 5/25)

6/26 (staff reports due 6/8)

PROCLAMATIONS AND PUBLIC RECOGNITION:

Elder Abuse Prevention Month proclamation – PD

Parks & Rec Month

CONSENT:

6/12 Budget adoption – Finance

6/12 Escheat – Finance

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High School to Submit Annual Request Re: Street Closure for Homecoming Parade - PW
Resolution Adopting GANN Limit (Appropriations) - Finance
Adopt and approve compensation schedule - HR
CIP Adoption - PW
Curb Ramp Upgrades - Approve PS&E - PW
<i>PH or NEW BUSINESS:</i>
Housing Workshop Discussion - Admin
6/12 SHAPE Committee Report Out - Admin
Bimonthly Goals and Objectives Update - Admin
6/12 Sign Ordinance

12. ADJOURNMENT

The regular City Council meeting minutes of April 24, 2018 was adopted at the regular City Council meeting of May 8, 2018.

Mayor Galbraith adjourned the meeting at 8:54 p.m.

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Tzafopoulos, City Clerk



Report to the City Council
Council Meeting of May 8, 2018

Agenda Section: Consent

Subject: Consideration and approval of a Resolution approving City of St. Helena City Council Policy P-FI-0013 Fraud Prevention and Detection Policy

CEQA Determination: Not a CEQA project

Prepared By: Mandy Kellogg, Admin Services Mgr

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

In addition to producing the City's CAFR, it is the responsibility of the independent auditor to provide to the City of St. Helena a report on internal control over financial reporting and a report on compliance with other matters based on the audited financial statements. The *Report on Internal Control and Other Matters* has identified deficiencies in internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis.

DISCUSSION

The City of St. Helena adheres to several informal financial policies. A deficiency identified by the City's auditors was in the lack of formal fraud prevention and detection policies. The City Council and Management are responsible for designing and implementing systems and procedures for the prevention and detection of fraud, and for ensuring a culture and environment that promotes honesty and ethical behavior. This includes the responsibility to develop and implement a formal fraud risk assessment program.

The City's current policies do not provide a thorough description of fraud, nor do they provide direction as to what employees should do if they suspect fraud is occurring. City Management has drafted a formal proposed Fraud Prevention and Detection Policy which clearly defines fraud and provides employees clear direction of what to do when fraud is suspected or detected. The policy establishes a formal training program for all employees regarding fraud, which will be conducted upon date of hire and every two years thereafter.

The proposed Council Policy P-FI-0013 Fraud Detection and Prevention Policy is attached for review.

FISCAL IMPACT

None.

RECOMMENDED ACTION

Staff recommends City Council approve a Resolution approving City of St. Helena City Council Policy P-FI-0013 Fraud Detection and Prevention Policy.

ATTACHMENTS

[Attachment 1 - P-FI-0013 Fraud Prevention and Detection Policy](#)

[Attachment 2 - Resolution No. 2018-_____ Fraud Prevention and Detection Policy](#)

Attachment 1

	City of St. Helena Council Policy Finance	Policy Fraud Policy
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Title: Fraud Prevention and Detection Policy	Policy #	P-FI-0013
	Revision #	Release
	Implementation Date	2018-05-09
	Last Update Date	2018-05-09
Approval by City Council		Date Approved

I. Purpose, Overview and Scope of this Policy

The City of St. Helena recognizes the importance of protecting the organization, its operations, its employees and its assets against financial risks, operational breaches and unethical activities. Therefore, it is incumbent upon the City Council and City Management to institute and clearly communicate the fraud prevention policy to both internal and external stakeholders.

The City maintains a zero-tolerance policy regarding fraud and corruption. All matters raised by any source will be taken seriously and properly investigated. This policy covers all City employees and officials. Additionally, this policy covers City vendors, customers and partners to the extent that any City resources are committed or used.

II. Authority

The City Council has authority to update this policy.

III. Policy**A. Definitions**

i. **Fraud** is defined as an intentional deception, misappropriation of resources, or the manipulation of data to the advantage or disadvantage of a person or entity. Some examples of fraud include:

- Falsification or inflation of expenses and invoices
- Misappropriation of the City's assets (funds, supplies, furniture, equipment, etc.)
- Unauthorized alteration or falsification of records
- Improprieties in handling and accounting of monies collected, cash or otherwise
- Knowingly providing false information on job applications, time sheets, requests for reimbursement or funding, and other forms
- Profiteering as a result of insider knowledge of confidential activities
- Computer-related activity involving unauthorized alteration, destruction, forgery, manipulation of data, or misappropriation of City-owned software

P-FI-2013

	City of St. Helena Council Policy Finance	Policy Fraud Policy
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ii. **Corruption** is defined as the offering, giving, soliciting or accepting of an inducement or reward that may improperly influence the action of a person or entity. Some examples of corruption include:

- Bribery
- Conspiracy
- Extortion

B. Reporting Fraud and Corruption

Allegations and concerns about fraudulent or corrupt activity may come from various sources including:

- Employees
- Vendors
- Members of the public
- Results of internal or external audit reviews
- Any other interested parties

All employees have a duty to report any information or suspicions about the possible fraudulent or corrupt activity of any official, employee, vendor or any other party associated with the City. Such duty includes reporting detected or suspected activity immediately to the employee's Department Head or supervisor.

If reporting this to the employee's Department Head or supervisor compromises the integrity of the information in any way, the employee should contact the City Manager and arrange for a meeting. Similarly, if the information cannot be discussed with the City Manager, the employee should contact the Mayor, Vice-Mayor or other City Council Member and arrange for a meeting to discuss the matter.

Alternatively, anonymous written complaint can be provided to the City Manager or, if the circumstances warrant, to the Mayor, Vice-Mayor or other Council Member. It is strongly recommended that complaints be made no later than 10 working days of having knowledge or suspicion. It is also strongly recommended that a written and signed statement of the complaint be submitted to the City Manager within eight working days of the initial anonymous complaint report. Anonymity in the complaint procedure may compromise the City's ability to complete a thorough investigation. Complaints must include the following information:

- The employee's name and position title (unless made anonymously).

	City of St. Helena Council Policy Finance	Policy Fraud Policy
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- The name of the alleged person or persons committing the fraud, including their title(s).
- The specific nature of the fraud and, if known, how long it has gone on.
- Witnesses to the fraud, if any.

No attempt should be made by anyone other than those authorized to conduct investigations or interviews/interrogations related to any suspected fraudulent act.

Retaliation and retribution will not be tolerated against any employee who reports suspected fraudulent or corrupt activities. All reports will be taken seriously and will be investigated by appropriate staff or legal counsel. If deemed necessary, the City will notify and fully cooperate with the appropriate law enforcement agency. Any investigation resulting in the finding of fraud or corruption will be reported to the City Council.

If an employee is determined to have acted maliciously or with deceit in making a false accusation, the employee will be subject to disciplinary action.

If suspected fraud involves programs funded in whole or in part with federal funds, additional responsibilities, such as special reporting and disclosure to the awarding agency, may apply to the organization. It is the policy of the City of St. Helena to fully comply with all additional reporting, disclosure and other requirements pertaining to suspected acts of fraud.

C. Deterring Fraud and Corruption

The City has established internal controls, policies and procedures in an effort to deter, prevent, and detect fraud and corruption.

All new employees are subject to background investigations including a criminal background check. Prior to making an offer of employment to any applicant, the City will also verify some or all of the following items: employment history, education, and personal references.

All vendors, contractors, and suppliers must be in good standing, and authorized to transact business in the state of California. Vendors, contractors and suppliers are also subject to screening.

Contractual agreements with the City may contain provisions prohibiting fraudulent or corruptive acts and may include information about reporting fraud and corruption.

	City of St. Helena Council Policy Finance	Policy Fraud Policy
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City employees will receive fraud and corruption awareness training before the policy implementation and at least every 2 years. New employees will receive training as part of orientation at the commencement of employment.

D. Corrective Action

Final determination regarding action against an employee, vendor, recipient or other person found to have committed fraud or corruption will be made by the City Manager. If the fraud or corruption was found to include the involvement of the City Manager, the City Council will take appropriate action.

Offenders at all levels of the organization will be treated equally regardless of their position or years of service, position/title, or relationship with the City of St. Helena. Determinations will be made based on a finding of facts in each case, actual or potential damage to the organization, cooperation by the offender, and legal requirements.

Depending upon the seriousness of the offense and the facts of each individual case, action against an employee can range from written reprimand to legal action, either civil or criminal. In all cases involving monetary losses, the City will pursue any and all means of legal recovery.

E. Confidentiality

The City of St. Helena will treat all information received confidentially to the extent permitted by law. Investigation results will not be disclosed or discussed with anyone other than those who have a legitimate need to know. This is important in order to avoid damaging the reputations of persons suspected by subsequently found innocent of wrongful conduct and to protect the City of St. Helena from potential civil liability.

IV. Attachments

Agreement for Fraud Prevention and Detection Policy as a City of St. Helena Employee

By signing this agreement, I certify that I understand the terms and conditions of this agreement and the City's policy, and I accept responsibility for adhering to the agreement. I also understand that violations of the policy may result in disciplinary action as provided for in the City's Employee Handbook, including termination.

Employee Full Name: _____

Employee Signature: _____

Date: _____

P-FI-2013

Attachment 2

CITY OF ST. HELENA
RESOLUTION NO. 2018-__

Resolution approving City of St. Helena City Council Policy P-FI-0013 Fraud Prevention and Detection Policy and repealing and rescinding any previous policies or administrative memoranda which are inconsistent with City Council Policy P-FI-0013

RECITALS

- A. The City recognizes that fiscal policies and procedures are necessary for efficient, effective, and proper accounting of City spending; and
- B. City Council Policy P-FI-0013 Fraud Prevention and Detection Policy has been reviewed by City Council; and
- C. To avoid any inconsistencies with policy application, it is necessary to repeal and rescind any previous policies and procedures which conflict with City Council Policy P-FI-0013 Fraud Prevention and Detection Policy.

RESOLUTION

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

- 1. Approves City of St. Helena City Council Policy P-FI-0013 Fraud Prevention and Detection Policy; and
- 2. Repeals and rescinds any previous policies or administrative memoranda which are inconsistent with City Council Policy P-FI-0013 Fraud Prevention and Detection Policy.

Approved at a Regular Meeting of the St. Helena City Council on May 8, 2018, by the following vote:

Mayor Galbraith:

Vice Mayor White:

Councilmember Dohring:

Councilmember Koberstein:

Councilmember Ellsworth:

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Tzaopoulos, City Clerk



Report to the City Council
Council Meeting of May 8, 2018

Agenda Section: Consent Calendar

Subject: Consideration and approval of a resolution authorizing Amendment No. 1 to the Cooperative Joint Powers Agreement to Fund and Administer the Napa Countywide Stormwater Program (Napa Countywide Stormwater Pollution Prevention Program)

CEQA Not a CEQA project
Determination:

Prepared By: Michael Fontana, Environmental Services Tech

Reviewed By: Erica Ahmann Smithies, Public Works Director and City Engineer

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

Under State and Federal regulations, the City of St. Helena must comply with the National Pollution Discharge Elimination System (NPDES) through maintaining permit coverage under the State Water Resources Control Board's (SWRCB) Municipal Storm Water Permitting Program. The program regulates stormwater discharges from municipal separate storm sewer systems. The City of St. Helena is regulated under the Phase II permitting, which requires the City to obtain a general permit for Stormwater Discharges from Small Municipal Storm Sewer Systems (General MS4 Permit, Order No. 2013-0001).

The City of St. Helena has collaborated with the Napa Countywide Stormwater Pollution Prevention Program (NCSPPP) to participate in an ongoing regional permit compliance program. Included in the regional program along with the City of St Helena are the Napa County Flood Control and Water Conservation District (District), City of Calistoga, City of American Canyon, City of Napa, County of Napa and the Town of Yountville. Together the regional collaborative complies with stormwater regulatory requirements administered through the General MS4 Permit. The ongoing regional joint effort allows

participants to streamline permitting and leverage funds through the county wide program.

The existing JPA is expiring along with the five-year MS4 permit term. However, until the Regional Water Board releases a new updated MS4 permit, the City is obligated to continue to comply with the existing permit. It is anticipated that the Regional Water Board could take up to three years to complete and release the new permit and orders to comply.

DISCUSSION

City staff has worked with the NCSPPP and neighboring cities and town to develop the Cooperative Joint Powers Agreement. The St. Helena City Council previously approved the agreement with the Resolution 2015-2016. The existing JPA allows all members to execute the permit requirements more efficiently and effectively, and fund the countywide program based on the NCSPPP Agency's population size/assessed value. Under the program the District provides assistance, support and collaboration to the City related MS4 permit activities, including:

- Complying with stormwater permits
- Leveraging work of other North Bay permittees
- Fulfilling certain permit requirements jointly
- Cost sharing
- Providing nexus for regional and statewide collaboration and cost sharing

The agreement has allowed the City to streamline its financial responsibility for supporting work with the District. The term of the proposed amendment to the Agreement will expire June 30, 2021.

FISCAL IMPACT

The cost to implement this Agreement for Fiscal Year 2018/2019 is \$32,889 and it is included in the proposed budget. This resolution has no further fiscal impact. Future annual budgets for NCSPPP activities will be agreed upon by the NCSPPP agency Management Committee, and the City's cost share will be included in future annual budgets.

RECOMMENDED ACTION

Staff recommends that City Council adopt the attached resolution authorizing Amendment No. 1 to the Cooperative Joint Powers Agreement to Fund and Administer the Napa Countywide Stormwater Program (Napa Countywide Stormwater Pollution Prevention Program).

ATTACHMENTS

[JPA Amendment](#)

[JPA Resolution 2018](#)

FIRST AMENDMENT

TO

COOPERATIVE JOINT POWERS AGREEMENT
TO FUND AND ADMINISTER THE NAPA COUNTYWIDE STORMWATER
MANAGEMENT PROGRAM (NAPA COUNTYWIDE
STORMWATER POLLUTION PREVENTION PROGRAM)

THIS AMENDMENT NO. 1 TO COOPERATIVE JOINT POWERS AGREEMENT (this “Amendment”) is made and entered into as of this ____ day of _____ 2018, by and between the Napa County Flood Control and Water Conservation District, a special district of the State of California, (“DISTRICT”), the City of American Canyon, the City of Napa, the City of St. Helena, the City of Calistoga (collectively, “CITIES”), and the Town of Yountville (“TOWN”), and Napa County, a political subdivision of the State of California (“COUNTY”). DISTRICT, CITIES, TOWN, and COUNTY are also referred to herein collectively as “Parties.”

RECITALS

WHEREAS, on or about March 8, 2016, DISTRICT, CITIES, TOWN, and COUNTY entered into Cooperative Joint Powers Agreement for the funding and administration of the Napa Countywide Stormwater Pollution Prevention Program (NCSPPP) (the “Agreement”) [also known as Napa County Flood Control And Water Conservation District Agreement No. 463 (FC), Napa County Agreement No. 8437, City of Napa Agreement No. C2015 244, City of St. Helena Agreement No. 2015-106, City of Calistoga Agreement No. 641, City of American Canyon Agreement No. 2015-170, and Town of Yountville Agreement No. ____].

WHEREAS, the PARTIES desire to extend the term of this Agreement through fiscal year 2020-2021;

WHEREAS, the General MS4 Permit is effective through June 30, 2018, and may be administratively extended by the State Water Resources Control Board; however, the State Water Resources Control Board has not yet taken the necessary actions to extend the General MS4 Permit;

WHEREAS, the Parties wish to extend the term of this Agreement in anticipation that the State Water Resources Control Board will extend the General MS4 Permit; and,

WHEREAS, the Parties now wish to amend the Agreement to extend the term to June 30, 2021 to cover the time period in which the State Water Resources Control Board is anticipated to administratively extend and re-issue the General MS4 Permit.

///

TERMS

NOW THEREFORE, the Parties hereby amend the Agreement as follows:

1. Paragraph 1 of the Agreement is amended to read in full, as follows:
 1. **Term of the Agreement.** The term of this Agreement shall have commenced on March 8, 2016, and shall terminate on June 30, 2021. The term of this Agreement shall remain in full force and effect unless any of the Parties gives the other Parties written notice of intention to terminate in accordance with the provisions set forth in Paragraph 7(a) or 7(b).
2. Except as provided in section 1, above, all other terms and conditions of the Agreement shall remain in full force and effect.
3. This Amendment may be executed in multiple counterparts, each of which shall be deemed to be an original but all of which shall constitute one and the same Amendment.

IN WITNESS WHEREOF, the Parties have executed this Amendment of the Agreement as of the date first above written.

NAPA COUNTY, a political subdivision of
the State of California

By _____
BRAD WAGENKNECHT, Chair of the
Board of Supervisors

"COUNTY"

APPROVED AS TO FORM Office of County Counsel By: <u>Thomas S. Capriola</u> Deputy County Counsel Date: <u>March 27, 2018</u>	Clerk of the Board of Supervisors By: _____	APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS Date: _____ Processed By: _____ _____ Deputy Clerk of the Board
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CITY OF NAPA

By: _____
JILL TECHEL, Mayor
"CITY"

ATTEST: DOROTHY ROBERTS
City Clerk

By: _____

COUNTERSIGNED:
DESIREE BRUN, City Auditor

By: _____

APPROVED AS TO FORM:
MICHAEL BARRETT, City Attorney

By: _____

CITY OF ST. HELENA

By: _____
ALAN GALBRAITH, Mayor
"CITY"

ATTEST: CINDY TZAFPOULOS
City Clerk

By: _____

APPROVED AS TO FORM:
THOMAS B. BROWN,
City Attorney

By: _____

CITY OF CALISTOGA

By: _____
CHRIS CANNING, Mayor
"CITY"

ATTEST: KATHY FLAMSON,
City Clerk

By: _____

APPROVED AS TO FORM:
MICHELLE KENYON,
City Attorney

By: _____

CITY OF AMERICAN CANYON

By: _____
LEON GARCIA, Mayor
"CITY"

ATTEST: CHERRI WALTON
Deputy City Clerk

By: _____

APPROVED AS TO FORM:
WILLIAM D. ROSS,
City Attorney

By: _____

TOWN OF YOUNTVILLE

By: _____
JOHN F. DUNBAR, Mayor
"TOWN"

ATTEST: MICHELLE DAHME,
Town Clerk

By: _____

APPROVED AS TO FORM:
MICHAEL COBDEN, Town Attorney

By: _____

NAPA COUNTY FLOOD CONTROL AND
WATER CONSERVATION DISTRICT, a
special district of the State of California

By: _____
BRAD WAGENKNECHT
Chairperson of the Board of Directors

“DISTRICT”

APPROVED AS TO FORM Office of District Counsel By: <u>Shana A. Bagley (e-sign)</u> District Counsel Date: <u>March 27, 2018</u>	APPROVED BY THE BOARD OF DIRECTORS OF THE NAPA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT Date: _____ Processed By: _____ _____ Deputy Secretary of the District Board	ATTEST: 's Secretary of the District Board By: _____
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ATTACHMENT 1

CITY OF ST. HELENA

RESOLUTION NO. 2018-____

Authorizing Amendment No. 1 to the Cooperative Joint Powers Agreement to fund and administer the Napa Countywide Stormwater Management Program through Fiscal year 2018-2021

RECITALS

- A. With Resolution 2003-82, the City of St. Helena entered into the original agreement for a Joint Powers Authority (JPA) for the Napa County Stormwater Management Program (NCSMP); and
- B. With Resolutions 2004-60, 2005-117, 2007-104, 2009-14, 2010-42, 2012-68, and 2013-54, the City Approved amendments to the original JPA agreement; and
- C. State of California Phase II Small MS4 General Permit (Order No. 2013-0001), increased compliance and cost of compliance for all permittees; and
- D. The City Attorney reviewed and approved the amendment; and
- E. The City of St. Helena's cost-share amount for each year of the program has been approved during the City's annual budget approval process.

RESOLUTION

The City Council of St. Helena hereby resolves as follows:

- 1. Amendment No. 1 to the Cooperative Joint Powers Agreement to Fund and Administer the Napa Countywide Stormwater Program (Napa Countywide Stormwater Pollution Prevention Program) is approved.

Approved at a Regular Meeting of the St. Helena City Council on May 8, 2018 by the following vote:

Mayor Galbraith: _____
 Vice Mayor White: _____
 Councilmember Dohring: _____
 Councilmember Ellsworth: _____
 Councilmember Koberstein: _____

APPROVED:

ATTEST:

 Alan Galbraith
 Mayor

 Cindy Tzafopoulos
 City Clerk



Report to the City Council
Council Meeting of May 8, 2018

Agenda Section: Consent

Subject: Staff recommends the City Council authorize the City Manager to execute a Production Agreement with Zambelli Fireworks in the amount of \$40,000.00 for the City-sponsored July 4, 2017 fireworks show.

CEQA Determination: Not a CEQA project

Prepared By: Andre Pichly, Recreation Director

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

Since 2015, the Recreation Department has been proud to host the 4th of July Fireworks at Crane Park. A Request for Proposals process was conducted to identify a vendor who could articulate qualifications that meet City standards and provide use the most competitive price. Two bids were received and after review, Zambelli Fireworks was selected. Zambelli Fireworks has been the vendor for this event the last two years and has over 100 years of experience in the pyrotechnics industry

In 2015, 2016, and 2017, the Parks & Recreation Commission was able to raise approximately \$104,000 thanks to the generosity of our citizens and businesses. In 2017, the Parks and Recreation Commission requested that the City contribute approximately 50% of the fireworks contract amount. This is because the fundraising was intended to be a temporary funding solution during tough balanced budgets. The proposed Fiscal Year 2018/19 budget includes a transfer from the General Fund to cover the entire cost of the fireworks show; however, it is the intent of the Recreation Department and the Parks and Recreation Commission to continue 2018 fundraising efforts to help offset the cost of the fireworks show and to reduce the burden on the City budget, perhaps by as much as 50%.

DISCUSSION

For the 2018 show, City staff will work with Zambelli Fireworks for a pyrotechnics display similar in scope to the 2017 event. This includes a manually fired show that will last approximately 15 – 18 minutes with a total of 11,758 elements fired. The show will use the display shells that are 2.5 inches which have a smaller fallout zone than larger shells to reduce the impact to nearby properties and clean-up costs.

Zambelli will provide licensed pyrotechnic operators, insurance coverage, and obtain the necessary City permit for the show. Because Independence Day is four days into the new fiscal year, the contract must be signed during the City's budget process. By approving this resolution, the City is committing to \$40,000 from the FY 18/19 City Budget to pay for the contract.

FISCAL IMPACT

The Zambelli Fireworks agreement will not exceed \$40,000; funding for the agreement is included in the proposed FY 2018/19 budget.

RECOMMENDED ACTION

Staff recommends the City Council authorize the City Manager to execute a Production Agreement with Zambelli Fireworks in the amount of \$40,000.00 for the City-sponsored July 4, 2017 fireworks show.

ATTACHMENTS

[PSA Zambelli 2018 and proposal](#)

[RFP Fireworks 2018](#)

[Resolution Zambelli Fireworks 2018](#)

Attachment A

AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT, made and entered into on May 8, 2018 by and between the City of St. Helena, located in the County of Napa, State of California (City), and Zambelli Fireworks (Contractor).

RECITALS:

A. City desires to employ Contractor to furnish professional services in connection with the event described as July 4th Fireworks Show.

B. Contractor has represented that Contractor has the necessary expertise, experience, and qualifications to perform the required duties.

NOW, THEREFORE, in consideration of the mutual premises, covenants, and conditions herein contained, the parties agree as follows:

SECTION 1 – BASIC SERVICES

Contractor agrees to perform the services set forth in **Exhibit A, “Scope of Work”** and made part of this Agreement.

SECTION 2 – ADDITIONAL SERVICES

Contractor shall not be compensated for any services rendered in connection with its performance of this Agreement that are in addition to or outside of those set forth in this Agreement or **Exhibit A, “Proposal”**, unless such additional services and compensation are authorized in advance and in writing by the City Council or City Manager of the City.

SECTION 3 – TIME FOR COMPLETION

The time for completion of services shall be as identified in **Exhibit A, “Proposal”**.

SECTION 4 – COMPENSATION AND METHOD OF PAYMENT

A. Subject to any limitations set forth in this Agreement, City agrees to pay Contractor the amount specified in **Exhibit A, “Proposal”** attached hereto and made a part hereof. Total compensation shall not exceed \$40,000, unless additional compensation is approved in accordance with Section 2.

B. Contractor shall furnish to City an original invoice for all work performed and expenses incurred during the preceding month. The invoice shall detail charges by the following categories if applicable: labor (by sub-category), travel, materials, equipment, supplies, subContractor contracts, and miscellaneous expenses. City shall independently review each invoice submitted to determine whether the work performed and expenses incurred are in compliance with the provisions of this Agreement. If no charges or expenses are disputed, the invoice shall be approved, and City will use its best efforts to cause Contractor to be paid within 30 days of receipt of invoice. If the City disputes any charges or expenses, the City will return

Page 1 of 10

PSA – Zambelli 2018

the original invoice to Contractor for correction and resubmission. If the City reasonably determines, in its sole judgment, that the invoiced charges and expenses exceed the value of the services performed to date and that it is probable that the Agreement will not be completed satisfactorily within the contract price, City may retain all or a portion of the invoiced charges and expenses. Within thirty (30) days of satisfactory completion of the project, City shall pay the retained amount, if any, to Contractor.

C. Payment to the Contractor for work performed pursuant to this Agreement shall not be deemed to waive any defects in work performed by Contractor.

SECTION 5 – STANDARD OF PERFORMANCE

Contractor represents and warrants that it has the qualifications, experience and facilities necessary to properly perform the services required under this Agreement in a thorough, competent and professional manner. Contractor shall at all times faithfully, competently and to the best of its ability, experience and talent, perform all services described herein. In meeting its obligations under this Agreement, Contractor shall employ, at a minimum, generally accepted standards and practices utilized by persons engaged in providing services similar to those required of Contractor under this Agreement.

SECTION 6 – INSPECTION AND FINAL ACCEPTANCE

City may inspect and accept or reject any of Contractor's work under this Agreement, either during performance or when completed. City shall reject or finally accept Contractor's work within sixty (60) days after submitted to City, unless the parties mutually agree to extend such deadline. City shall reject work by a timely written explanation, otherwise Contractor's work shall be deemed to have been accepted. City's acceptance shall be conclusive as to such work except with respect to latent defects and fraud. Acceptance of any of Contractor's work by City shall not constitute a waiver of any of the provisions of this Agreement including, but not limited to, the sections pertaining to indemnification and insurance.

SECTION 7 – INSURANCE REQUIRED

Contractor shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Contractor, its agents, representatives, or employees, as indicated:

- A. Minimum Scope of Insurance. Coverage shall be at least as broad as:
 1. Insurance Services Office Commercial General Liability coverage (occurrence form CG 0001).
 2. Insurance Services Office form number CA 0001 (Ed. 1/87) covering Automobile Liability, code 1 (any auto).
 3. Workers' Compensation insurance as required by the State of California and Employer's Liability Insurance.
- B. Minimum Limits of Insurance. Contractor shall maintain limits no less than:

1. General Liability: \$5,000,000 per occurrence for bodily injury, personal injury and property damage including operations, products and completed operations, as applicable. If Commercial General Liability Insurance or other form with a General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit – \$10,000,000.
2. Automobile Liability: \$2,000,000 per accident for bodily injury and property damage.
3. Employer's Liability: \$2,000,000 per accident for bodily injury or disease.

C. Professional Liability Insurance. When Contractor under this Agreement is duly licensed under California Business and Professions Code as an architect, landscape architect, environmental engineer or other professional engineer, or land surveyor ("design professional"), Contractor shall maintain at least \$2,000,000 of professional liability insurance.

D. Excess Limits. If Contractor maintains higher limits than the minimums shown above, City requires and shall be entitled to coverage for the higher limits maintained by Contractor. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the City.

E. Primary Coverage. For any claims related to this contract the Contractors insurance coverage shall be primary insurance as respects to City, its officers, officials, employees and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees, or volunteers shall be excess of Contractors insurance and shall not contribute with it.

F. Deductibles and Self-Insured Retentions. Any deductibles or self-insured retentions of \$25,000 or greater must be declared to and approved by the City.

G. Other Insurance Provisions. The commercial general liability and automobile liability policies are to contain, or be endorsed to contain, the following provisions:

1. The City, its agent, officers, officials, employees, and volunteers are to be covered as additional insured as respects: liability arising out of work or operations performed by the Contractor or Contractor's subContractors; or automobile owned, leased, hired or borrowed by the Contractor.
2. For any claims related to Contractor's conduct while performing the work of this project, the Contractor's insurance coverage shall be primary insurance as respects the City, its agents, officers, officials, employees and volunteers. Any insurance or self-insurance maintained by the City, its agents, officers, officials, employees or volunteers shall be excess of the Contractor's insurance and shall not contribute with it.
3. Each insurance policy required by this clause shall be endorsed to state that coverage shall not be cancelled by either party, except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the City.

4. Coverage shall not extend to any indemnity coverage for the active negligence of the additional insured in any case where an agreement to indemnify the additional insured would be invalid under Subsection (b) of Section 2782 of the Civil Code.

H. Waiver of Subrogation. Contractor's commercial general liability, automobile liability, workers' compensation, and employer's liability policies shall be endorsed with a waiver of subrogation. The insurance company, in its endorsement, agrees to waive all rights of subrogation against the City, its agents, officers, officials, employees and volunteers for losses paid under the terms of this policy which arises from the work performed by the named insured for the City.

I. The Acceptability of Insurers. Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A: VII, unless otherwise acceptable to the City.

J. Verification of Coverage. Contractor shall furnish the City with original certificates and amandatory endorsements effecting coverage required by this clause. The endorsements should be on forms provided by the City or on forms that conform to City requirements. All certificates and endorsements are to be received and approved by the City before work commences. The City reserves the right to require complete, certified copies of all required insurance policies, including endorsements affecting the coverage required by these specifications at any time.

SECTION 8 – INDEMNIFICATION

A. Contractor shall indemnify and hold harmless City, its agents, officers, officials, employees, and volunteers from any and all claims, demands, suits, loss, damages, injury, and/or liability (including any and all costs and expenses in connection therewith), incurred by reason of any negligent or otherwise wrongful act or omission of Contractor, its officers, agents, employees and subcontractors, or any of them, under or in connection with this Agreement; and Contractor agrees at its own cost, expense and risk to defend any and all claims, actions, suits, or other legal proceedings brought or instituted against City, its agents, officers, officials, employees and volunteers, or any of them, arising out of such negligent or otherwise wrongful act or omission, and to pay and satisfy any resulting judgments.

B. When Contractor under this Agreement is duly licensed under California Business and Professions Code as an architect, landscape architect, professional engineer, or land surveyor ("design professional"), the provisions of this section regarding Contractor's duty to defend and indemnify apply only to claims that arise out of or relate to the negligence, recklessness, or willful misconduct of the design professional.

C. If any action or proceeding is brought against Indemnitees by reason of any of the matters against which Contractor has agreed to indemnify Indemnitees as provided above, Contractor, upon notice from City, shall defend Indemnitees at Contractor's expense by counsel acceptable to City, such acceptance not to be unreasonably withheld. Indemnitees need not have first paid for any of the matters to which Indemnitees are entitled to Indemnification in order to be so indemnified. The insurance required to be maintained by Contractor shall ensure Contractor's obligations under this section, but the limits of such insurance shall not limit the

liability of Contractor hereunder. The provisions of this section shall survive the expiration or earlier termination of this Agreement.

D. The provisions of this section do not apply to claims to the extent occurring as a result of the City's sole negligence or willful acts or misconduct.

SECTION 9 – INDEPENDENT CONTRACTOR STATUS

A. Contractor is and shall at all times remain a wholly independent contractor and not an officer, employee or agent of City. Contractor shall have no authority to bind City in any manner or to incur an obligation, debt or liability of any kind on behalf of or against City, whether by contract or otherwise, unless such authority is expressly conferred under this Agreement or is otherwise expressly conferred in writing by City.

B. The personnel performing the services under this Agreement on behalf of Contractor shall at all times be under Contractor's exclusive direction and control. Neither City, nor any elected or appointed boards, officers, officials, employees or agents of City, shall have control over the conduct of Contractor or any of Contractor's officers, employees or agents, except as set forth in this Agreement. Contractor shall not at any time or in any manner represent that Contractor or any of Contractor's officers, employees or agents are in any manner officials, officers, employees or agents of City.

C. Neither Contractor, nor any of Contractor's officers, employees or agents, shall obtain any rights to retirement, health care or any other benefits which may otherwise accrue to City's employees. Contractor expressly waives any claim Contractor may have to any such rights.

SECTION 10 – CONFLICTS OF INTEREST

A. Contractor covenants that neither it, nor any officer or principal of its firm, has or shall acquire any interest, directly or indirectly, which would conflict in any manner with the interests of City or which would in any way hinder Contractor's performance of services under this Agreement. Contractor further covenants that in the performance of this Agreement, no person having any such interest shall be employed by it as an officer, employee, agent, or subcontractor without the express written consent of the City Manager. Contractor agrees to at all times avoid conflicts with the interests of City in the performance of this Agreement.

B. City understands and acknowledges that Contractor is, as of the date of execution of this Agreement, independently involved in the performance of non-related services for other governmental agencies and private parties. Contractor is aware of any stated position of City relative to such projects. Any future position of City on such projects shall not be considered a conflict of interest for purposes of this section.

SECTION 11 – OWNERSHIP OF DOCUMENTS

A. All original maps, models, designs, drawings, photographs, studies, surveys, reports, data, notes, computer files, files and other documents prepared, developed or discovered by Contractor in the course of providing any services pursuant to this Agreement shall become the sole property of City and may be used, reused or otherwise disposed of by City without the

permission of the Contractor. When requested by City, but no later than three years after project completion, Contractor shall deliver to City all such original maps, models, designs, drawings, photographs, studies, surveys, reports, data, notes, computer files, files and other documents.

B. All copyrights, patents, trade secrets, or other intellectual property rights associated with any ideas, concepts, techniques, inventions, processes, improvements, developments, works of authorship, or other products developed or created by Contractor during the course of providing services (collectively the “Work Product”) shall belong exclusively to City. The Work Product shall be considered a “work made for hire” within the meaning of Title 17 of the United States Code. Without reservation, limitation, or condition, Contractor hereby assigns, at the time of creation of the Work Products, without any requirement of further consideration, exclusively and perpetually, any and all right, title, and interest Contractor may have in the Work Product throughout the world, including without limitation any copyrights, patents, trade secrets, or other intellectual property rights, all rights of reproduction, all rights to create derivative works, and the right to secure registrations, renewals, reissues, and extensions thereof.

SECTION 12 – CONFIDENTIAL INFORMATION; RELEASE OF INFORMATION

A. All information gained or work product produced by Contractor in performance of this Agreement shall be considered confidential, unless such information is in the public domain or already known to Contractor. Contractor shall not release or disclose any such information or work product to persons or entities other than City without prior written authorization from the City Manager, except as may be required by law.

B. Contractor, its officers, employees, agents or subcontractors, shall not, without prior written authorization from the City Manager or unless requested by the City Attorney of City, voluntarily provide declarations, letters of support, testimony at depositions, response to interrogatories or other information concerning the work performed under this Agreement. Response to a subpoena or court order shall not be considered “voluntary” provided Contractor gives City notice of such court order or subpoena.

C. If Contractor, or any officer, employee, agent or subcontractor of Contractor, provides any information or work product in violation of this Agreement, then City shall have the right to reimbursement and indemnity from Contractor for any damages, costs and fees, including attorneys fees, caused by or incurred as a result of Contractor’s conduct.

D. Contractor shall promptly notify City should Contractor, its officers, employees, agents or subcontractors be served with any summons, complaint, subpoena, notice of deposition, request for documents, interrogatories, request for admissions or other discovery request, court order or subpoena from any party regarding this Agreement and the work performed thereunder. City retains the right, but has no obligation, to represent Contractor or be present at any deposition, hearing or similar proceeding. Contractor agrees to cooperate fully with City and to provide City with the opportunity to review any response to discovery requests provided by Contractor. However, this right to review any such response does not imply or mean the right by City to control, direct, or rewrite such response.

SECTION 13 – SUSPENSION OF WORK

City may, at any time, by ten (10) days written notice suspend further performance by Contractor. All suspensions shall extend the time schedule for performance in a mutually satisfactory manner and Contractor shall be paid for services performed and reimbursable expenses incurred prior to the suspension date.

SECTION 14 – COMPLIANCE WITH LAW

Contractor shall keep itself informed of and comply with all applicable federal, state and local laws, statutes, codes, ordinances, regulations and rules in effect during the term of this Agreement. Contractor shall obtain any and all licenses, permits and authorizations necessary to perform the services set forth in this Agreement. Neither City, nor any elected or appointed boards, officers, officials, employees or agents of City, shall be liable, at law or in equity, as a result of any failure of Contractor to comply with this section.

SECTION 15 – COMPLIANCE WITH CIVIL RIGHTS

During the performance of this contract, Contractor agrees as follows:

A. Equal Employment Opportunity. In connection with the execution of this Agreement, Contractor shall not discriminate against any employee or applicant for employment because of race, religion, color, ancestry, age, sexual orientation, gender, gender identity and gender expression as protected categories specifically and expressively in that category, physical handicap, medical condition, marital status, sex, or national origin. Such actions shall include, but not be limited to, the following: employment, promotion, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rate of pay or other forms of compensation; and selection for training including apprenticeship.

B. Nondiscrimination Civil Rights Act of 1964. Contractor will comply with all federal regulations relative to nondiscrimination to federally-assisted programs.

C. Solicitations for Subcontractors including Procurement of Materials and Equipment. In all solicitations, either by competitive bidding or negotiations, made by Contractor for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor, supplier, or lessor shall be notified by Contractor of Contractor's obligations under this Agreement and the regulations relative to nondiscrimination.

SECTION 16 – RECORDS

A. Records of Contractor's direct labor costs, payroll costs, and reimbursable expenses pertaining to this project covered by this Agreement will be kept on a generally recognized accounting basis and made available to City if and when required for a period of up to 3 years from the date of Contractor's final invoice.

B. Contractor's records and design calculations will be available for examination and audit if and as required. The cost of any reproductions shall be paid by City.

SECTION 17 – COOPERATION BY CITY

All public information, data, reports, records, and maps as are existing and available to City as public records, and which are necessary for carrying out the work as outlined in the Exhibit A, "Scope of Services", shall be furnished to Contractor in every reasonable way to facilitate, without undue delay, the work to be performed under this Agreement.

SECTION 18 – NOTICES

All notices required or permitted to be given under this Agreement shall be in writing and shall be personally delivered, or sent by facsimile or first class mail, addressed as follows:

To City: City Manager
1480 Main Street
St. Helena, California 94574

To Contractor: Zambelli Fireworks
PO Box 986
Shafter, CA 93263

Notice shall be deemed effective on the date personally delivered or transmitted by facsimile, or, if mailed, three (3) days after deposit in the custody of the U.S. Postal Service.

SECTION 19 – TERMINATION

A. City may terminate this Agreement, with or without cause, at any time by giving ten (10) days written notice of termination to Contractor. If such notice is given, Contractor shall cease immediately all work in progress.

B. If either Contractor or City fail to perform any material obligation under this Agreement, then, in addition to any other remedies, either Contractor, or City may terminate this Agreement immediately upon written notice.

C. Upon termination of this Agreement by either Contractor or City, all property belonging to City which is in Contractor's possession shall be delivered to City. Contractor shall furnish to City a final invoice for work performed and expenses incurred by Contractor, prepared as set forth in this Agreement.

SECTION 20 – ATTORNEY FEES

If litigation or other proceeding is required to enforce or interpret any provision of this Agreement, the prevailing party in such litigation or other proceeding shall be entitled to an award of reasonable attorneys' fees, costs and expenses, in addition to any other relief to which it

may be entitled. In addition, any legal fees, costs and expenses incurred to enforce the provisions of this Agreement shall be reimbursed to the prevailing party.

SECTION 21 – ENTIRE AGREEMENT

This Agreement, including the attached Exhibits, is the entire, complete, final and exclusive expression of the parties with respect to the matters addressed therein and supersedes all other agreements or understandings, whether oral or written, or entered into between Contractor and City prior to the execution of this Agreement. No statements, representations or other agreements, whether oral or written, made by any party which are not embodied herein shall be valid and binding unless in writing duly executed by the parties or their authorized representatives.

SECTION 22 – SUCCESSORS AND ASSIGNS

This Agreement shall be binding on the heirs, executors, administrators, successors and assigns of the parties. However, this Agreement shall not be assigned by Contractor without written consent of the City.

SECTION 23 – CONTINUITY OF PERSONNEL

Contractor shall make every reasonable effort to maintain the stability and continuity of Contractor's staff assigned to perform the services required under this Agreement. Contractor shall notify City of any changes in Contractor's staff assigned to perform the services required under this Agreement, prior to any such performance.

SECTION 24 – DEFAULT

In the event that Contractor is in default under the terms of this Agreement, the City shall not have any obligation or duty to continue compensating Contractor for any work performed after the date of default and may terminate this Agreement immediately by written notice to Contractor.

SECTION 25 – WAIVER

Waiver by any party to this Agreement of any term, condition, or covenant of this Agreement shall not constitute a waiver of any other term, condition, or covenant. Waiver by any party of any breach of the provisions of this Agreement shall not constitute a waiver of any other provision, nor a waiver of any subsequent breach or violation of any provision of this Agreement. Acceptance by City of any work or services by Contractor shall not constitute a waiver of any of the provisions of this Agreement.

SECTION 26 – LAW TO GOVERN; VENUE

This Agreement shall be interpreted, construed and governed according to the laws of the State of California. In the event of litigation between the parties, venue in state trial courts shall lie exclusively in the County of Napa. In the event of litigation in a U.S. District Court, venue shall lie exclusively in the Northern District of California, in San Francisco.

SECTION 27 – SEVERABILITY

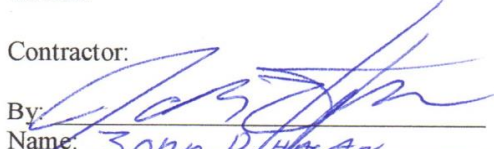
If any term, condition or covenant of this Agreement is declared or determined by any court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of this Agreement shall not be affected thereby and the Agreement shall be read and construed without the invalid, void or unenforceable provision(s).

SECTION 28 – SPECIAL PROVISIONS

This Agreement is subject to the following special provisions: none.

IN WITNESS WHEREOF, the parties hereto have accepted, made, and executed this Agreement upon the terms, conditions, and provisions above stated, the day and year first above written.

Contractor:

By: 
Name: John D. Hansen
Title: project manager

City:

By: _____
Name: Mark T. Prestwich
Title: City Manager

Approved as to Form:

By: _____
Name: Thomas B. Brown
Title: City Attorney



Cover Letter/Executive Summary

Zambelli

FIREWORKS

April 2, 2018

Mr. John D. Hagan.
West Coast Project Manager, Zambelli Fireworks

Darric Carney
Sales Support Specialist, Zambelli Fireworks.

Subject: Submittal: Request for proposal fireworks display

City of St. Helena,

I would like to thank you for providing Zambelli Fireworks with the opportunity to design a display package for your upcoming 4th of July fireworks Celebration. We acknowledge receipt of any and all addendums to the RFP sent out by the city.

I have provided an exciting fast paced display option for your consideration. This program suggests our initial considerations as to show design and describes basic product types and quantities. Our design is consistent with your spectator viewing area near the Crane Park launch location.

Zambelli Fireworks will provide all equipment and labor, acquire all permissions and security mandated by authorities having jurisdiction, reserve all transportation required, Workman's Compensation in addition to liability insurance for your fireworks display. I have attached to this proposal a copy of our sample insurance certificate. Zambelli uses the highest insurance premium in the industry, only offered to "AAA" rated companies. We carry \$1 Million dollars per incident clause to cover the Fireworks Display along with \$9 Million dollars of excess liability.

We have taken into account all the aspects that are involved with producing a display at your location in Crane Park. The product we selected will be maximized to afford you the best viewing from your location while minimizing the debris fallout to the adjacent areas. We have also been certain to include Zambelli's specialty effect colors and themed multi shot devices that will be adding a special touch to your fireworks display. This display package will be firing our multi shot devices that throw several hits in the air every second. This will certainly keep the sky filled for the duration of this rapid paced display. We will also be adding our "signature" Zambelli finale that will leave your spectators breathless as we launch hundreds of shots into the air in a giant finale conclusion.

As a representative of the one of the nation's premier and oldest firework companies I can assure you I have done my best to provide you with a quote that we feel you will get the "most bang for your buck".

I welcome any questions you may have and I thank you for considering our company to be part of your very special Independence Day celebration.

Sincerely,
John D Hagan
West Coast Project Manager
Zambelli Fireworks
P.O Box 986 Shafter, CA 93263
Office: 1-800-322-7142
Cell: 502-220-7944
jhagan@zambellifireworks.com
www.zambellifireworks.com



EXPERIENCE AND QUALIFICATIONS

Zambelli

FIREWORKS

The corporate headquarters and main plant operations are based in New Castle, PA. The southeast regional office is located in Boca Raton, FL and the western office is located in Bakersfield, CA. Zambelli Fireworks currently employs over 40 full-time individuals and thousands of trained qualified pyrotechnicians. All full-time staff and technicians working with your display will be fully trained, federally approved, Zambelli employees.

The Zambelli family has manufactured the highest quality fireworks and has presented artistic excellence in fireworks displays for over 100 years.

The Zambelli name is recognized and respected, worldwide Competitors strive to achieve the name recognition that Zambelli Fireworks commands today.

Zambelli Fireworks is known worldwide for setting the industry standard in show design and technology.

George Zambelli, Sr. was the pioneer of Zambelli Fireworks for over 65 years. His father, Antonio Zambelli, brought the artistry to New Castle, PA from Italy.

Experience means quality. Zambelli Fireworks is proud to have a number of individuals who have made long careers within the pyrotechnics industry. The Senior Plant Manager has over 35 years' experience in fireworks, the Senior Choreographer/Show Designer has over 25 years' experience in fireworks, and the Senior Product Manager has over 25 years' experience choosing the highest quality shells and equipment. These individuals' dedication to the artistry of pyrotechnics creates a scenario for quality fireworks shows for every client, large and small.

All of our display technicians have attended Zambelli Fireworks' extensive training program and have met all of the rigorous safety procedures, which exceed state and federal requirements. We offer a number of different training courses with extensive classroom and hands-on training, per year, around the country. New technicians must also work alongside experienced technicians to gain competence and meet the highest safety, regulatory, and overall performance standards.

Zambelli Fireworks is proud to be the largest fireworks company in the United States. However, we cannot rest on our laurels by simply being the largest. We must prove our quality and customer satisfaction to every client, on every show, every time. Clients trust us to successfully produce thousands of displays every year. Our goal is to outperform with every show, large or small. Zambelli has produced the firework display at Crane Park for three years running. We have developed a great working relationship with the St Helena parks department, local law enforcement, fire department and the many folks that make this display come together. We have been proactive in selecting materials that minimizes the fallout associated with fireworks displays. Special consideration is paid to the adjacent school fields as well and the neighboring vineyards. Our crews follow tight protocols concerning wind speeds and drift distance for the material they are using to have as little impact on the surrounding area as possible.

Zambelli

FIREWORKS

Zambelli Team Organizational Chart:

- John Hagan- Senior project manager.
20 years in field and office operations for Zambelli Fireworks.
Certified and licensed pyrotechnician in several states including current CA license.
Certified trainer for pyrotechnic operators
Knowledge on NFPA recommendations for fireworks as well as CA fire code title 19
- Darric Carney-sales and field support for display operations.
5 year holder of the California fireworks operators' license.
Licensed firework operator for the state of Nevada
3 years' experience as lead operator of the St Helena fireworks display
- Tim Jamieson-lead operator for proposed display.
20 year employee of Zambelli
Perfect safety record
Well versed in CA title 19 as well as NFPA recommendations
Familiarity with environment protocols and expectations
Has fired displays successfully in St Helena in previous years for Zambelli

Zambelli commitment to safety:

- All Zambelli crews undergo annual safety training and state certification
- All Zambelli crew follow strict safety protocols that mandate proper PPE be worn
- Zambelli determines product based on 100 foot per inch of product diameter. This exceeds the recommendations of the NFPA 1123.
- All product is selected to minimize drift and reduce extended burning of paper debris.
- Plastic bags and components that can be safely removed from devices will be done to minimize any residual debris associated with the display.
- Zambelli crew follow strict protocols when placing firing equipment or devices so that in the event a catastrophic incident no material will project in or towards the spectators areas.
- Site safety and security is a top priority. No persons other than Zambelli crew and the AHJ are to be permitted in the launch zone or the fallout zone during and immediately after the firing off the display.
- Zambelli crews carry with them and are knowledgeable on how to in act the company's emergency action plan should an incident arise.
- All fireworks to be transported by Haz-Mat drivers in secure, locked and placard trucks according to DOT and state regulation.



Understanding of Event Scope & Detailed Work Plan

Zambelli

FIREWORKS

Zambelli understanding of operations:

- Zambelli team will execute and furnish a time line of events to all parties involved.
- Zambelli will furnish a clear and concise list of contacts in of chain command order of site and office representatives.
- Zambelli has demonstrated a willingness to assist with site security details at Crane Park in previous years.
- Zambelli has demonstrated an effectiveness in proper fire prevention techniques at Crane Park in previous years.
- Zambelli understands the need to minimize impact on the adjacent sports play area.
- Zambelli understands the importance of maintaining the good neighbor policy.
- Zambelli has worked to minimize debris while maximizing the visibility from all areas in Crane Park.

Zambelli Scope of work and plan:

- Zambelli has suggested using the playground and skate area in Crane Park to be considered for the approved launch zone. Safe set back distance for the fallout area are consistent with Zambelli use 100 feet per inch of product diameter.
- The following is a list of the product proposed by Zambelli to be used in the St Helena 4th July display. The largest diameter of multi shot (cakes) product to be used will be 1.5 inch diameter. The largest aerial firework shell to be used will be 2.5 inch diameter.
- See Exhibit 1 Titled “Site Plan” for more information on launching areas, safety perimeter, and fall-out zones.

Zambelli

FIREWORKS

OPENING BARRAGE

2.5 Inch Assorted Color & Salute Finale Display Shells	40
2.5 Inch Color Finale Display Shells	20
TOTAL NUMBER OF SHELLS IN OPENING	60

MAIN BODY OF PROGRAM

2.5 Inch Zambelli Floral Pattern Shells	150
2.5 Inch Zambelli Specialty Shells	150
2.5 Inch Zambelli Duration/Lingering Effect Shells	150
2.5 Inch Multi-Break Effect Shells	150
2.5 Inch Palm, Dahlia & Chrysanthemum Multi-Effect Shells	150
2.5 Inch Tourbillion & Serpent Effect Shells	150
TOTAL NUMBER OF TWO & HALF INCH SHELLS	900

ZAMBELLI GRAND FINALE

2.5 Inch Assorted Color Finale Display Shells	180
2.5 Inch Zambelli Specialty Finale Shells	180
2.5 Inch Titanium Salute Report Shells	180
TOTAL NUMBER OF GRAND FINALE SHELLS	540

TOTAL NUMBER OF SHELLS IN THE DISPLAY	1500
--	-------------

DEVICE DESCRIPTION	QUANTITY SHOTS
--------------------	----------------

ZAMBELLI MULTI SHOT DEVICES (CAKES)

Quantity three each:

35 Shot Fan Effect Thunder Tourbillions w/Mines	105
35 Shot Fan Effect Rainbow Dahlias w/Assorted Colored Tails	105
35 Shot Fan Effect Variegated Moons w/Titanium Reports and Tail	105
35 Shot Fan Effect Gold Brocade Waterfalls w/Gold Tails	105
35 Shot Fan Effect Green and Purple Moon Fan Box w/Green Tail	105
35 Shot Fan Effect Variegated Waterfall Fan Box	105
35 Shot Fan Effect Rainbow Crossettes w/Assorted Color Tails Fan Box	105
35 Shot Fan Effect Bright Popping Flowers w/Silver Tails Fan Box	105
35 Shot Fan Effect Red to Green Crossettes with Red Tails	105
35 Shot Fan Effect Gold Twinkling Kamuros	105

Quantity four each:

49 Shot Moons w/Titanium Reports and Tail	196
49 Shot Super Brocade w/Gold Tails Fan Box	196
49 Shot Silver Crossettes w/Silver Tails Fan Box	196

Zambelli

FIREWORKS

49 Shot Assorted Color Crossettes w/Assorted Color Tails Fan Box	196
49 Shot Colorful Flowers w/Silver Tails Fan Box	196
49 Shot Variegated Chrysanthemum w/Palm and Silver Tails Fan Box	196
49 Shot Thunder Tourbillions w/Red and Blue Mines Fan Box	196
49 Shot Green to Purple Moons w/Reports and Tail Fan Box	196
49 Shot Silver to Gold Crossettes w/Silver Tails Fan Box	196
49 Shot Crackling Palm Trees w/Silver Tails Fan Box	196
Quantity five each:	
100 Shot Variegated Chrysanthemum w/Palm and Silver Tails	500
100 Shot Red Crackling and Green Glittering w/Purple Mines	500
100 Shot Silver Crackling Flowers w/Silver Tails	500
100 Shot Brocade Crown w/Brocade Tail	500
100 Shot Silver Bees	500
100 Shot Loud Hammer Box	500
Quantity six each:	
300 Shot Finale Box	1800
Quantity six each:	
408 Shot Z-Shaped Assorted Color Pearls	2448
Total Multi Device Shots	10,258
Total Multi Shots and Shells in Display	<u>11,758</u>

- Zambelli Staffing shall include a crew of four:
 - Tim Jamison-lead operator and CA license holder
 - Ron Jamison –Haz-Mat transport labor set up, site security and labor for event tear down
 - Steve Watkins- labor site set up, display operator (shooter) labor event tear down
 - Paul Jarvi- labor set up, site security, fire watch, labor event tear down
- Zambelli will schedule with the AHJ for all necessary inspections of site, equipment and product.
- Zambelli will following established company protocols for life and safety.
- Zambelli team will work the AHJ to mitigate any fire danger. Team member's responsibilities manning approved water type extinguishers that are compliant with CA title 19. Removal or wetting down of surfaces likely to kindle an ignition. Maintain radio contact with all team member to better relay important fire concerns to AHJ. Zambelli team will utilize two members as "spotters" for the display, looking for falling or burning debris within the launch site. After the display, a walk around of the site and perimeters will be conducted to look for hot spots. Once area is determined to be free of hazards Zambelli will communicate "all clear" to the AHJ. Upon receiving an "all clear" from the AHJ Zambelli team will commence initial strike of display site.



COMMITMENT TO EVENT BUDGET

Zambelli

FIREWORKS

- Zambelli will commit to the event budget of \$40,000. Zambelli is confident in our ability to execute delivery, set up and display firing for the proposed budget. Zambelli implements specific protocols when determining display budgets using a method that is repeated several hundred times a year. Zambelli books all our delivery trucks months in advance to ensure availability as well as guaranteed pricing and rates. Zambelli is one of the largest fireworks importers into the United States. This, in conjunction with our in house manufacturing assures the most competitive pricing our firework product. We are able to assure our customer they are indeed getting the best service and most fireworks material for their budget.



Delivery Schedule and Timeline

Zambelli

FIREWORKS

Tuesday May 22

- Contract award date.

Monday May 28

- Zambelli to complete executed agreement.
- Zambelli will furnish to City a copy of Insurance documents to review.

Friday June 1

- Zambelli to submit permit for approval to AHJ.
- Zambelli to furnish a finalized timeline to all parties involved.

Monday July 2:

- Zam crew departs with two trucks from Shafter distribution yard en route to St Helena at noon.
- Zam crew arrives hotel in St Helena approx. 7pm.
- Truck parking and security is arranged and approved by lead operator.
- Zam crew rests for evening with exception of truck security
- Security remains 24 hours per day at secure firework parking facility.

Tuesday July 3:

- Zam crew departs hotel 8am for 9am arrival at Crane Park.
- Zam crew meets with all necessary parties and agencies.
- Zam crew conducts pre work safety meeting 10am and deploys water type extinguishers.
- Zam crew commences setting wooden mortar racks and ground preparations.
- 12:30pm Zam crew break lunch for one hour.
- 3pm Zam crew has wooden mortar racks secured leveled and prepared for product loading.
- 4pm Zam crew conducts a walkthrough of the display area to look for any potential hazards.
- 5pm Zam crew departs for hotel leaving security in place.
- Security remains 24 hours per day at secure firework parking facility.

Wednesday July 4:

- Zam crew departs hotel 8am for 9am arrival at Crane Park.
- Zam crew meets with all necessary parties and agencies.
- Zam crew conducts pre work safety meeting 10am
- All firework product boxes to be inspected and matched to the Zambelli manifest.
- Upon approval from AHJ Zam crew to commence with loading fireworks into mortar racks.
- 12:30pm Zam crew break lunch for one hour.
- 1:30pm Zam crew to start setting out low level product (cakes) as dictated by the site diagram.
- 3:00pm Zam crew to complete the running of electrical control wires to fireworks launch site.
- 4:00pm Zam crew upon approval from the AHJ will conduct a system continuity check.
- 5:00pm Zam crew to verify with customer and AHJ that display checks are complete and confirm the ability to fire at will.
- 5:30pm Zam crew breaks for dinner.

Zambelli

FIREWORKS

- 6:30pm Zam crew conducts another system continuity check
- 7:30pm system check to be completed by Zam crew
- 8:00pm Zam team leaders conduct one final safety meeting with team members
- 8:15pm all Zam members conduct a site safety sweep to identify and possible hazards or unauthorized persons.
- 8:50pm Zam crew verify with all parties an all-clear and ready to fire.
- 9pm display commences
- 9:15pm display finishes
- 9:50pm Zam crew clears mortars for unfired product.
- 10:15pm Zam crew completes site check looking for duds or hot spots.
- 11:00pm Zam crew completes preliminary cleaning of launch area
- Zam crew departs Crane Park with any remaining product en route to Shafter magazine
- 12:00am Zam crew arrive back at hotel

Thursday July 5:

- Zam crew departs hotel 8am for 9am arrival at Crane Park.
- Zam crew meets with all necessary parties and agencies.
- Zam crew conducts pre work safety meeting
- 10am Zam crew commences the loading of wooden racks into delivery trucks
- 12pm Zam crew break for lunch
- 1pm Zam crew to complete loading of equipment and begin racking and sweeping
- 3pm Zam crew to have finished removal of equipment and trash.
- 4pm Zam crew to complete one final policing of area to ensure no debris behind
- 5pm Zam crew departs Crane Park for Shafter with all associated trash and debris on board for disposal at home facility.



Proof of Insurance

Zambelli

FIREWORKS



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Allied Specialty Insurance, Inc. 10451 Gulf Blvd Treasure Island, FL 33706-4814	CONTACT NAME: Michelle Kugler	
	PHONE (A/C, No. Ext): 727-547-3070	FAX (A/C, No): 727-367-5695
INSURED ZAMBELLI FIREWORKS MFG CO, INC., ETAL 120 Marshall Drive, Warrendale, PA 15086	E-MAIL ADDRESS: mkugler@alliedspecialty.com	
	INSURER(S) AFFORDING COVERAGE	
	INSURER A: T.H.E. Insurance Company	NAIC # 12866
	INSURER B:	
	INSURER C:	
	INSURER D:	
INSURER E:		
INSURER F:		

COVERAGES		CERTIFICATE NUMBER:		REVISION NUMBER:		
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.						
INSR LTR	TYPE OF INSURANCE	ADDL INSUR	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PROJECT ☐ LOC OTHER:		CPP0103167-05	02/01/2018	02/01/2019	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ N/A PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 10,000,000 PRODUCTS - COMPIOP AGG \$ 2,000,000 Protection & Indemnity \$ 1,000,000
A	☒ AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY		CPP0103167-05	02/01/2018	02/01/2019	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	☒ UMBRELLA LIAB ☒ OCCUR ☒ EXCESS LIAB ☐ CLAIMS-MADE DED RETENTION \$		ELP0011081-05	02/01/2018	02/01/2019	EACH OCCURRENCE \$ 9,000,000 AGGREGATE \$ 9,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/ MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N ☐ N/A	Coverage is afforded in the State(s) of:			PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Inland Marine / Hull		CPP0103167-05	02/01/2018	02/01/2019	Hull Limit \$900,000 Show Limit \$1,500,000
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required) Display Date: Rain Date: Location: RE: General Liability, the following are named as additional insured in respects to the negligence of the named insured, excess is follow form:						

CERTIFICATE HOLDER 	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE

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Reference Review

Zambelli

FIREWORKS

The Monte Foundation

Kim Gallick- Executive Director Monte Foundation: 831-685-3317

kimgallick@aol.com

Lake Tahoe Labor Day- \$40,000

Display is shot off of a barge in Carnelian Bay, CA

Project Dates: Annual production start 8/2013-Present

2017 production start date September 2. Completion September 5 2017

Truckee Donner Parks and Recreation

Robert French- Fireworks Committee Chairman: 530-587-5500

ric12string@yahoo.com

Independence Day- \$25,000

Display fired over Donner Lake, Truckee CA

Project Dates: Annual production start 7/2010-Present

2017 production start date July 1. Completion July 5 2017

Blue Water Resort and Casino

Bill MacDonald- General Manager: 530-587-5500

bmacdonald@bluewaterfun.com

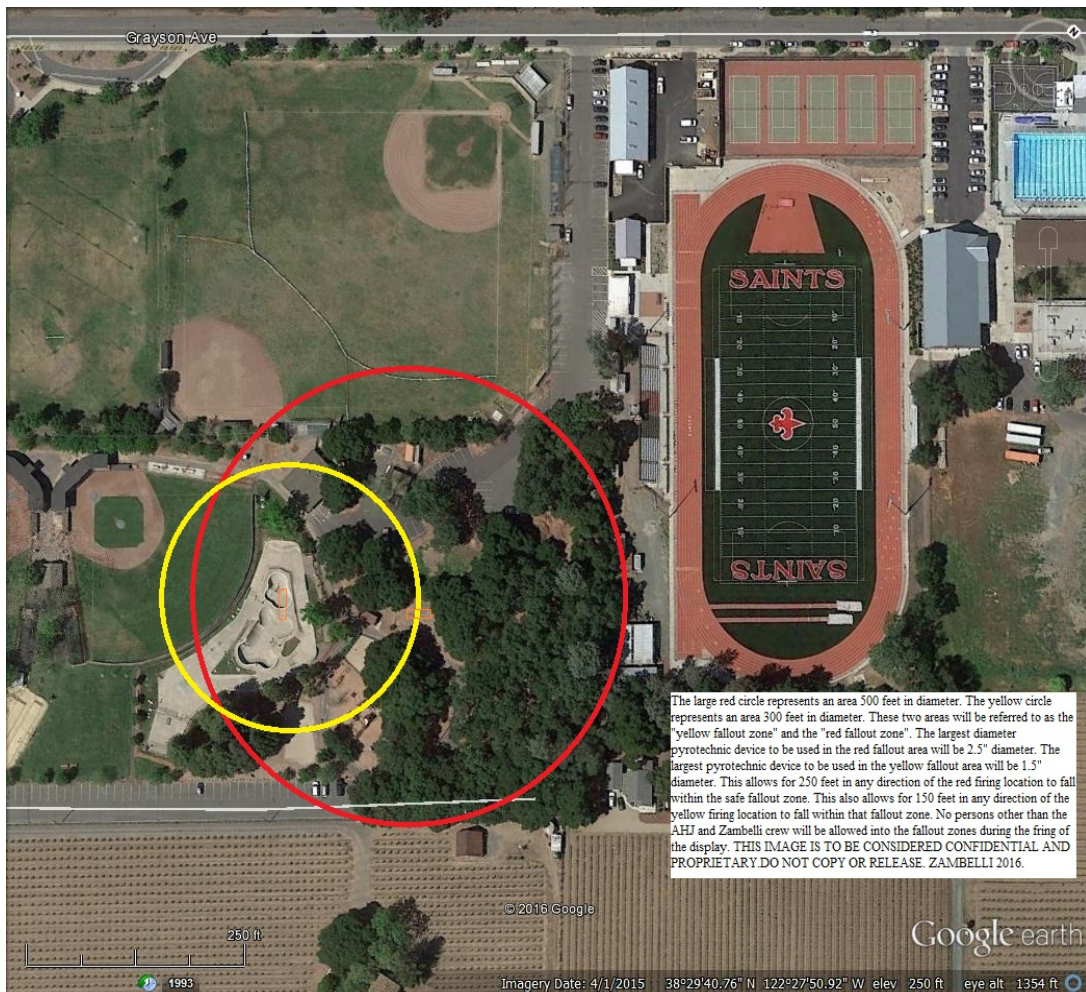
Independence Day- \$15,000

Display fired near Blue Water Casino on open dirt field

Project Dates: Production start 7/1. Completion July 5 2017

Zambelli FIREWORKS

Exhibit 1 “Site Plan”





CITY OF ST. HELENA
RECREATION DEPARTMENT

REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES

Fireworks Show for July 4, 2018

DATE ISSUED: Wednesday, March 21, 2018

DATE DUE: Thursday, April 5, 2018, 4PM

CONTACT: André Pichly, Director of Recreation
apichlys@cityofstheleena.org
(707) 967-2798

ALL RESPONSES MUST BE MAILED OR HAND-DELIVERED TO:

CITY OF ST. HELENA
OFFICE OF THE CITY CLERK
ATTENTION: CINDY TZAFPOPOULOS
1480 MAIN STREET
ST. HELENA, CA 94574

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EXHIBITS

- A. SAMPLE CITY OF ST. HELENA PROFESSIONAL SERVICES CONTRACT

I. INTRODUCTION

The City of St. Helena, California is located in the center of the world-famous wine growing Napa Valley, 65 miles north of San Francisco.

The area was settled in 1834 as part of General Vallejo's land grant. The City of St. Helena was incorporated as a City on March 24, 1876 and reincorporated on May 14, 1889.

The City, from its inception, has served as a rural agricultural center. Over the years, with the growth and development of the wine industry, St Helena has become an important business and banking center for the wine industry. The City also receives many visitors as a result of the wine industry and the area's scenic qualities. The City's goal is to maintain a small-town atmosphere and to provide quality services to its citizens.

The official population of the City of St. Helena as of 2017 is 6,033 (CA Department of Finance). St. Helena is a full-service city and encompasses an area of four square miles. The City's General Fund Budget is approximately \$11.1 million.

II. SOLICITATION

The City of St. Helena is seeking proposals from qualified vendors to provide a fireworks show for the community on Wednesday, July 4, 2018. The show should be similar in scope and length as the 2017 display.

Prospective vendors will be required to provide team qualification, proposed work plan, proposed schedule, and other related items as part of the proposal submittal (Section V). The deadline for submitting proposals is 4:00PM on Thursday, April 5, 2018.

III. SCOPE OF WORK

The City is requesting proposals from qualified Contractors for pyrotechnics services. Required services shall include, but are not limited to:

1. Provide a suggested pyrotechnics list and timeline for planning, delivery, set-up, security of site, fireworks show, breakdown, clean-up and disposal.

Contractor will meet with City staff to discuss all aspects of the fireworks show.

Pyrotechnics display plans and shall include, but are not limited to, the following:

1. **SITE** | where launching areas will be located, safety perimeter, and fall-out zones
2. **PYROTECHNICS USED** | where launching areas will be located, safety perimeter, and fall-out zones
3. **STAFFING** | number of team members the Contractor will use, what their role is before, during and after the fireworks show
4. **INSPECTIONS** | schedule and documentation as required by the City's Fire Marshall
5. **FIRE/LIFE SAFETY ISSUES** | Emergency Action Plan
6. **FIRE PROTECTION** | on-site tools and methods for addressing unforeseen incidents related to pyrotechnics launching

IV. SCHEDULE

Responses to the RFP must be submitted to the City of St. Helena as outlined in this section.

Responses are due no later than
THURSDAY, APRIL 5, 2018 AT 4:00 PM
 Responses received after this date and time will not be considered.

PROPOSED SCHEDULE FOR THE REVIEW AND SELECTION PROCESS AND DESIRED TIMELINES FOR DELIVERABLES

MILESTONE	DATE	TIME
Release RFP	March 21, 2018	4:00PM
Question submittal deadline	March 29, 2018	4:00PM
Questions posted on City website (cityofsthelena.org/rfps)	April 2, 2018	5:00PM
Proposal due date	April 5, 2018	4:00PM
Review and scoring of submittals	April 9, 2018	10:00AM
Interviews w/finalists	TBD	TBD
Award of contract	May 8 or 22, 2018	6:00PM

The schedule may be modified and/or extended if necessary.

V. PROPOSAL REQUIREMENTS AND FORMAT

If interested in this RFP, please notify André Pichly by email at apichly@cityofsthelena.org so you may be added to the notification list for addendums. Failure to notify Mr. Pichly could result in missing important and required information, and could result in disqualification.

All submittals must follow the format described in this section. Respondents are encouraged to submit clear and concise responses to the RFP. The City of St. Helena reserves the right to include or exclude any part of the submittals in the final agreement with the selected Contractor.

Four (4) bound copies of the submittal, one (1) unbound, reproducible copy, and one CD (or other digital medium) containing a PDF copy must be submitted. Each submittal shall contain no more than 20 double-sided 8½" x 11" pages (not counting dividers, exhibits, and any relevant appendices). Font shall be no less than 10pt. All pages shall be numbered. Drawings provided with the submittal shall not exceed 11" x 17."

To be considered for selection, submittals must arrive at the location shown below by the date and time specified in Section IV. Proposers who mail packages should allow ample delivery time to ensure timely arrival.

Submittals shall be placed in a clearly marked envelope, titled July 4th Fireworks Show and hand-delivered or mailed to:

City of St. Helena
Office of the City Clerk
Attention: Cindy Tzafopoulos
1480 Main Street
St. Helena, CA 94574

It is the sole responsibility of the Proposer to ensure timely delivery. Late proposals shall not be considered. Proposals will not be accepted at any other location other than the address specified above. Faxed or emailed proposals will not be accepted.

Submittals must include the following components in the order listed below:

- Part 1: Cover Letter/Executive Summary (5 points)
- Part 2: Experience and Qualifications of Contractor/Team Members (30 points)
- Part 3: Understanding of Event Scope (25 points)
- Part 4: Commitment to Event Budget & Detailed Work Plan (15 points)
- Part 5: Delivery Schedule and Timeline (15 points)
- Part 6: Proof of Insurance (5 points)
- Part 7: Reference Review (5 points)

Total Possible: 100 points

PART 1 | COVER LETTER/EXECUTIVE SUMMARY (5 POINTS)

In no more than three (3) pages, the Cover Letter and Executive Summary shall include:

1. The names of the key members of the Contractor team.
2. The mailing address, telephone number, and the name of the main point of contact for the Contractor team.
3. A summary of the Contractor's pyrotechnics experience and qualifications and the significant advantages to selecting the Contractor.
4. An acknowledgement of receiving any addendum(s) to the RFP document sent out by the City.

PART 2 | EXPERIENCE AND QUALIFICATIONS OF CONTRACTOR/TEAM MEMBERS (30 POINTS)

Provide detail relating to the experience and qualifications of the members of the team, including an organizational chart showing all key personnel who will be assigned to this event. Submit brief resumes demonstrating the training, experience, and other qualifications of the key personnel who will be assigned to this event.

Contractor should further document expertise by including the information regarding the following:

1. Safety of Contractor's team members, as well as spectators and property.
2. Any other information that would assist the review team in understanding the Contractor's team's capacity to efficiently, effectively and safely implement the fireworks show.

PART 3 | UNDERSTANDING OF EVENT SCOPE & DETAILED WORK PLAN (25 POINTS)

Each respondent shall demonstrate its capacity to deliver professional pyrotechnics. Respondent should outline methodology and logistics capable of meeting the goals outlined in July 4th Fireworks Show event, as well as provide a proposed work plan for development and implementation of the event as described in the scope of work. Respondents should draw from previous experience and demonstrated competence to articulate how their capabilities are distinct, comprehensive, and add value.

PART 4 | COMMITMENT TO EVENT BUDGET (15 POINTS)

Contractor shall provide a total base fee for the project. Each responding Contractor shall include an acknowledgement that it can effectively complete set-up and delivery of a fireworks show within the budget indicated. Each respondent should clearly explain in this section the methods and process it will use to insure the project is within budget and that the City will be getting the best value within the budgeted amount.

PART 5 | DELIVERY SCHEDULE AND TIMELINE (15 POINTS)

Discuss in this section the steps the Contractor team proposes to use. Clearly outline the delivery schedule and timeline of each stage of event set-up, implementation, and tear-down. Specific dates should be used assuming an award to this RFP and an executed agreement in May 2018. Indicate in the proposed scheduling the necessary involvement and various decision points required of the City. A detailed timeline or representation of the delivery timeline with pertinent milestones and events is required in this section.

PART 6 | INSURANCE REQUIREMENTS (5 POINTS)

Contractor will provide proof of insurance for a minimum of \$5 million in liability coverage listing the City of St Helena as the additionally insured, as well as an endorsement.

1. General Liability: \$5,000,000 per occurrence for bodily injury, personal injury and property damage including operations, products and completed operations, as applicable. If Commercial General Liability Insurance or other form with a General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit – \$10,000,000.
2. Automobile Liability: \$2,000,000 per accident for bodily injury and property damage.
3. Employer's Liability: \$2,000,000 per accident for bodily injury or disease.

PART 7 | REFERENCE REVIEW (5 POINTS)

The review team will conduct a background reference review of each respondent. Please include the following information for three (3) projects that the proposed contractor team worked on together:

- Name of the Event (e.g. July 4th Fireworks Show)
- Location of the Event (e.g. Crane Park)
- Name, title, and contact information for the client
- Project budget (e.g. amount not to exceed \$40,000.00)
- Date of completion of the Event

VI. PROPOSAL TERMS AND CONDITIONS**1. EXAMINATION OF PROPOSAL MATERIALS**

The submission of a proposal shall be deemed a representation and warranty by the proponent that it has investigated all aspects of the RFP, that it is aware of the applicable facts pertaining to the RFP process and its procedures and requirements, and that it has

read and understands the RFP. No request for modification of the provisions of the proposal shall be considered after its submission on the grounds the proponent was not fully informed as to any fact or condition.

2. ADDENDA INTERPRETATIONS

If it becomes necessary to revise any part of this RFP, a written addendum will be provided to each firm that requested to be added to the notification list, and said addenda will be uploaded to the City website. The City of St. Helena is not bound by any oral representations, clarifications, or changes made in the RFP by the City or its agents, unless such clarifications or change is provided in written addendum from the City of St. Helena.

3. DESIGNATED CONTACT

For the purposes of this RFP, the City's designated contact is André Pichly, Director of Recreation. Any questions concerning the scope of work and the selection process shall be directed to Mr. Pichly, at apichly@cityofsthenana.org. Any and all questions and responses concerning this RFP will only be accepted in writing, via email. All questions must be received by April 3, 2018 by 4:00PM.

Responses to questions will be posted on the City's website, cityofsthenana.org/rfps, and will become part of the RFP. It is the contractor's responsibility to check the website for updates.

4. PUBLIC RECORDS

This RFP document and all submittals in response thereto are public records. Prospective contractors are cautioned not to include any material into the proposal that is strictly proprietary in nature.

5. PROPOSAL COSTS

All costs associated with the preparation of RFP submittals shall be borne by the respondent. This RFP does not constitute any form of offer to contract.

6. RESERVATION OF RIGHTS

The City reserves the right, for any reason, to accept or reject any one or more proposals; to negotiate the terms and specifications of the proposal; to modify any part of the RFP; or issue a new RFP.

7. PRODUCT OWNERSHIP

Any documents resulting from the contract will be the property of the City.

8. PROFESSIONAL SERVICES AGREEMENT

All Proposers must identify in their proposal any terms and conditions of the sample Professional Service Agreement (Exhibit C) that they wish to negotiate. Insurance is required as outlined in Section 7 of the sample agreement.

9. CAUSES FOR DISQUALIFICATION

Any of the following may be considered cause to disqualify a proponent without further consideration:

- Evidence of collusion among proponents;
- Any attempt to improperly influence any member of the evaluation panel;
- A proponent's default in any operation of a professional services agreement which resulted in termination of that agreement; and/or

- Existence of any lawsuit, unresolved contractual claim, or dispute between proponent and the City.

CITY OF ST. HELENA

RESOLUTION NO. 2018-__

Authorizing the City Manager to Execute a Production Agreement with Zambelli
Fireworks in the Amount of \$40,000 for the 2018 July 4th Fireworks Show

RECITALS

- A. Since 2015, the City of St. Helena has partnered with the Parks and Recreation Commission to organize July 4 fireworks shows; and
- B. The Parks & Recreation Commission raised a substantial amount of donations for three years to help offset the cost of the fireworks shows; and
- C. The fundraising was a temporary solution to help with City's budget; and
- D. The City will fund the Fourth of July Budget beginning in FY 18/19 in the amount of \$40,000 to pay for the annual fireworks show; and
- E. The City will pay Zambelli Fireworks \$40,000 for the 2018 fireworks show; and
- F. The Parks & Recreation Commission will continue to raise donations from local businesses and private citizens to help offset the cost of the fireworks show to help lessen

RESOLUTION

The City Council of the City of St. Helena hereby resolves as follows:

- 1. Authorize the City Manager to execute the agreement with Zambelli Fireworks in the amount of \$40,000.00; and
- 2. Approve the expenditure of \$40,000 from the Fourth of July Budget in FY 18/19 for this event.

Approved at a Regular Meeting of the St. Helena City Council on May 8, 2018 by the following vote:

Mayor Galbraith:	_____
Vice Mayor White:	_____
Councilmember Dohring:	_____
Councilmember Ellsworth:	_____
Councilmember Koberstein:	_____

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Tzafopoulos, City Clerk



Report to the City Council
Council Meeting of May 8, 2018

Agenda Section: Consent

Subject: Consider and approve a resolution authorizing the City Manager to execute Amendment No. 2 in the amount of \$234,624 to the Professional Services Agreement with Michael Baker International for the Upper York Creek Dam Removal Project, for a total not to exceed amount of \$840,994.80

CEQA Determination: Environmental Impact Report (SCH. No. 2006092096)

Prepared By: Erica Ahmann Smithies, Public Works Director and City Engineer

Reviewed By:

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

On April 26, 2016, City Council approved a contract for Michael Baker International in the amount of \$461,813 for engineering services for the Upper York Creek Dam Removal Project, Capital Improvement Project W-26. The proposal cost was based on a value engineering analysis of the previous designs from Prunuske Chatham, final plans, and permits for a project which would notch the dam, remove extensive sediment build-up, armor the creek, and provide extensive habitat restoration as a result of the construction disturbance.

In early 2017, as the consultants and City staff were working to finalize the 65% plans and submit permit applications, two of the regulatory agencies recommended a change in the project plans and implementation. The change was due to previous dam removal projects with similar characteristics to York Creek being washed out with heavy rains and weather. In order to avoid additional expensive reconstruction, it was requested that the City adopt a new approach to the project.

The new approach is to notch the dam, perform limited sediment removal and then allow natural sediment transport to re-establish the ecosystem and fish passage. At least ten years of monitoring will follow the dam removal and the City, in partnership with the regulatory agencies, will develop an adaptive management plan as additional construction may be needed in the future for sediment, habitat and fish passage.

On May 23, 2017, City Council authorized Amendment No. 1 in the amount of \$144,557.80 with Michael Baker International in order to meet the new project requirements. Additional studies and analysis were needed on sediment flow and rock borings, design of sediment traps, additional meetings, hydrology and hydraulics studies, cultural resources, and more.

DISCUSSION

On April 10, 2018, City staff updated City Council with a current status of the project. Permit applications with 65% design plans were submitted to applicable regulatory agencies in May 2017, which included the U.S. Army Corps of Engineers, the San Francisco Regional Water Quality Control Board, and the California Department of Fish and Wildlife. Permits and 100% plans and specifications were anticipated to be completed by the end of 2017. However, with additional sediment transport studies, habitat surveys for endangered species, topographic surveys required, and the complexity with the regulatory permitting, the completion of the project has been split into two construction phases. Phase I will include the construction of downstream sediment traps anticipated in 2018 and Phase II will be the removal of the dam in the 2019 construction season.

City staff requested that Michael Baker International provide an updated work scope in order to complete the project as specified above. The additional scope and costs are due to unforeseen bi-monthly meetings with the regulatory agencies, splitting the project into two phases, the additional studies required to complete the project, and right of way services for the installation of downstream sediment traps.

FISCAL IMPACT

Amendment No. 2 increases the contract agreement in the amount of \$234,624 and will be paid from account 763-5030-2130 which are proceeds of the water bonds. There are sufficient funds to pay for this contract increase as the overall construction cost is anticipated to be greatly reduced. The additional expenses are also eligible for grant reimbursement.

The revised total compensation of the Professional Services Agreements is as follows:

Original Agreement Amount	\$461,813.00
Amendment No. 1	\$144,557.80
Amendment No. 2	\$234,624.00
Total Compensation	\$840,994.80

RECOMMENDED ACTION

Staff recommends that City Council approve the resolution authorizing the City Manager to execute Amendment No. 2 in the amount of \$234,624 to the Professional Services Agreement with Michael Baker International for the Upper York Creek Dam Removal Project, for a total not to exceed amount of \$840,994.80.

ATTACHMENTS

[Attachment 1: Award of Professional Services Agreement with Michael Baker International](#)

[Attachment 2: Amendment No. 1](#)

[Attachment 3: Amendment No. 2](#)

[Attachment 4: Resolution](#)

Attachment 1

Item No: 14

**Report to the City Council
Council Meeting of April 26, 2016**

Agenda Section: Consent Calendar

Subject: Consideration and proposed approval a of resolution approving a Professional Services Agreement with Michael Baker International in the amount of \$461,813 for engineering services for the Upper York Creek Ecosystem Restoration Project, Capital Improvement Project W-26

CEQA Status: Environmental Impact Report (SCH. No. 2006092096)

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

Approved By: Jennifer Phillips, City Manager

A handwritten signature in blue ink, consisting of a stylized 'J' and 'P' followed by a flourish, is written over the name 'Jennifer Phillips' in the 'Approved By' line.

BACKGROUND

The City has been working for several years to remove the Upper York Creek Dam and restore the York Creek streambed. The dam was originally constructed in 1900 and is no longer managed as a water supply facility. The reservoir originally had a capacity of 10,000,000 gallons. Over time, it has accumulated an estimated 26,000 cubic yards of gravel and other sediments, and by 1993 too much sediment had accumulated to continue to use it as a water source. There have been four incidents of accidental, catastrophic release of sediment resulting in mortality of fish and other aquatic organisms. In 2006, the City entered into an agreement with the Department of Commerce National Oceanic and Atmospheric Administration (NOAA) to remove the Upper York Creek Dam. The terms of this agreement state that the City must pay to NOAA \$70 per day for each day beyond October 31, 2012 that the dam continues to block fish passage to Upper York Creek. The current Project scope includes removal of 50'x140' earthen dam, re-establishing a natural fish-passage channel, and removing invasive plants and revegetation of approximately 2 acres as riparian forest.

The Notice of Preparation (NOP) for the Draft Environmental Impact Report (EIR), which initiated the environmental review process for the Project, was distributed to responsible agencies, interested parties, and the public on September 19, 2006. The 30-day Draft EIR scoping comment period initiated by the NOP was from September 19, 2006 to October 18, 2006. The Draft EIR was subsequently prepared and circulated for public review from April 19, 2007 to November 14, 2007. The initial public review period was set to close on June 4, 2007. In order to obtain more public participation, the City extended the public comment period four times to November 14, 2007. The Final EIR

Attachment 1

Item No: 14

was then prepared, which includes a summary of the Draft EIR, response to comments received during this extended Draft EIR public review period, as well as minor technical revisions and appendices prepared and added to address the comments. On April 28, 2015, the City Council certified the Final EIR, adopted CEQA findings and a statement of overriding considerations, adopted a mitigation monitoring and reporting plan, and authorized Staff to secure final Project funding and develop Project design and construction bidding documents.

DISCUSSION

The Director of Public Works released a Request for Proposal for final engineering, permitting, EIR addendum, and construction support for the Upper York Creek Ecosystem Restoration Project on December 28, 2015. The RFP was advertised on the City's website, regional and state bidding clearing houses, and was also emailed to an extensive list of consultants by Staff. Two proposals were received prior to the deadline of February 16, 2016 by 3:00 PM. A committee of three City Staff persons reviewed the proposals and scored them based on the predetermined criteria outlined in the RFP. City Staff then scheduled interviews with each consultant, AECOM and Michael Baker International. Both consultants are qualified and performed well during the interviews. Based on the written proposals and oral interviews, City Staff found Michael Baker International to be the best qualified consultant to perform the work.

The total cost of the agreement with Michael Baker International is \$461,813. The scope of work includes \$48,580 of engineering support during construction, and includes a value engineering task. The goal of the value engineering is to find ways to reduce construction costs, so that the project can be delivered within the current funding constraints.

FISCAL IMPACT

The estimated Project expenditure summary is provided in the table below. The cost for this agreement for engineering services is within the project budget for preliminary engineering and environmental.

Description	Budget	Projected
Preliminary engineering and environmental	\$ 847,129	\$ 847,129
Construction management/inspection	\$ 250,718	\$ 250,718
Construction Contract	\$3,706,378	\$5,402,153
Total	\$4,804,225	\$6,500,000

The Project is currently underfunded by approximately \$1,695,775. The Project will not begin construction until funding for this shortfall can be identified and secured. The scope of work for this agreement includes a value engineering task. The goal of the value engineering is to find ways to reduce construction costs, so that the project can be delivered within the current funding constraints.

Attachment 1

Item No: 14

RECOMMENDED ACTION

Adopt attached resolution authorizing the City Manager to execute a Professional Services Agreement with Michael Baker International in the amount of \$461,813 for engineering services for the Upper York Creek Ecosystem Restoration Project.

ATTACHMENTS

1. Resolution
2. Professional Services Agreement

CITY OF ST. HELENA

RESOLUTION NO. 2016-51

**APPROVING A PROFESSIONAL SERVICES
AGREEMENT WITH MICHAEL BAKER
INTERNATIONAL IN THE AMOUNT OF \$461,813 FOR
ENGINEERING SERVICES FOR THE UPPER YORK
CREEK ECOSYSTEM RESTORATION PROJECT,
CAPITAL IMPROVEMENT PROJECT W-26**

RECITALS

- A. The City has been working for several years to remove the Upper York Creek Dam and restore the York Creek streambed; and
- B. City Staff conducted a competitive solicitation to attract highly qualified engineering consultants; and
- C. Of the two proposals reviewed, Michael Baker International was scored in the top two; and
- D. During the interview process Michael Baker International demonstrated the level of experience, competence, staffing, and other qualifications necessary for exceptional performance of the services required and described in the scope of work; and
- E. The project is funded under Capital Improvement Project W-26.

RESOLUTION

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

1. The City Manager is authorized to execute the Professional Services Agreement with Michael Baker International in the amount of \$461,813 for engineering service.

Approved at a Regular Meeting of the St. Helena City Council on April 26, 2016 by the following vote:

Mayor Galbraith:	<u>yes</u>
Vice Mayor White:	<u>yes</u>
Councilmember Crull:	<u>yes</u>
Councilmember Dohring:	<u>Absent</u>
Councilmember Pitts:	<u>yes</u>

APPROVED:


Alan Galbraith, Mayor



ATTEST:


Cindy Black, City Clerk

AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT, made and entered into on April 26, 2016 by and between the City of St. Helena, located in the County of Napa, State of California (City), and Michael Baker International (Consultant).

RECITALS:

A. City desires to employ Consultant to furnish professional services in connection with the project described as **Civil Engineering Services for Upper York Creek Ecosystem Restoration Project**.

B. Consultant has represented that Consultant has the necessary expertise, experience, and qualifications to perform the required duties.

NOW, THEREFORE, in consideration of the mutual premises, covenants, and conditions herein contained, the parties agree as follows:

SECTION 1 – BASIC SERVICES

Consultant agrees to perform the services set forth in **Exhibit A, “Scope of Services”** and made part of this Agreement.

SECTION 2 – ADDITIONAL SERVICES

Consultant shall not be compensated for any services rendered in connection with its performance of this Agreement which are in addition to or outside of those set forth in this Agreement or **Exhibit A, “Scope of Services”**, unless such additional services and compensation are authorized in advance and in writing by the City Council or City Manager of the City.

SECTION 3 – TIME FOR COMPLETION

The time for completion of services shall be as identified in **Exhibit A, “Scope of Services”**.

SECTION 4 – COMPENSATION AND METHOD OF PAYMENT

A. Subject to any limitations set forth in this Agreement, City agrees to pay consultant the amount specified in **Exhibit B, “Compensation”**, attached hereto and made a part hereof. Total compensation shall not exceed \$461,813.00, unless additional compensation is approved in accordance with Section 2.

B. Consultant shall furnish to City an original invoice for all work performed and expenses incurred during the preceding month. The invoice shall detail charges by the following categories if applicable: labor (by sub-category), travel, materials, equipment, supplies, subconsultant contracts, and miscellaneous expenses. City shall independently review each invoice submitted to determine whether the work performed and expenses incurred are in

Page 1 of 10

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compliance with the provisions of this Agreement. If no charges or expenses are disputed, the invoice shall be approved and City will use its best efforts to cause Consultant to be paid within 30 days of receipt of invoice. If any charges or expenses are disputed by City, the original invoice shall be returned by City to Consultant for correction and resubmission. If the City reasonably determines, in its sole judgment, that the invoiced charges and expenses exceed the value of the services performed to date and that it is probable that the Agreement will not be completed satisfactorily within the contract price, City may retain all or a portion of the invoiced charges and expenses. Within thirty (30) days of satisfactory completion of the project, City shall pay the retained amount, if any, to Consultant.

C. Payment to the Consultant for work performed pursuant to this Agreement shall not be deemed to waive any defects in work performed by Consultant.

SECTION 5 – STANDARD OF PERFORMANCE

Consultant represents and warrants that it has the qualifications, experience and facilities necessary to properly perform the services required under this Agreement in a thorough, competent and professional manner. Consultant shall at all times faithfully, competently and to the best of its ability, experience and talent, perform all services described herein. In meeting its obligations under this Agreement, Consultant shall employ, at a minimum, generally accepted standards and practices utilized by persons engaged in providing services similar to those required of Consultant under this Agreement.

SECTION 6 – INSPECTION AND FINAL ACCEPTANCE

City may inspect and accept or reject any of Consultant's work under this Agreement, either during performance or when completed. City shall reject or finally accept Consultant's work within sixty (60) days after submitted to City, unless the parties mutually agree to extend such deadline. City shall reject work by a timely written explanation, otherwise Consultant's work shall be deemed to have been accepted. City's acceptance shall be conclusive as to such work except with respect to latent defects and fraud. Acceptance of any of Consultant's work by City shall not constitute a waiver of any of the provisions of this Agreement including, but not limited to, the sections pertaining to indemnification and insurance.

SECTION 7 – INSURANCE REQUIRED

Consultant shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Consultant, its agents, representatives, or employees, as indicated:

- A. Minimum Scope of Insurance. Coverage shall be at least as broad as:
 1. Insurance Services Office Commercial General Liability coverage (occurrence form CG 0001).
 2. Insurance Services Office form number CA 0001 (Ed. 1/87) covering Automobile Liability, code 1 (any auto).
 3. Workers' Compensation insurance as required by the State of California and Employer's Liability Insurance.

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B. Minimum Limits of Insurance. Consultant shall maintain limits no less than:

1. General Liability: \$2,000,000 per occurrence for bodily injury, personal injury and property damage including operations, products and completed operations, as applicable. If Commercial General Liability Insurance or other form with a General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
2. Automobile Liability: \$2,000,000 per accident for bodily injury and property damage.
3. Employer's Liability: \$2,000,000 per accident for bodily injury or disease.

C. Professional Liability Insurance. When Consultant under this Agreement is duly licensed under California Business and Professions Code as an architect, landscape architect, professional engineer, or land surveyor ("design professional"), Consultant shall maintain at least \$2,000,000 of professional liability insurance.

D. Excess Limits. If Consultant maintains higher limits than the minimums shown above, City requires and shall be entitled to coverage for the higher limits maintained by Consultant. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the City.

E. Primary Coverage. For any claims related to this contract the Consultants insurance coverage shall be primary insurance as respects to City, its officers, officials, employees and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees, or volunteers shall be excess of Consultants insurance and shall not contribute with it.

F. Deductibles and Self-Insured Retentions. Any deductibles or self-insured retentions of \$25,000 or greater must be declared to and approved by the City.

G. Other Insurance Provisions. The commercial general liability and automobile liability policies are to contain, or be endorsed to contain, the following provisions:

1. The City, its agent, officers, officials, employees, and volunteers are to be covered as additional insured as respects: liability arising out of work or operations performed by the Consultant or Consultant's subconsultants; or automobile owned, leased, hired or borrowed by the Consultant.
2. For any claims related to Consultant's conduct while performing the work of this project, the Consultant's insurance coverage shall be primary insurance as respects the City, its agents, officers, officials, employees and volunteers. Any insurance or self-insurance maintained by the City, its agents, officers, officials, employees or volunteers shall be excess of the Consultant's insurance and shall not contribute with it.
3. Each insurance policy required by this clause shall be endorsed to state that coverage shall not be cancelled by either party, except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the City.

4. Coverage shall not extend to any indemnity coverage for the active negligence of the additional insured in any case where an agreement to indemnify the additional insured would be invalid under Subsection (b) of Section 2782 of the Civil Code.

H. Waiver of Subrogation. The workers compensation policy is to be endorsed with a waiver of subrogation. The insurance company, in its endorsement, agrees to waive all rights of subrogation against the City, its agents, officers, officials, employees and volunteers for losses paid under the terms of this policy which arises from the work performed by the named insured for the City.

I. The Acceptability of Insurers. Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A: VII, unless otherwise acceptable to the City.

J. Verification of Coverage. Consultant shall furnish the City with original certificates and amendatory endorsements effecting coverage required by this clause. The endorsements should be on forms provided by the City or on forms that conform to City requirements. All certificates and endorsements are to be received and approved by the City before work commences. The City reserves the right to require complete, certified copies of all required insurance policies, including endorsements effecting the coverage required by these specifications at any time.

SECTION 8 – INDEMNIFICATION

A. Consultant shall indemnify and hold harmless City, its agents, officers, officials, employees, and volunteers from any and all claims, demands, suits, loss, damages, injury, and/or liability (including any and all costs and expenses in connection therewith), incurred by reason of any negligent or otherwise wrongful act or omission of Consultant, its officers, agents, employees and subcontractors, or any of them, under or in connection with this Agreement; and Consultant agrees at its own cost, expense and risk to defend any and all claims, actions, suits, or other legal proceedings brought or instituted against City, its agents, officers, officials, employees and volunteers, or any of them, arising out of such negligent or otherwise wrongful act or omission, and to pay and satisfy any resulting judgments.

B. When Consultant under this Agreement is duly licensed under California Business and Professions Code as an architect, landscape architect, professional engineer, or land surveyor ("design professional"), the provisions of this section regarding Consultant's duty to defend and indemnify apply only to claims that arise out of or relate to the negligence, recklessness, or willful misconduct of the design professional.

C. If any action or proceeding is brought against Indemnitees by reason of any of the matters against which Consultant has agreed to indemnify Indemnitees as provided above, Consultant, upon notice from City, shall defend Indemnitees at Consultant's expense by counsel acceptable to City, such acceptance not to be unreasonably withheld. Indemnitees need not have first paid for any of the matters to which Indemnitees are entitled to Indemnification in order to be so indemnified. The insurance required to be maintained by Consultant shall ensure Consultant's obligations under this section, but the limits of such insurance shall not limit the liability of Consultant hereunder. The provisions of this section shall survive the expiration or earlier termination of this Agreement.

D. The provisions of this section do not apply to claims to the extent occurring as a result of the City's sole negligence or willful acts or misconduct.

SECTION 9 – INDEPENDENT CONTRACTOR STATUS

A. Consultant is and shall at all times remain a wholly independent contractor and not an officer, employee or agent of City. Consultant shall have no authority to bind City in any manner, nor to incur an obligation, debt or liability of any kind on behalf of or against City, whether by contract or otherwise, unless such authority is expressly conferred under this Agreement or is otherwise expressly conferred in writing by City.

B. The personnel performing the services under this Agreement on behalf of Consultant shall at all times be under Consultant's exclusive direction and control. Neither City, nor any elected or appointed boards, officers, officials, employees or agents of City, shall have control over the conduct of Consultant or any of Consultant's officers, employees or agents, except as set forth in this Agreement. Consultant shall not at any time or in any manner represent that Consultant or any of Consultant's officers, employees or agents are in any manner officials, officers, employees or agents of City.

C. Neither Consultant, nor any of Consultant's officers, employees or agents, shall obtain any rights to retirement, health care or any other benefits which may otherwise accrue to City's employees. Consultant expressly waives any claim Consultant may have to any such rights.

SECTION 10 – CONFLICTS OF INTEREST

A. Consultant covenants that neither it, nor any officer or principal of its firm, has or shall acquire any interest, directly or indirectly, which would conflict in any manner with the interests of City or which would in any way hinder Consultant's performance of services under this Agreement. Consultant further covenants that in the performance of this Agreement, no person having any such interest shall be employed by it as an officer, employee, agent, or subcontractor without the express written consent of the City Manager. Consultant agrees to at all times avoid conflicts with the interests of City in the performance of this Agreement.

B. City understands and acknowledges that Consultant is, as of the date of execution of this Agreement, independently involved in the performance of non-related services for other governmental agencies and private parties. Consultant is aware of any stated position of City relative to such projects. Any future position of City on such projects shall not be considered a conflict of interest for purposes of this section.

SECTION 11 – OWNERSHIP OF DOCUMENTS

A. All original maps, models, designs, drawings, photographs, studies, surveys, reports, data, notes, computer files, files and other documents prepared, developed or discovered by Consultant in the course of providing any services pursuant to this Agreement shall become the sole property of City and may be used, reused or otherwise disposed of by City without the permission of the Consultant. When requested by City, but no later than three years after project

completion, Consultant shall deliver to City all such original maps, models, designs, drawings, photographs, studies, surveys, reports, data, notes, computer files, files and other documents.

B. All copyrights, patents, trade secrets, or other intellectual property rights associated with any ideas, concepts, techniques, inventions, processes, improvements, developments, works of authorship, or other products developed or created by Consultant during the course of providing services (collectively the "Work Product") shall belong exclusively to City. The Work Product shall be considered a "work made for hire" within the meaning of Title 17 of the United States Code. Without reservation, limitation, or condition, Consultant hereby assigns, at the time of creation of the Work Products, without any requirement of further consideration, exclusively and perpetually, any and all right, title, and interest Consultant may have in the Work Product throughout the world, including without limitation any copyrights, patents, trade secrets, or other intellectual property rights, all rights of reproduction, all rights to create derivative works, and the right to secure registrations, renewals, reissues, and extensions thereof.

SECTION 12 – CONFIDENTIAL INFORMATION; RELEASE OF INFORMATION

A. All information gained or work product produced by Consultant in performance of this Agreement shall be considered confidential, unless such information is in the public domain or already known to Consultant. Consultant shall not release or disclose any such information or work product to persons or entities other than City without prior written authorization from the City Manager, except as may be required by law.

B. Consultant, its officers, employees, agents or subcontractors, shall not, without prior written authorization from the City Manager or unless requested by the City Attorney of City, voluntarily provide declarations, letters of support, testimony at depositions, response to interrogatories or other information concerning the work performed under this Agreement. Response to a subpoena or court order shall not be considered "voluntary" provided consultant gives City notice of such court order or subpoena.

C. If Consultant, or any officer, employee, agent or subcontractor of Consultant, provides any information or work product in violation of this Agreement, then City shall have the right to reimbursement and indemnity from Consultant for any damages, costs and fees, including attorneys fees, caused by or incurred as a result of Consultant's conduct.

D. Consultant shall promptly notify City should Consultant, its officers, employees, agents or subcontractors be served with any summons, complaint, subpoena, notice of deposition, request for documents, interrogatories, request for admissions or other discovery request, court order or subpoena from any party regarding this Agreement and the work performed thereunder. City retains the right, but has no obligation, to represent Consultant or be present at any deposition, hearing or similar proceeding. Consultant agrees to cooperate fully with City and to provide City with the opportunity to review any response to discovery requests provided by Consultant. However, this right to review any such response does not imply or mean the right by City to control, direct, or rewrite such response.

SECTION 13 – SUSPENSION OF WORK

City may, at any time, by ten (10) days written notice suspend further performance by Consultant. All suspensions shall extend the time schedule for performance in a mutually satisfactory manner and Consultant shall be paid for services performed and reimbursable expenses incurred prior to the suspension date.

SECTION 14 – COMPLIANCE WITH LAW

Consultant shall keep itself informed of and comply with all applicable federal, state and local laws, statutes, codes, ordinances, regulations and rules in effect during the term of this Agreement. Consultant shall obtain any and all licenses, permits and authorizations necessary to perform the services set forth in this Agreement. Neither City, nor any elected or appointed boards, officers, officials, employees or agents of City, shall be liable, at law or in equity, as a result of any failure of Consultant to comply with this section.

SECTION 15 – COMPLIANCE WITH CIVIL RIGHTS

During the performance of this contract, Consultant agrees as follows:

A. Equal Employment Opportunity. In connection with the execution of this Agreement, Consultant shall not discriminate against any employee or applicant for employment because of race, religion, color, ancestry, age, sexual orientation, physical handicap, medical condition, marital status, sex, or national origin. Such actions shall include, but not be limited to, the following: employment, promotion, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rate of pay or other forms of compensation; and selection for training including apprenticeship.

B. Nondiscrimination Civil Rights Act of 1964. Consultant will comply with all federal regulations relative to nondiscrimination to federally-assisted programs.

C. Solicitations for Subcontractors including Procurement of Materials and Equipment. In all solicitations, either by competitive bidding or negotiations, made by Consultant for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor, supplier, or lessor shall be notified by Consultant of Consultant's obligations under this Agreement and the regulations relative to nondiscrimination.

SECTION 16 – RECORDS

A. Records of Consultant's direct labor costs, payroll costs, and reimbursable expenses pertaining to this project covered by this Agreement will be kept on a generally recognized accounting basis and made available to City if and when required for a period of up to 3 years from the date of Consultant's final invoice.

B. Consultant's records and design calculations will be available for examination and audit if and as required. The cost of any reproductions shall be paid by City.

SECTION 17 – COOPERATION BY CITY

All public information, data, reports, records, and maps as are existing and available to City as public records, and which are necessary for carrying out the work as outlined in the Exhibit A, "Scope of Services", shall be furnished to Consultant in every reasonable way to facilitate, without undue delay, the work to be performed under this Agreement.

SECTION 18 – NOTICES

All notices required or permitted to be given under this Agreement shall be in writing and shall be personally delivered, or sent by facsimile or first class mail, addressed as follows:

To City:	City Manager 1480 Main Street St. Helena, California 94574
To Consultant:	Michael Baker International 2729 Prospect Park Drive, Suite 220 Rancho Cordova, CA 95670

Notice shall be deemed effective on the date personally delivered or transmitted by facsimile, or, if mailed, three (3) days after deposit in the custody of the U.S. Postal Service.

SECTION 19 – TERMINATION

A. City may terminate this Agreement, with or without cause, at any time by giving ten (10) days written notice of termination to Consultant. If such notice is given, Consultant shall cease immediately all work in progress.

B. If either Consultant or City fail to perform any material obligation under this Agreement, then, in addition to any other remedies, either Consultant, or City may terminate this Agreement immediately upon written notice.

C. Upon termination of this Agreement by either Consultant or City, all property belonging to City which is in Consultant's possession shall be delivered to City. Consultant shall furnish to City a final invoice for work performed and expenses incurred by Consultant, prepared as set forth in this Agreement.

SECTION 20 – ATTORNEY FEES

If litigation or other proceeding is required to enforce or interpret any provision of this Agreement, the prevailing party in such litigation or other proceeding shall be entitled to an award of reasonable attorneys' fees, costs and expenses, in addition to any other relief to which it may be entitled. In addition, any legal fees, costs and expenses incurred to enforce the provisions of this Agreement shall be reimbursed to the prevailing party.

SECTION 21 – ENTIRE AGREEMENT

This Agreement, including the attached Exhibits, is the entire, complete, final and exclusive expression of the parties with respect to the matters addressed therein and supersedes all other agreements or understandings, whether oral or written, or entered into between Consultant and City prior to the execution of this Agreement. No statements, representations or other agreements, whether oral or written, made by any party which are not embodied herein shall be valid and binding unless in writing duly executed by the parties or their authorized representatives.

SECTION 22 – SUCCESSORS AND ASSIGNS

This Agreement shall be binding on the heirs, executors, administrators, successors and assigns of the parties. However, this Agreement shall not be assigned by Consultant without written consent of the City.

SECTION 23 – CONTINUITY OF PERSONNEL

Consultant shall make every reasonable effort to maintain the stability and continuity of Consultant's staff assigned to perform the services required under this Agreement. Consultant shall notify City of any changes in Consultant's staff assigned to perform the services required under this Agreement, prior to any such performance.

SECTION 24 – DEFAULT

In the event that Consultant is in default under the terms of this Agreement, the City shall not have any obligation or duty to continue compensating Consultant for any work performed after the date of default and may terminate this Agreement immediately by written notice to Consultant.

SECTION 25 – WAIVER

Waiver by any party to this Agreement of any term, condition, or covenant of this Agreement shall not constitute a waiver of any other term, condition, or covenant. Waiver by any party of any breach of the provisions of this Agreement shall not constitute a waiver of any other provision, nor a waiver of any subsequent breach or violation of any provision of this Agreement. Acceptance by City of any work or services by Consultant shall not constitute a waiver of any of the provisions of this Agreement.

SECTION 26 – LAW TO GOVERN; VENUE

This Agreement shall be interpreted, construed and governed according to the laws of the State of California. In the event of litigation between the parties, venue in state trial courts shall lie exclusively in the County of Napa. In the event of litigation in a U.S. District Court, venue shall lie exclusively in the Northern District of California, in San Francisco.

SECTION 27 – SEVERABILITY

If any term, condition or covenant of this Agreement is declared or determined by any court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of

Page 9 of 10

PSA Template 072015

this Agreement shall not be affected thereby and the Agreement shall be read and construed without the invalid, void or unenforceable provision(s).

SECTION 28 – SPECIAL PROVISIONS

This Agreement is subject to the following special provisions: none.

IN WITNESS WHEREOF, the parties hereto have accepted, made, and executed this Agreement upon the terms, conditions, and provisions above stated, the day and year first above written.

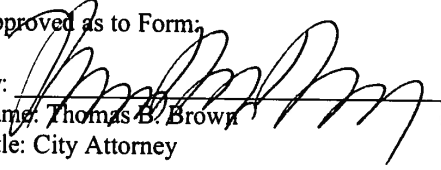
Consultant:

By: 
Name: Kevin Gustorf
Title: Vice President

City:

By: 
Name: Jennifer Phillips
Title: City Manager

Approved as to Form:

By: 
Name: Thomas B. Brown
Title: City Attorney

Civil Engineering Services for Upper York Creek Ecosystem
Restoration Project



Work Plan / Scope of Work

Michael Baker has carefully reviewed the RFP and evaluated the available reports/studies on this project to provide the following scope of services for the final design and permitting of the Upper York Creek Ecosystem Restoration Project. The Michael Baker team has developed this recommended scope of work to address the key issues and challenges and implement a comprehensive technical work plan to complete the PS&E and obtain the necessary approvals for project construction.

Phase I: Technical Studies and Project Refinement

Task 1 Kickoff Meeting

Michael Baker will hold a kickoff meeting to commence the project with the City and project stakeholders. Michael Baker will prepare the meeting agenda and meeting minutes. The meeting will be used to initiate the project and discuss schedules, communications, expectations, critical issues, and design criteria.

Deliverables: Meeting agenda and meeting minutes

Task 2 Collect and Review Existing Plans and Reports

Michael Baker will obtain and review existing available technical studies from the City, County, USACE, FEMA, and other known sources related to the project improvements. The information collected will include hydrology and hydraulics studies and computer models, environmental documents, geotechnical studies, available geology and hydrogeology information, and future proposed development projects, as well as as-built plans and the City's GIS database for existing facilities along the project reach.

Deliverables: Summary of existing data pertaining to the project improvements

Task 3 Supplemental Field Topographic Survey

Michael Baker will compile supplemental topographic mapping by conventional field methods for final design purposes. Topography shall include locations and elevations of features not accurately defined by the existing project topographic mapping. The supplemental mapping shall include spot elevations, trees, top/toe of slopes, surface utilities, existing structures, and areas of proposed construction join points. This task is based on 40 hours of field survey.

Deliverables: Supplemental field topographic mapping



Civil Engineering Services for Upper York Creek Ecosystem Restoration Project

Task 4 Geotechnical Investigation and Analysis

Michael Baker International has teamed with WRECO to perform the Geotechnical Investigation and Analysis for the Proposed Project.

Field Investigation and Laboratory Testing

WRECO proposes to perform a field investigation to better characterize the subsurface information at the Project site. The field investigation will consist of one soil boring using hollow-stem auger drilling techniques to a completion depth of up to 40 feet below existing grade for the purpose of obtaining disturbed representative soil samples to better characterize the subsurface conditions. Representative soil samples at 2.5 foot intervals will be visually classified using the Unified Soil Classification System and retained for later laboratory testing. Borings will be presented on a boring location plan, and the soil descriptions and summary of the laboratory testing results will be presented on Logs of Borings.

Geotechnical Engineering Study Report

WRECO will prepare a Geotechnical Engineering Study Report for the proposed slope repair. This engineering study will contain the following information and recommendations:

- A Project summary and description of the scope of work performed for the Project. A discussion of the regional and local geology as it pertains to the Project.
- A summary of the identified site soils, summary of the laboratory testing results, and Logs of Borings with the observed soils, groundwater, and laboratory soil testing results.
- A discussion of where the groundwater source may be and methods for further evaluation and mitigation measures.
- A discussion of the regional seismology and seismic design parameters for the proposed Project site in accordance with the latest California Building Code and ASCE-7.
- Contract language for the bidding phase of the Project regarding the slope repair wall construction.

Deliverables: Boring Location Plan and Logs of Borings, Draft and Final Geotechnical Engineering Study Report

Task 5 Hydrology, Hydraulics, and Sedimentation Analysis

Michael Baker will provide engineering services to perform the updated hydrology, hydraulic, and scour analyses for the development and analysis of the final design recommendations. The design hydrology will use the flow rates developed in the previous studies from the USACE and Prunuske Chatham, Inc. (PCI). Updated channel hydraulic models will be prepared to reflect the proposed grading for the entire project length to develop the optimal configuration and evaluate any potential modifications to the current (63%) plans. Channel geometric characteristics, such as conveyance cross-sections, roughness coefficients, confluences, and encroachments, will be analyzed based

Civil Engineering Services for Upper York Creek Ecosystem
Restoration Project



on site conditions, physical constraints, and the proposed plans. A geomorphic assessment and scour analysis will be prepared to determine the final design requirements for the stream profile and structures.

Deliverables: Hydrology, hydraulics, and sedimentation calculations

Task 6 Design Evaluation and Value Engineering Analysis

Michael Baker shall prepare a design evaluation and value engineering analysis to determine the most viable project improvements that are acceptable to the City and the stakeholder agencies. The recommended improvements in PCI's 65% plans will be evaluated, taking into consideration a risk assessment, additional technical studies and base data, environmental constraints, and a value-engineering analysis to determine if any potential modifications can improve the proposed project. The analysis will include the evaluation of the current geometric design plan and consider hydraulic effectiveness, preliminary construction costs, sedimentation and scour, environmental impacts and mitigation requirements, traffic control, constructability, geotechnical issues, and other intangible impacts. Michael Baker shall review each project element for value engineering, constructability, and likelihood of success in restoring and maintaining fish passage. A preliminary consultation with NOAA fisheries will be initiated to ensure agency approval on any potential design changes.

Deliverables: Value engineering recommendations and project modifications

Task 7 Preliminary Design Report

Michael Baker will prepare a preliminary design report which will present and document the results of the technical studies and value engineering analysis. The report will include text, graphics, preliminary plan layouts, value engineering analysis discussion, and recommendations for the final project design. Technical analysis will be summarized with detailed analysis provided as an appendix.

Deliverables: Draft and final preliminary design reports

Task 8 Updated 65% Improvement Plans

Michael Baker will develop updated 65% design plans for the project from the previous plans prepared by PCI, incorporating the results of the design evaluation and value engineering analysis. The plans shall be updated from the CAD files from the current PCI plans. It is assumed that the PCI CAD file will be provided to Michael Baker. The plans will include facility sizes, cross sections, construction details, preliminary structural requirements, hydraulic profiles, and landscape plans. The updated 65% plans shall clearly delineate and define the project improvements to evaluate conformance with the environmental documents and to prepare regulatory permits. A design review meeting with the



Civil Engineering Services for Upper York Creek Ecosystem
Restoration Project

City will be held with the submittal of the plans. The review meeting shall include a discussion of the following information:

- Updated technical studies
- Results of design evaluation and value engineering study
- Project elements and modifications recommended for final design
- Project schedule and estimated construction cost

Deliverables: Updated 65% improvement plans; design review meeting

Task 9 Soil Disposal Site Evaluation and Preliminary Grading Plans

Based on the updated improvement plans, Michael Baker will determine the required amount of excess material to be disposed of off-site. The team will evaluate the three sites identified in the EIR to determine their suitability in receiving the excess material. The Spring Mountain Vineyard site is a private entity and a determination will be made in consultation with the City if this site should be pursued. Assuming that Spring Mountain is not a viable site, an evaluation of the Lower York Creek Reservoir (LYCR) site will be performed. Consultation with the Clover Flat Landfill will also be performed to determine if the landfill can accept additional material. Modifications to the stream restoration grading will also be considered to identify changes that would reduce the amount of excess material to a quantity that could be handled by the LYCR and Clover Flat Landfill sites. Potential alternatives will be developed considering the cost and environmental impacts. The alternatives analysis will be discussed with the City to identify a preferred solution.

Michael Baker will prepare a preliminary grading plan for the recommended soil disposal site. For the purposes of this scope and fee it is assumed that the remaining excess material will be disposed of at the LYCR site. The plans shall be updated from the CAD files from the current PCI plans. The preliminary grading plans will include plan sheets at 1"=40' scale utilizing the compiled base mapping. The plans will also include typical cross sections, utility locations/conflicts, and ROW information.

Deliverables: Soil site analysis, preliminary grading plans

Civil Engineering Services for Upper York Creek Ecosystem
Restoration Project



Phase 2: Final Design and Construction Documents (65% To 100% Plans)

Task 10 95% Channel Improvement Plans

Michael Baker will continue to prepare restoration improvement plans to the 95% completion level. The plans will be adjusted to reflect comments on the 65% design and feedback from the design review meeting. The plans shall be updated to include all features, hydraulic data and HGLs, and structural details. The plan set shall include all plan sheets anticipated for the final drawings including title and note sheets, plan and profiles, landscape plans, structural details, and miscellaneous detail sheets. The plans shall include the detailed information as requested in the RFP and in accordance with City standards.

Deliverables: 95% channel improvement plans

Task 11 Specifications and Cost Estimates

Michael Baker will prepare the technical provisions section of the construction documents in accordance with the format requested by City. A schedule of bid items will be developed with associated quantities and cost estimate.

Deliverables: Technical provisions; bid schedule and quantities; cost estimate

Task 12 Structural Design Report

Michael Baker will prepare structural sections, details, and calculations associated with the existing concrete structure modifications and tie-back system required for the project design. Anticipated structural drawings include typical details and general notes, spillway and slope structural sections, and miscellaneous details. Calculations will utilize geotechnical design values provided by the project geotechnical engineer as well as in-house computer programs for analysis. Calculations will utilize City-approved methods for analysis and be in a format to be checked by City staff.

Deliverables: Structural design report

Task 13 Final Basis of Design Report

Michael Baker will prepare a final basis of design report to support the design of the recommended improvements. This engineering analysis will provide verification of the hydraulic operation for the proposed facilities and become the technical engineering basis of the final design. The channel hydraulics will be updated from the preliminary design report to reflect any modifications to the channel configuration.

Deliverables: Final basis of design report



Civil Engineering Services for Upper York Creek Ecosystem
Restoration Project

Task 14 Final (100%) Improvement Plans

Michael Baker will prepare a final field check of the plans, and complete final plans, specifications, and estimates to incorporate any changes in site conditions and address comments on the 95% submittal.

Deliverables: Final improvement plans (mylar); bid schedule and quantities; technical provisions

Task 15 Construction Support

Michael Baker will provide personnel at the City's request to provide support during construction. Our restoration practitioners will be made available to assist in project implementation. It is assumed 8 hours per week will be required to assist the contractor in the field during construction. It is assumed for the purposes of this proposal the duration of construction will occur between April and November, 2017. Therefore 270 hours of field time have been allocated for this task.

Task 16 Lower York Creek Monitoring and Management Program

The Project's Final EIR included as a required mitigation measure development of a "causative factors analysis and an implementation program to monitor, maintain, and/or improve channel capacity and promote sediment transport". Therefore Michael Baker will develop a Monitoring and Management Program (MMP) to meet these requirements.

Michael Baker will provide an initial survey for use in establishing a baseline condition when evaluating sediment deposition. Michael Baker will provide surveyed cross sections at each bridge or culvert from the existing spillway to the confluence of York Creek with the Napa River. Four cross sections will be taken at each bridge – at the upstream face, downstream face, and at the approximate expansion and contraction limits for each bridge so that the cross sections may be used in the future for hydraulic modeling. We will survey soffit elevations, abutment locations, and roadway elevations. Between each structure, cross sections will be taken at approximately 500 foot intervals. Figure 1 shows approximate locations of survey points to be taken with the initial survey.

Directly following completion of the restoration, Michael Baker will produce an as-built survey. This survey will be used to confirm that the project was built to design standards and will serve as baseline data for future monitoring. Michael Baker will compare this data to the design criteria and produce a brief report summarizing any implementation adjustments or discrepancies.

Within the MMP, Michael Baker will develop monitoring requirements consistent with the goals outlined in the EIR. We will recommend inspection of the channel at a defined interval, likely once per year for five years. More frequent inspections may be necessary if stability concerns have previously been noted, or there have been frequent/intense storm events. An inspection may be necessary immediately following a significant storm event (bankfull or higher) if the event occurs soon after completion of the project and, before bank vegetation has been established in accordance with the plans and specifications.

Civil Engineering Services for Upper York Creek Ecosystem
Restoration Project



The MMP will require site inspections to monitor:

- **Vertical Instability** - Any indication of incision or headcutting should be noted and immediate corrective action recommended. As-built plans will provide the design and construction bankfull depth at riffles. This depth will be verified upon inspection and should not deviate from the post-construction depth by a factor greater than 1.3 or other approved metric. A subsequent longitudinal profile survey may not be required during routine stability monitoring, unless negative changes have been identified.
- **Lateral Instability** - Any observation of changes in meander geometry such as channel widening, channel migration, or lateral erosion should be noted with recommended corrective action. For most projects, it is preferred that the channel develops some degree of narrowing and adjustment through depositional processes during the first few years as vegetation becomes established.
- **Structural Integrity** - In-stream structures are specifically designed to reduce bank shear stresses, maintain a stable plan and profile, and provide habitat. Any indication of structure failure such as undermining of structures, erosion between structures and the bank, piping, etc. should be noted along with an immediate corrective action. It should also be noted if structure instability is considered insignificant and is not likely to result in further instability. Such areas should be monitored closely in subsequent monitoring years.
- **Vegetation Viability** - For many natural channel design projects, native buffer vegetation along the channel bank and riparian corridor is critical to the stability of the stream. Any indication that vegetation planting is not establishing in accordance with the approved plans and specifications should be noted and recommendations made for corrective action. This includes an overabundance of vegetation within the bankfull channel such as on riffles that may cause bank instability.
- **Sediment Deposition** - Based on review of the site, monitoring locations will be determined at and downstream of the proposed Project site in order to evaluate sediment deposition at hydraulic structures such as bridges or other areas of constricted flow. The MMP will determine the extent of acceptable aggradation before additional analyses or restoration efforts are necessary.

Any observed changes should be evaluated to determine if they represent a movement toward a more unstable condition (e.g., down-cutting or erosion, increased bank height ratio) or a movement toward increased stability (e.g., settling, vegetative changes, deposition along the banks, decrease in width/depth ratio). The types, severity, and causes of changes will be documented. Corrective actions will be defined and recommended with each inspection. The MMP will define actionable deficiencies and determine when mitigation measures are necessary. Potential mitigation measures include onsite corrective actions, or additional analyses such as hydraulic modeling or sediment transport modeling.



Figure 1, Survey Location Map



Civil Engineering Services for Upper York Creek Ecosystem
Restoration Project

Recommended Corrective Action			
Bed/Sediment	Bank	Structure	Vegetation
1. No Action.	1. No Action.	1. No Action.	1. No Action.
2. Modify design.	2. Repair matting and or reinstall live stakes.	2. Stabilize the structure with protective materials.	2. Replant bank and floodplain vegetation.
3. Remove debris or blockage	3. Grade banks to appropriate slope and reinstall matting and live stakes.	3. Reconstruct the unstable portion of structure.	3. Replant surrounding riparian buffer with trees/shrubs.
4. Protect the bed to prevent further degradation.	4. Stabilize banks with bioengineering.	4. Move the structure to proper placement.	4. Place protective barrier around the vegetation.
5. Stabilize local sediment source.	5. Adjust design.	5. Rebuild the structure.	5. Other
6. Other	6. Other.	6. Other	

Figure 1. Potential Corrective Actions

Civil Engineering Services for Upper York Creek Ecosystem
Restoration Project



Stream Restoration Monitoring Report

Site _____ Monitoring Year _____

Field Inspector: _____ Date _____

Problem Area Number _____ As-built Sheet Number _____

Station Number _____ Photo Number _____

Please choose from the guidance sheet on the reverse side for the following information.

Type of Failure: _____

Severity: _____

Cause of the Failure: _____

Recommended Corrective Action: _____

Additional comments about this problem area:

Figure 2. Sample Stream Restoration Monitoring Report



Civil Engineering Services for Upper York Creek Ecosystem
Restoration Project

Permitting and Environmental Compliance

Task 17 Delineation of Jurisdictional Waters

Michael Baker will review previous jurisdictional delineations of waters of the United States (including wetlands) and waters of the State located within the boundaries of the project site. Findings of the review will be summarized in a report (for Agency approval) along with graphics that identify the boundaries of water within the project site that are:

1. Waters of the U.S;
2. Waters of the State; and/or
3. California Department of Fish and Wildlife (CDFW) jurisdiction under California Fish and Game Code 1600 et al.

Task 18 Preparation/Processing of Regulatory Agency Applications

Michael Baker will prepare a Joint Aquatic Resources Permit Application (JARPA) package for USACE, Regional Water Quality Control Board, and CDFW approval. This task includes one round of internal revisions. The deliverable for this task includes a draft (one copy of each application) and final (one copy of each application) to the City for file. One copy of each application will also be formally submitted in a three-ring binder to the regulatory agencies.

In addition, Michael Baker will prepare two Biological Assessments. One Biological Assessment will evaluate effects of the project on California red-legged frog and will be used to facilitate the ESA Section 7 consultation with the USFWS. The other Biological Assessment will evaluate effects of the project on steelhead-central California coastal ESU and will be used to facilitate the ESA Section 7 consultation with the NOAA Fisheries. Other species may be added to the Biological Assessments at the USACE's recommendation.

Michael Baker shall provide regulatory services for the processing of the regulatory applications through the USACE, Regional Board, CDFW, USFWS, and NOAA Fisheries. The processing shall include required correspondence or telephone calls with the reviewing staff related to the permit or points of clarification and coordination, if necessary. This task excludes Endangered Species Act Section 7 consultation with the USFWS.

As appropriate, Michael Baker will prepare applications for a County grading permit and National Pollution Discharge Elimination System construction permit.

Civil Engineering Services for Upper York Creek Ecosystem
Restoration Project



Task 19 Environmental Compliance and EIR Addendum

As design is refined, Michael Baker will continually validate that design standards are within the analyses of the EIR for the Upper York Creek Ecosystem Restoration Project (State Clearinghouse No. 2006092096). Michael Baker will inform the City's engineer of any instance where variation may result in consequent CEQA actions. Michael Baker will prepare an EIR Addendum at final design if necessary, to provide environmental clearance necessary for design changes.

Project Management and Coordination

Task 1 Project Management and Coordination

Michael Baker will manage project duties for the full project in order to ensure a cost-efficient, quality process. As the prime contractor, our staff will provide a suite of disciplines to effectively coordinate and communicate leading to design approval. This task includes overall project management, project schedule and maintenance, liaison with affected agencies, meeting leadership, progress monitoring, and maintenance of project files. Michael Baker will supervise, coordinate, monitor, and review design for conformance with agency standards, policies, and procedures.

As a part of this task, Michael Baker shall coordinate and attend project meetings with the City, other agency stakeholders, and the landowners as necessary for the successful completion and approval of the project. For the purposes of this scope and fee, four meetings with the City and stakeholder are budgeted.

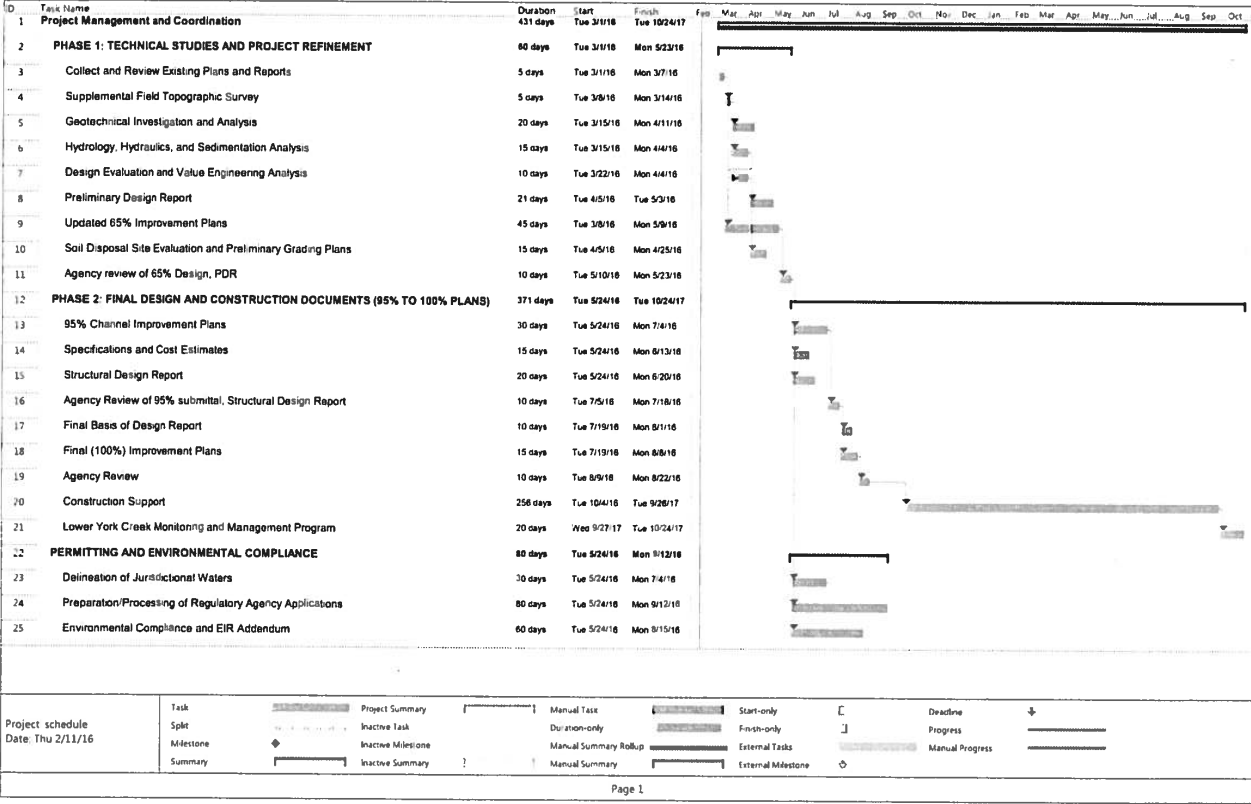
Deliverables: Meeting attendance, agendas, and minutes; project schedules



Civil Engineering Services for Upper York Creek Ecosystem
Restoration Project

Project Schedule

The project schedule can be found on the following page.



Professional Fees Estimation

Return City of St. Thomas

Prepared Statement: Deputy Mayor

Project Name: Upper York Creek Watershed Remediation Project
Job Number: 141000
Estimate Ref: 07110000

Lauren Rose Smith

2016 Sales Summary			
Item	Quantity	Unit Price	Total
1. John McQuay			
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STH CONTRACT: 2017-057

**FIRST AMENDMENT
TO PROFESSIONAL SERVICES AGREEMENT WITH MICHAEL BAKER INTERNATIONAL
FOR CIVIL ENGINEERING SERVICES FOR UPPER YORK CREEK ECOSYSTEM RESTORATION PROJECT
AS PART OF CAPITAL IMPROVEMENT PROJECT W-26**

This First Amendment to Agreement for Professional services is made effective on May 23, 2017 by and between the City of St. Helena, a municipal corporation ("City"), and Michael Baker International ("Consultant").

RECITALS

- A. Pursuant to the terms of the written Agreement between City and Consultant, dated April 26, 2016, and approved by Resolution No. 2016-51, dated April 26, 2016, the City entered into a Professional Services Agreement with Consultant for \$461,813 ("Agreement") regarding the City's Upper York Creek Ecosystem Restoration Project ("Project"). The Project is part of the City's Capital Improvement Project W-26; and
- B. Additional work has been identified and required by the National Marine Fisheries Service ("NMFS"), San Francisco Bay Regional Water Quality Control Board ("SFBRWQCB"), and Stillwater Sciences; and
- C. The Agreement's current Scope of Services does not include the funds or additional work that has been identified by the NMFS, SFBRWQCB, and Stillwater Sciences; and
- D. City and Consultant now desire to amend the Agreement to include, as Part of Capital Improvement Project W-26, the Upper York Creek Ecosystem Restoration Project, the additional scope required by the NMFS, SFBRWQCB, and Stillwater Sciences; and
- E. City and Consultant now desire to amend the Agreement to include, as Part of Capital Improvement Project W-26, the Upper York Creek Ecosystem Restoration Project, the reduction in scope as outlined by Consultant; and
- F. The Consultant has represented it has the necessary expertise, experience, and qualifications to perform the additional services for the Project; and

TERMS

- A. Parties agree to amend the Agreement to provide additional services, as outlined in the attachments to City of St. Helena Resolution No. 2017-65 (Exhibit A), Tasks 1, 4, 5, 7, and 18, as well as a reduction in the Scope of Services to Tasks 10, 11, 14, and 15.
- B. Section 4.A of the Agreement is amended to read as follows: "Subject to any limitations set forth in this Agreement, City agrees to pay Consultant the amount specified in Exhibit B, "Compensation" attached hereto and made a part hereof. Total compensation shall not exceed \$606,370.80, unless prior additional compensation is approved in writing in accordance with Section 2."
- C. The Agreement, as modified by this First Amendment, constitutes the entire agreement between City and Consultant. Except as expressly set forth in this First Amendment, the Agreement has not been modified, changed, altered, or amended, and is in full force and effect.

Entered as of the day and year first above stated.

IN WITNESS WHEREOF, the parties hereto have accepted, made, and executed this Agreement upon the terms, conditions, and provisions above stated, the day and year first above written.

CONSULTANT:

Michael Baker International
2729 Prospect Park Drive, Suite 220
Rancho Cordova, CA 95670

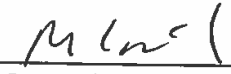
Signatures of Authorized Persons:

By: 

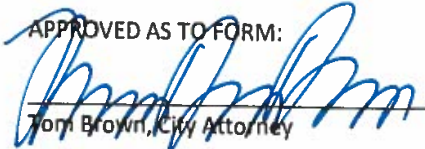
Print Name: Kevin Gustorf

Title: Vice President

CITY OF ST. HELENA
a Municipal Corporation

By: 
Mark Prestwich, City Manager

APPROVED AS TO FORM:


Tom Brown, City Attorney

ATTEST:


City Clerk

Kamille Garcia Deputy Clerk for
Cindy Black

Attachments:

- Exhibit A – Resolution No. 2017-65
- Exhibit B – Resolution No 2016-51

CITY OF ST. HELENA

RESOLUTION No. 2017-65

**Resolution Authorizing an Amendment to the Scope of
Work and an Increased Not to Exceed Cost of
\$606,370.80 for Michael Baker International for the
Upper York Creek Dam Removal Project, W-26**

RECITALS

- A. The City of St. Helena previously entered into a Professional Services Agreement with Michael Baker International in an amount not to exceed \$461,813 for design and engineering services for the Upper York Creek Dam Removal Project; and
- B. Following the recommendations of regulatory agencies to alter the project elements, additional work scope is needed for hydrology, hydraulics, and sediment flow among other project tasks; and
- C. The City's Cultural Resources Report for the project will expire this summer, requiring an updated report for the Army Corps of Engineers; and
- D. The City has committed to the removal of the Upper York Creek Dam via Resolution 2017-50; and
- E. The cost of the additional work, which Michael Baker International has the necessary expertise, experience and qualifications to complete the revised tasks, is \$144,557.80.

RESOLUTION

The City Council of the City of St. Helena hereby resolves as follows:

- 1. Approves the contract increase for Michael Baker International for the Upper York Creek Dam Removal Project, for a not to exceed amount of \$606,370.80.

Approved at a Regular Meeting of the St. Helena City Council on May 23, 2017, by the following vote:

Mayor Galbraith:	Yes
Vice Mayor White:	Yes
Councilmember Dohring:	Yes
Councilmember Koberstein:	Yes
Councilmember Ellsworth:	Yes

APPROVED:


Alan Galbraith, Mayor

ATTEST:


Cindy Black, City Clerk



Michael Baker
INTERNATIONAL

We Make a Difference

April 25, 2017

JN-153371

Erica Athmann Smithies, PE
Acting Public Works Director/City Engineer
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Subject: Upper York Creek Ecosystem Restoration Project Additional Scope and Fee

Dear Erica:

During a Project meeting with various regulatory agencies at the City of St. Helena on March 23, 2017, National Marine Fisheries Service (NMFS) staff suggested a change to the Upper York Creek Restoration Project to a natural dam removal concept, allowing for sediment to mobilize naturally over time rather than excavating a portion of the sediment and providing for stream restoration. Subsequent discussions with NMFS and the San Francisco Bay Regional Water Quality Control Board (SFBRWQCB) were held on April 5th and April 20th, 2017 discussing the impacts to permit applications, CEQA, and plans based on this proposed change. Per discussions via phone conversation and email on April 17th and April 20th, 2017, NMFS recommended Michael Baker contact Yantao Cui with Stillwater Sciences to develop a sediment transport model to evaluate the effects of the Project on native fish populations and to determine the data requirements to develop the model.

Based on these discussions, Michael Baker International (MBI) has developed this request describing additional scope of work and fees. A description of the additional services within each Task in the original scope of work is as follows:

Task 1 Project Management and Coordination

Per recommendation by RWQCB Staff at the conference call meeting on April 5, 2017, a monthly meeting with regulatory agencies was suggested. Michael Baker will provide a conference call number, meeting agendas, and meeting notes for each monthly meeting. It is assumed eight (8) project meetings will be required. The additional fee for these services is \$17,200.

Task 4 Geotechnical Investigation and Analysis

On April 18th, 2017 MBI discussed data requirements for York Creek for the sediment transport model described under Task 5 below. Per this discussion, MBI will install gravel buckets within York Creek to determine the ambient concentration of fine sediments within York Creek, and three soil sampling locations will be required with samples taken every few feet of depth. MBI contacted the geotechnical subconsultant WRECO to provide data collection for the three sampling locations and sieve analysis for the sediment samples and gravel buckets. This proposal is attached. The additional fees for these services is \$11,610.

Task 5 Hydrology, Hydraulics, and Sedimentation Analysis

Per discussion with Yantao Cui (Stillwater) on April 20th, 2017, Stillwater Sciences prepared prepare a scope of work to evaluate the potential impact to fisheries resources due to suspended sediment concentration in York Creek for a scenario that would leave the majority of the reservoir deposit in place for natural transport. This proposal is attached.

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Office: 916.928.1113 | Fax: 916.361.1574

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Per discussion with NMFS on April 20, 2017, additional analysis of flood hazards for the lower reaches of York Creek due to the proposed project will be required, due to the potential for increased coarse sediment in the lower reaches of York Creek. MBI will provide an existing and proposed conditions HEC-RAS analysis based on an updated survey of York Creek from the Project site to Napa River, and based on the results of the sediment transport analysis as determined By Stillwater. MBI will prepare a technical memo with results of the analysis and proposed mitigation measures. The additional fees for these services is \$17,600. .

Task 7 Preliminary Design Report

MBI will provide additional services to evaluate the sediment capacity of York Creek from downstream of the Project site to Approximately 1.5 miles downstream of the Project Site. MBI will also provide additional services to design sediment traps using natural wood structures, per discussions with NMFS. The additional fees for these services is \$5,080.

Task 18 Preparation/Processing of Regulatory Agency Applications

On February 27, 2017 MBI provided an additional scope request to prepare required documentation to facilitate processing of permit applications. After reviewing all of the previous reports, the Corps concurred with our approach to prepare a cultural resources identification report (Task 1), Finding of Adverse Effect document (Task 2) and Memorandum of Agreement (Task 3) recommending Historic American Engineering Record (HAER) heritage documentation (Optional Task 1). Tasks 1-3 need to be prepared to complete the 404/1 permit, these tasks total \$41,450.

Scope Reductions/Cost to Complete

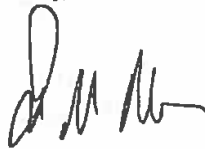
Based on discussions with NMFS and RWQCB, Michael Baker has identified several areas within our current scope of work where the scope and fee may be reduced. For Tasks 10, 11, 14, and 15, the scope may be reduced because the restoration efforts will be reduced from a full restoration to a stable, low flow channel. Table 1 presents a summary of additional costs and scope reductions for the Project.

Summary

Based on the Additional Services determined for tasks 1, 4, 5, 7, and 18; and scope and fee reductions for Tasks 10, 11, 14, and 15, the total additional fees required for the Project are \$144,587 as presented in Table 1.

If you have any questions or if you need additional information, please contact me directly at (916) 231-3355, or via david.mueller@mbakerintl.com.

Sincerely,



David Mueller
Project Manager

Michael Baker
INTERNATIONAL

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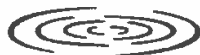
Table 1. Scope and Fee Impacts

Task	Items	Stages (Impact)	Percent Complete	Amount Budgeted	Spent	Budget Remaining	Cost to complete additional services, fee (estimated)	Total cost to complete
1	Task 1: Project Management and Coordination	Administrative Support	40%	\$ 40,000	\$ 19,644.24	\$ 20,355.76	\$ 17,000.00	\$ 37,351.75
2	Task 2: Collect and Review Existing Plans and Reports	NO Impact	100%	\$ 2,300	\$ 2,300	\$ -	\$ -	\$ -
3	Task 3: Implement Initial Field Sampling and Survey	NO Impact	100%	\$ 11,500.00	\$ 11,500.00	\$ -	\$ -	\$ -
4	Task 4: Geophysical Investigations and Analysis	Administrative Support	50%	\$ 31,300	\$ 29,544.67	\$ 1,755.33	\$ 11,619.50	\$ 13,374.83
5	Task 5: Hydrology, Hydrogeology, and Sedimentation Analysis	Administrative Support	80%	\$ 16,500	\$ 13,400.00	\$ 3,100.00	\$ 17,524.80	\$ 17,524.80
6	Task 6: Design Evaluation and Value Engineering Analysis	NO Impact	100%	\$ 3,400	\$ 3,060.00	\$ 330.00	\$ -	\$ -
7	Task 7: Preliminary Design Report	Administrative Support	50%	\$ 10,770	\$ 5,015.00	\$ 5,755.00	\$ 5,082.00	\$ 10,837.00
8	Task 8: Landfill 65% Implementation Plan	NO Impact	100%	\$ 16,070	\$ 16,070	\$ -	\$ -	\$ -
9	Task 9: Land Disposal Site Evaluation and Preliminary Grading Plan	NO Impact	34%	\$ 20,250	\$ 6,900.00	\$ 13,350.00	\$ -	\$ -
10	Task 10: P18 Closure Implementation Plans	Project Reduced	0%	\$ 34,270	\$ -	\$ 34,270.00	\$ 21,850.00	\$ 21,850.00
11	Task 11: Specifications and Cost Estimates	Project Reduced	100%	\$ 46,300	\$ 3,400.00	\$ 42,900.00	\$ 13,150.00	\$ 13,150.00
12	Task 12: Structure Design Report	NO Impact	0%	\$ 11,350	\$ -	\$ 11,350.00	\$ 12,190.00	\$ 12,190.00
13	Task 13: Road design on Gravel Inlet 1	NO Impact	0%	\$ 5,510	\$ -	\$ 5,510.00	\$ 5,150.00	\$ 5,150.00
14	Task 14: Construction Support	Project Reduced	0%	\$ 10,215	\$ -	\$ 10,215.00	\$ 7,700.00	\$ 7,700.00
15	Task 15: Construction Support	Project Reduced	0%	\$ 44,500	\$ -	\$ 44,500.00	\$ 26,840.00	\$ 26,840.00
16	Task 16: Construction Support and Management Program	NO Impact	100%	\$ 34,630	\$ 5,782.00	\$ 28,848.00	\$ -	\$ -
17	Task 17: Construction Support and Management Program	NO Impact	0%	\$ 4,327	\$ 2,441.25	\$ 1,885.75	\$ 4,830.00	\$ 4,830.00
18	Task 18: Permitting of Regulatory Agency Application	Administrative Support	40%	\$ 13,500	\$ 2,077.50	\$ 11,422.50	\$ 24,000.00	\$ 24,000.00
19	Task 19: Environmental Compliance and 1st Administration	NO Impact	100%	\$ 14,000	\$ 7,046.25	\$ 6,953.75	\$ 5,000.00	\$ 5,000.00
	TOTAL				\$ 132,699.24	\$ 197,390.80	\$ 598,250.25	\$ 644,657.80

Account	Description	Sub	Sub Desc	Sub Desc	Sub Total	Sub Total	Total Cost
Costs							
Jan 1	Additional Accounting (Accounts B)						
Jan 4	Subcontract Sampling and Analysis	WHLCD	7355		6090.5	12,300.00	12,300.00
Jan 5	Analysis of Potential Impacts for relevant Regional on-site Creek Barn					11,610.00	11,610.00
Jan 5	Re-surveying					7,640.00	108,642.30
Jan 7	Final Hazard Modeling and Mapping				105,702.3	17,996.00	17,996.00
Jan 7	Final Hazard Modeling and Mapping					3,080.00	3,080.00
Jan 18	Calculated Regional Spills					5,000.00	5,000.00

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Stillwater Sciences

 2855 Telegraph Ave, Suite 400, Berkeley, CA 94705
 phone 510.848.8098 fax 510.848.8398

SCOPE OF WORK (draft)

Analysis of Potential Impacts to Fisheries Resources upon York Creek Dam Breaching

DATE: Saturday, May 13, 2017

TO: Michael Baker International

FROM: Stillwater Sciences

1 BACKGROUND

Michael Baker International is supporting the City of St. Helena in developing alternatives for the removal of York Creek Dam. In April 2017, Stillwater Sciences was approached by Mr. David Mueller of Michael Baker International to prepare a scope of work to evaluate the potential impact to fisheries resources due to the increased suspended sediment concentration in York Creek upon dam breaching for a scenario that would leave the majority of the reservoir deposit in place for natural transport. We provide below a brief description of our proposed approach, the tasks involved for the analysis, estimated budget, proposed deliverables, project schedule, as well as assumptions we used to reach the budget and project schedule.

2 PROPOSED APPROACH

Our proposed approach will entail numerical sediment transport modeling, followed by an analysis of the impact of predicted suspended sediment concentrations on key fish species by life history stage. Numerical models to simulate the potential suspended sediment concentration following the breaching of the dam will be carried out using the DREAM-2 model (Cui et al. 2006a,b) that would simulate the sediment transport dynamics for both the coarse (gravel and coarser) and fine (sand and finer) sediments. If, however, the reservoir deposit is composed primarily of fine sediment, a DREAM-1 model will also be set up for the simulation of suspended sediment concentration during and after dam removal. Details of DREAM-1 and DREAM-2 models and sensitivity tests to the models can be found in Cui et al. (2006a,b). Whether DREAM-1 model will be needed in addition to DREAM-2 model simulation will be determined following a field inspection of the project area, and upon receipt of grain size distribution data of the reservoir deposit. Following sediment transport modeling, the predicted suspended sediment concentrations during different times of the year will be used to evaluate the potential impacts to key fish species at various life history stages based on the methods described in Newcomb and Jansen (1996). We have successfully used similar approaches to evaluate the impact of dam removal on fisheries resources elsewhere (e.g., Marmot Dam removal on the Sandy River, Oregon, the proposed removal of the four upper Klamath River dams in California and Oregon), and the proposed removal of Matilija Dam in Matilija Creek, California (Appendix A).

3 TASKS

Task 1. Information Review and Data Collection

Stillwater will review existing information relevant to the study and conduct a one-day field survey to support sediment transport modeling and fisheries impact evaluation. The field survey will allow us to identify and map some of the key geomorphic features within the reach downstream of the dam that are needed for modeling, such as bedrock outcrops, and evaluate and map existing habitat conditions that are necessary for fisheries impact analyses.

Task 2. Hydrologic Analysis

Stillwater will review the discharge record collected by the Napa County Resource Conservation District (NCRCD) at Highway 29, and if necessary, will expand the record to a longer duration in reference to daily discharge records from a gaged, neighboring watershed. The goal of the hydrologic analysis is to select three typical water years: a dry year, an average year, and a wet year. The recorded or generated daily discharge record from the selected three typical years will be used as input for the sediment transport model (Task 3) and fisheries impact analysis (Task 4).

Task 3. Sediment Transport Modeling

One or both of the DREAM models (DREAM-2, and potentially DREAM-2 and DREAM-1) (Cui et al. 2006) will be used to simulate sediment transport dynamics following dam notching under three typical hydrologic years selected in Task 2. The two models have identical core components, but with different sediment transport formulae that are suitable for different types of reservoir sediment deposits. DREAM-2 simulates the transport of both coarse and fine sediment transport dynamics, but DREAM-1 provides more reliable simulation of fine sediment transport and suspended sediment concentration in case the reservoir deposit is primarily fine sediment.

A list of previous projects that applied DREAM models or their sister models (i.e., models with identical core components, except for the sediment transport equations used for calculating sediment transport capacity) can be found in Appendix A.

The extent of the reach to be modeled is assumed to include the reservoir and extend all the way down to Napa River confluence.

Task 4. Fisheries Impact Evaluation

Stillwater will evaluate and summarize potential effects to Central California Coast (CCC) steelhead and their habitats, as a result of suspended sediment released in association with the removal of York Creek Dam.

Stillwater Sciences will evaluate the effect of increases in suspended load and bedload associated with dam removal that would result in sediment being transported past York Creek Dam on all steelhead life stages. This will include effects on juvenile and adult migration; spawning substrate, redds, and alevins; and rearing substrate and habitat. The effect of increased sediment transport on the overall steelhead population will also be evaluated, to the extent possible based on available data.

*Scope of Work**York Creek Dam Breaching*

The analysis will focus on the response of steelhead and their habitat to increases in sediment in Lower York Creek downstream of Upper York Creek Dam. The quality and extent of spawning and rearing habitat will also be influenced by increased sediment deposition, with effects that vary with distance from the dam, as well as reach-specific channel gradient, confinement, etc.

Based on the steelhead population data available from the National Marine Fisheries Service' steelhead recovery plan, steelhead analysis from the City of St. Helena, California Fish and Wildlife habitat and fish surveys, and other readily available sources, the effects analysis will consider the proportion of the steelhead cohort (of each life stage) predicted to be in the response reaches during suspended sediment events during and following dam removal, considering both spatial distribution (proportion of the life stage expected to be in the creek compared to the Napa River, and proximity to York Creek Dam) and life-history timing (proportion of the population expected to be present during the period of effect). In our analysis of increased sediment transport in other rivers (e.g., Sandy, Klamath, and Matilija rivers), we found that describing which life stages of steelhead will occur in the response reach during key periods of expected increases in sediment is critical to understanding, and not exaggerating potential effects.

For the proportion of each life stage anticipated to be exposed to increased sediment, the predictions of the order of magnitude changes in Total Suspended Sediment (TSS) relative to an unimpaired condition from the sediment transport analysis (Task 3), will be integrated with an evaluation of the impacts of varying TSS concentrations and durations on each steelhead life stage. As we did in the Klamath Dam Removal EIR and the Matilija Dam analysis, this evaluation will rely on the synthesis of the effects of high TSS on salmonids by Newcombe and Jensen (1996) (since York Creek-specific thresholds are not available) (Table 1). An example of the analysis for the Klamath River dam removal is provided in Figure 1. This method will be used to estimate the relative magnitude of severity of ill effects on specific life stages (juvenile and adult migration, spawning and rearing, and alevins) of steelhead within the response reach. Dam removal will be assessed based on the season of sediment release, along with the severity, frequency, and persistence of the effects.

Using this analytical approach, we will estimate the proportion of juvenile steelhead that are expected to rear within the affected reach, and thus will suffer some level of direct mortality, or sublethal effects, and the proportion in the mainstem Napa River, which we assume would avoid effects entirely. The same analysis will be conducted for each life stage, and for each scenario. The population level consequences of each scenario will then be assessed, based on the loss of the estimated proportion of redds, alevins, juveniles, and adults from each cohort anticipated to be present during each year of potential increased sediment.

In addition to assessing the potential effects of suspended sediment on steelhead, we will also assess the effects of increased sediment transport on habitat for steelhead, including juvenile rearing habitat and spawning habitat. Results of sediment transport analysis (Task 3) will be used to predict the effect of each alternative (and scenarios of each alternative) on the channel profile within the response reach and over time. These results will be used to assess the degree to which sediment deposition reduces pool volume, increases available spawning habitat, and increases floodplain habitat access from increased bed elevation. Predictions of bedload substrate size composition (Task 3) will also be assessed to predict how changes in substrate facies affect spawning habitat. The predicted effects on steelhead habitat will be compared with the spatial distribution of steelhead spawning and rearing in the watershed to evaluate the likely population level effects of the various alternatives.

Table 1. Severity of effects from suspended sediment, Newcombe and Jensen (1996)

Severity	Category of effect	Description
0	Null effect	•No behavioral effects
1	Behavioral effects	•Alarm reaction
2		•Abandonment of cover
3		•Avoidance response
4	Sublethal effects	•Short-term reduction in feeding rates •Short-term reduction in feeding success
5		Minor physiological stress •Increase in rate of coughing •Increased respiration rate
6		•Moderate physiological stress
7		•Moderate habitat degradation •Impaired homing
8		Indications of major physiological stress •Long term reduction in feeding rate •Long term reduction in feeding success •Poor condition
9	Lethal effects	Reduced growth rate: •Delayed hatching •Reduced fish density
10		•0–20% mortality •Increased predation of effected fish
11		•>20–40% mortality
12		•>40–60% mortality
13		•>60–80% mortality
14		•>80–100% mortality

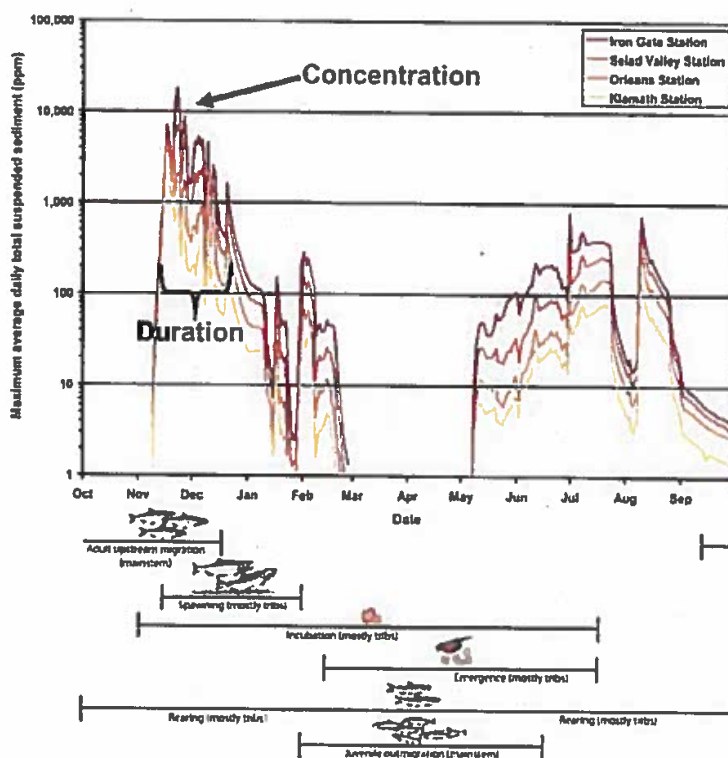


Figure 1. An example of evaluation of suspended sediment impacts in Klamath River

Task 5. Preparation of Technical Memorandum

A draft technical memorandum summarizing the existing information review, site visit, hydrologic analysis, sediment transport modelling results, and impacts to fisheries will be prepared for review by Michael Baker International. One set of track-changed comments will be addressed and a final technical memorandum will be submitted. .

Task 6. Project Management and Coordination

This task covers the coordination with Michael Baker International and other relevant parties as well as other general project management needs. Stillwater will attend up to one in-person meeting with stakeholders and coordinate as needed via phone conference under this task.

4 DELIVERABLES, SCHEDULE, AND BUDGET

4.1 Estimated Budget

Our estimated budget under the assumptions discussed below (Section 4.3) is provided in Table 2 below.

Table 2. Budget for Tasks 1-6 and expenses.

BUDGET	Task 1 2017	Task 2 2017	Task 3 2017	Task 4 2017	Task 5 2017	Task 6 2017	Total
TOTAL COST	\$7,428	\$4,511	\$41,479	\$29,787	\$11,130	\$2,119	\$95,323
TOTAL EXPENSES:	\$770						\$770
PROJECT COST:	\$8,198	\$4,511	\$41,479	\$29,787	\$11,130	\$2,119	\$96,093

4.2 Deliverables, Schedule

The deliverables include

- A draft technical memorandum for review, delivered on or before Monday, July 31, 2017;
- A finalized technical memorandum, detailing the findings of the study, delivered within two weeks upon receipt of all review comments; and

4.3 Assumptions

We have made the following assumptions in order to meet the above budget and schedule:

- a. A contract or instruction to start to work is received on or before April 26, 2017;
- b. Michael Baker International finishes sample collection and analysis of the reservoir deposit, and provides us with the results no later than the first week of May.
- c. We have received the existing HEC-RAS model, which we will review. We have assumed that the cross-sections in the HEC-RAS model covers the reach that we intend to set up the sediment transport model.
- d. Dr. Yantao Cui and Mr. Ethan Bell will attend one meeting as described in Task 6 in St. Helena or a nearby location to discuss or present the findings of the study.

5 REFERENCES CITED

Cui, Y., Parker, G., Braudrick, C., Dietrich, W.E., and Cluer, B. 2006a. Dam Removal Express Assessment Models (DREAM). Part 1: Model development and validation. *Journal of Hydraulic Research*, 44(3), 291-307.

Cui, Y., Braudrick, C., Dietrich, W.E., Cluer, B., and Parker, G. 2006b. Dam Removal Express Assessment Models (DREAM). Part 2: Sensitivity tests/sample runs. *Journal of Hydraulic Research*, 44(3), 308-323.

Newcombe, C. P., and J. O. T. Jensen. 1996. Channel suspended sediment and fisheries: a synthesis for quantitative assessment of risk and impact. *North American Journal of Fisheries Management* 16: 693-727.

APPENDIX A: LIST OF PREVIOUS PROJECTS WHERE SIMILAR SEDIMENT TRANSPORT MODELING AND/OR FISHERIES IMPACT ANALYSIS WERE CONDUCTED

Below we provide a list of previous application of DREAM models (including variations that used the core of the DREAM models) and associated fisheries impact analyses.

Project	Location	Sediment transport modeling	Fisheries Impact Analysis	Amount of Sediment in Question
Marmot Dam Removal	Oregon	Yes	Yes	1 million CY
Soda Springs Dam Removal	Oregon	Yes	Yes	1 million CY
OTML Mining Disposal	Papua New Guinea	Yes	No	2 billion tonnes
Matilija Dam Removal	California	Yes	Yes	7 million CY
Simkins Dam Removal	Maryland	Yes	No	< 0.1 million CY
Bloede Dam Removal	Maryland	Yes	No	~ 0.25 million CY
Saeltzer Dam Removal	California	Yes	No	Small
Harvey Diversion Structure	California	Yes	No	Small
Freeman Dam Modification	California	Yes	No	Small
Englebright Dam Modification	California	Yes	No	26 million tonnes
Daguerre Dam Removal	California	Yes	No	2.4-4.6 million CY
Dam Removal on the Klamath River	California and Oregon	Yes	Yes	> 10 million CY
Alameda Creek Fish Barrier Removal	California	Yes	No	Small
Alameda Creek Diversion Dam Modification	California	Yes	No	Small

APPENDIX B: KEY PERSONNEL AND RESUMES

Key personnel for this study include Dr. Yantao Cui and Mr. Ethan Bell.

Dr. Cui specializes in hydraulic and hydrologic analyses, sediment transport modeling, and geomorphic assessment. Over the years, Yantao has worked on some of the world's largest river projects, including research on the construction of the Three Gorges Dam in China (the largest dam in the world); sediment transport modeling and sediment related assessments in Ok Tedi and Fly River system, Papua New Guinea (one of the largest human-induced sediment release to rivers); and sediment transport modeling and geomorphic assessment upon the removal of Marmot Dam, Sandy River, Oregon (the largest sediment release caused by dam removal at the time the dam was removed). Dr. Cui is the author and coauthor of approximately 30 peer-reviewed journal articles and book chapters, and is the author of several sediment transport models, including those published in peer-reviewed journals (i.e., DREAM-1, DREAM-2 and TUGS). Dr. Cui will serve as Stillwater project manager for this project.

Mr. Bell has nearly 20 years of experience conducting steelhead fisheries research and projects in California and is Stillwater's Central Coast Region Lead, based out of the Morro Bay office. He has provided technical expertise on a wide variety of interdisciplinary projects, including instream flow analysis, endangered species consultation, large-scale watershed assessments, fish passage analysis, and restoration design. Mr. Bell is also instrumental in coordinating and managing field studies, analyzing collected field data, as well as researching and writing reports and proposals. Expertise with field techniques includes electrofishing, PIT tagging, PIT tag antenna monitoring, rotary screw trap monitoring, snorkel diving, and beach seining. Brief resumes for Dr. Cui and Mr. Bell are provided below.



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Walnut Creek, CA 94596
Phone: 925.941.0017
Fax: 925.941.0018
www.wreco.com

April 18, 2017

David Mueller
Michael Baker International
2729 Prospect Park Dr., Suite 220
Rancho Cordova, CA 95670

Project: Upper York Creek Ecosystem Restoration
Subject: Request for Additional Budget for Limited Sediment Study

Dear Mr. Mueller,

WRECO is submitting an additional budget request for the above referenced project. This request is to perform a limited sediment study of the channel bedload upstream of the existing dam.

WRECO Detailed Scope of Work

The limited sediment study will include three hand auger or hand-excavated pits to collect bulk samples of bedload materials and retrieval of up to 10 gravel sedimentation monitoring beds and laboratory testing. The three hand augers and/or hand-excavated pits will be on the order of 5 ft depth or to refusal at locations indicated by Michael Baker International. The 10 gravel sedimentation monitoring beds are understood to be placed by Michael Baker International, and WRECO will only retrieve the beds after the monitoring period. Laboratory testing will include gradation and plasticity index testing on the sediment samples, and ten limited gradations to determine by weight the amount of sediment in the gravel bed samples. Recommendations are not part of this scope of service.

The results of study will be summarized in a memo and will include the following:

- A Project summary and description of the geotechnical work performed.
- A summary of the identified soil and rock conditions observed at the Project site, summary of the laboratory testing results, and Test Boring Logs.

Attached, please find our work-hour and fee estimate (time and material and not to exceed).

Please call David Kitzmann, our Project Manager, at (916) 757-6150 or me at (925) 941-0017 extension 201 if you have any questions.

Sincerely,
WRECO

Han-Bin Liang, Ph.D., P.E.
President

| Civil Engineering | Environmental Compliance | Geotechnical Engineering | Water Resources |



WRECO

1243 Alpine Road, Suite 108
Walnut Creek, CA 94596

Upper York Creek Ecosystem Restoration Project, CIP W-26**City of St. Helena*****Additional Work For Sediment Study*****Work-Hour and Fee Estimate for WRECO Tasks**

Prepared by WRECO

April 18, 2017

Man-Hours

Task	Task Description	Senior Geologist	Staff Geologist	Clerical/Tech Editor
1	Field Investigation and Laboratory Testing	2	20	
2	Sediment Study Summary Memo	6	6	2
	Subtotal	8	26	2

Fee**Direct Cost**

	Hours	Hourly Rate	Fee
Senior Geologist	8	\$ 160.00	\$ 1,280.00
Staff Geologist	26	\$ 75.00	\$ 1,950.00
Clerical/Tech Editor	2	\$ 80.00	\$ 160.00
Subtotal Direct Labor	36		\$ 3,390.00

Expenses

Travel & Per Diem	\$ 175.00
Office Misc. & Reproductions	\$ 60.00
Laboratory Testing	\$ 3,730.00
Subtotal	\$ 3,965.00

Total Cost

\$ 7,355.00

CONFIDENTIAL

Fee WRECO_Upper York Creek_Additional Work Request 041817

Michael Baker will conduct cultural resources studies that are needed for the Applicant and the Army Corps of Engineers to address requirements of Section 106 of the National Historic Preservation Act, NEPA, and CEQA. Per email correspondence with the Army Corps in November 2016, the three tasks and one optional task presented below will complete cultural resources technical studies and mitigation measures for the project.

This scope assumes that the Tasks 1-3 will be produced concurrently and the Area of Potential Effects (APE) contains one cultural resource known as Upper York Creek Dam (aka Saint Helena Upper Reservoir, or Upper Dam) that is eligible for listing in the National Register of Historic Places.

TASK 1 – CULTURAL RESOURCES IDENTIFICATION REPORT

Michael Baker will conduct the following tasks to identify cultural resources in the project's study area. A records search at the Northwest Information Center (NWIC) and field survey have already been completed by Michael Baker staff.

Research and Field Investigation

- A review of cultural resource inventories will be completed to identify cultural resources that may be listed within or adjacent to the study area. If available, appropriate City and County listings will be reviewed.
- Background research and a literature review, consisting of a review of archaeological, ethnographic, historical, and environmental publications and maps at historical archives, will also be performed. The background research will identify previously recorded or otherwise known cultural resources in or adjacent to the APE.
- Assist the Army Corps with meeting Native American consultation requirements pursuant to Section 106 of the National Historic Preservation Act. Michael Baker will contact the Native American Heritage Commission in Sacramento for a review of the Sacred Lands File to determine if the APE contains any known sacred lands, and a list of Native American contacts who may have concerns about the project within the APE. On behalf of the Army Corps, invitations to begin Section 106 consultation letters will be sent to Native American contacts and follow-up calls will be made. If meetings or additional consultations are required, a budget augment will be prepared.
- Contact the St. Helena Historical Society for any information or concerns they may have about the project within the APE.

Documentation

- Prepare a study area map per Army Corps standards. The study area map is prepared ahead of the APE map and is utilized as an in-progress APE map.
- Prepare a Cultural Resources Identification Report.
- Prepare an APE map per Army Corps standards.

Assumptions

This scope assumes that there are no built environment or archaeological resources within the APE that require evaluation for inclusion in either the California Register of Historical Resources or National Register of Historic Places.

If the Cultural Resources Identification report is not submitted to the Army Corps before 10/10/2017, a new NWIC records search will be required.

Schedule

Task	Timeline to complete from NTP
Identification Report prepared for Army Corps review (Submitted concurrently with MOA and FOAE)	8 weeks
Army Corps Review	12 weeks
Michael Baker Response to Comments and preparation for final submittal	16 weeks

Cost

\$12,700

TASK 2 – CULTURAL RESOURCES FINDING OF ADVERSE EFFECT

Michael Baker will conduct the following tasks to analyze effects to the Upper York Creek Dam within the APE.

Analysis

- Apply the criteria of adverse effect to all alternatives that were considered but rejected in the environmental document.
- Provide mitigation measures, which are expanded upon in the Memorandum of Agreement.

Documentation

- Prepare a Finding of Adverse Effect (FOAE) document per Army Corps standards.

Schedule

Task	Timeline to complete from NTP
FOAE prepared for Army Corps review (Submitted concurrently with Identification Report and MOA)	8 weeks
Army Corps Review	12 weeks
Michael Baker Response to Comments and preparation for final submittal	16 weeks

Cost

\$14,350

TASK 3 – MEMORANDUM OF AGREEMENT

Michael Baker will conduct the following tasks to prepare the agreement document for the Upper York Creek Dam mitigation measures.

Agreement Document

- One signatory meeting to present the MOA.

Documentation

- Prepare an MOA document per Army Corps standards, which documents mitigation measures that are listed in the FOAE.

Schedule

Task	Timeline to complete from NTP
MOA prepared for Army Corps review (Submitted concurrently with Identification Report and FOAE)	8 weeks
Army Corps Review	12 weeks
Michael Baker Response to Comments and preparation for final submittal	16 weeks

Cost

\$14,400

OPTIONAL TASK 1 – HISTORIC AMERICAN ENGINEER RECORD (HAER) HERITAGE DOCUMENTATION

Heritage Documentation Programs (HDP), part of the National Park Service (NPS), administers one of the Federal Government's oldest preservation program, the HAER (Historic American Engineering Record). Documentation produced through the program constitutes one of the nation's largest archives of historic engineering documentation. HAER documentation becomes part of the collection at the Library of Congress.

Michael Baker will complete the HAER documentation of the Upper York Creek Dam in compliance with the MOA and Section 106 of the NHPA. This scope and cost was developed with guidance from the 2015 NPS *Historic American Engineering Record Guideline for Historical Reports*; the 2015 NPS *Heritage Documentation Programs HABS/HAER/HALS Photography Guidelines*, as well as the 2015 NPS *Preparing HABS/HAER/HALS Documentation for Transmittal*.

To complete the HAER documentation, Michael Baker International will:

- Prepare the HAER in outline format. This format identifies the physical history, historic context, and structural/design information of the resource. This is the NPS preferred format.
- Complete ten (10), 4x5, large format, black and white photographs of the resource pursuant to NPS standards.
- Prepare HAER documentation for review by NPS and submittal to the Library of Congress
 - This requires archival quality paper, CDs, ink, printers, and photography materials.
- Consult with the Army Corps of Engineers
- Consult with National Park Service staff for review and submittal of the documentation.

Assumptions

This scope assumes:

- Three (3) copies of fifteen (15) 4x5 large format photographs and negatives. If additional negatives or photographs are required a budget augment will be required.

SCHEDULE

Task	Timeline to complete from NTP
HAER completed for NPS review	8 weeks
NPS review	12 weeks
Michael Baker Response to Comments and preparation for final submittal	16 weeks

COST

\$12,270

CITY OF ST. HELENA

RESOLUTION NO. 2016-51

**APPROVING A PROFESSIONAL SERVICES
AGREEMENT WITH MICHAEL BAKER
INTERNATIONAL IN THE AMOUNT OF \$461,813 FOR
ENGINEERING SERVICES FOR THE UPPER YORK
CREEK ECOSYSTEM RESTORATION PROJECT,
CAPITAL IMPROVEMENT PROJECT W-26**

RECITALS

- A. The City has been working for several years to remove the Upper York Creek Dam and restore the York Creek streambed; and
- B. City Staff conducted a competitive solicitation to attract highly qualified engineering consultants; and
- C. Of the two proposals reviewed, Michael Baker International was scored in the top two; and
- D. During the interview process Michael Baker International demonstrated the level of experience, competence, staffing, and other qualifications necessary for exceptional performance of the services required and described in the scope of work; and
- E. The project is funded under Capital Improvement Project W-26.

RESOLUTION

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

1. The City Manager is authorized to execute the Professional Services Agreement with Michael Baker International in the amount of \$461,813 for engineering service.

Approved at a Regular Meeting of the St. Helena City Council on April 26, 2016 by the following vote:

Mayor Galbraith:	<u>yes</u>
Vice Mayor White:	<u>yes</u>
Councilmember Crull:	<u>yes</u>
Councilmember Dohring:	<u>Absent</u>
Councilmember Pitts:	<u>yes</u>

APPROVED:


Alan Galbraith, Mayor



ATTEST:


Cindy Black, City Clerk

AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT, made and entered into on April 26, 2016 by and between the City of St. Helena, located in the County of Napa, State of California (City), and Michael Baker International (Consultant).

RECITALS:

A. City desires to employ Consultant to furnish professional services in connection with the project described as **Civil Engineering Services for Upper York Creek Ecosystem Restoration Project**.

B. Consultant has represented that Consultant has the necessary expertise, experience, and qualifications to perform the required duties.

NOW, THEREFORE, in consideration of the mutual premises, covenants, and conditions herein contained, the parties agree as follows:

SECTION 1 – BASIC SERVICES

Consultant agrees to perform the services set forth in Exhibit A, "Scope of Services" and made part of this Agreement.

SECTION 2 – ADDITIONAL SERVICES

Consultant shall not be compensated for any services rendered in connection with its performance of this Agreement which are in addition to or outside of those set forth in this Agreement or Exhibit A, "Scope of Services", unless such additional services and compensation are authorized in advance and in writing by the City Council or City Manager of the City.

SECTION 3 – TIME FOR COMPLETION

The time for completion of services shall be as identified in Exhibit A, "Scope of Services".

SECTION 4 – COMPENSATION AND METHOD OF PAYMENT

A. Subject to any limitations set forth in this Agreement, City agrees to pay consultant the amount specified in Exhibit B, "Compensation", attached hereto and made a part hereof. Total compensation shall not exceed \$461,813.00, unless additional compensation is approved in accordance with Section 2.

B. Consultant shall furnish to City an original invoice for all work performed and expenses incurred during the preceding month. The invoice shall detail charges by the following categories if applicable: labor (by sub-category), travel, materials, equipment, supplies, subconsultant contracts, and miscellaneous expenses. City shall independently review each invoice submitted to determine whether the work performed and expenses incurred are in

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compliance with the provisions of this Agreement. If no charges or expenses are disputed, the invoice shall be approved and City will use its best efforts to cause Consultant to be paid within 30 days of receipt of invoice. If any charges or expenses are disputed by City, the original invoice shall be returned by City to Consultant for correction and resubmission. If the City reasonably determines, in its sole judgment, that the invoiced charges and expenses exceed the value of the services performed to date and that it is probable that the Agreement will not be completed satisfactorily within the contract price, City may retain all or a portion of the invoiced charges and expenses. Within thirty (30) days of satisfactory completion of the project, City shall pay the retained amount, if any, to Consultant.

C. Payment to the Consultant for work performed pursuant to this Agreement shall not be deemed to waive any defects in work performed by Consultant.

SECTION 5 – STANDARD OF PERFORMANCE

Consultant represents and warrants that it has the qualifications, experience and facilities necessary to properly perform the services required under this Agreement in a thorough, competent and professional manner. Consultant shall at all times faithfully, competently and to the best of its ability, experience and talent, perform all services described herein. In meeting its obligations under this Agreement, Consultant shall employ, at a minimum, generally accepted standards and practices utilized by persons engaged in providing services similar to those required of Consultant under this Agreement.

SECTION 6 – INSPECTION AND FINAL ACCEPTANCE

City may inspect and accept or reject any of Consultant's work under this Agreement, either during performance or when completed. City shall reject or finally accept Consultant's work within sixty (60) days after submitted to City, unless the parties mutually agree to extend such deadline. City shall reject work by a timely written explanation, otherwise Consultant's work shall be deemed to have been accepted. City's acceptance shall be conclusive as to such work except with respect to latent defects and fraud. Acceptance of any of Consultant's work by City shall not constitute a waiver of any of the provisions of this Agreement including, but not limited to, the sections pertaining to indemnification and insurance.

SECTION 7 – INSURANCE REQUIRED

Consultant shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Consultant, its agents, representatives, or employees, as indicated:

- A. Minimum Scope of Insurance. Coverage shall be at least as broad as:
1. Insurance Services Office Commercial General Liability coverage (occurrence form CG 0001).
 2. Insurance Services Office form number CA 0001 (Ed. 1/87) covering Automobile Liability, code 1 (any auto).
 3. Workers' Compensation insurance as required by the State of California and Employer's Liability Insurance.

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B. Minimum Limits of Insurance. Consultant shall maintain limits no less than:

1. General Liability: \$2,000,000 per occurrence for bodily injury, personal injury and property damage including operations, products and completed operations, as applicable. If Commercial General Liability Insurance or other form with a General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
2. Automobile Liability: \$2,000,000 per accident for bodily injury and property damage.
3. Employer's Liability: \$2,000,000 per accident for bodily injury or disease.

C. Professional Liability Insurance. When Consultant under this Agreement is duly licensed under California Business and Professions Code as an architect, landscape architect, professional engineer, or land surveyor ("design professional"), Consultant shall maintain at least \$2,000,000 of professional liability insurance.

D. Excess Limits. If Consultant maintains higher limits than the minimums shown above, City requires and shall be entitled to coverage for the higher limits maintained by Consultant. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the City.

E. Primary Coverage. For any claims related to this contract the Consultants insurance coverage shall be primary insurance as respects to City, its officers, officials, employees and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees, or volunteers shall be excess of Consultants insurance and shall not contribute with it.

F. Deductibles and Self-Insured Retentions. Any deductibles or self-insured retentions of \$25,000 or greater must be declared to and approved by the City.

G. Other Insurance Provisions. The commercial general liability and automobile liability policies are to contain, or be endorsed to contain, the following provisions:

1. The City, its agent, officers, officials, employees, and volunteers are to be covered as additional insured as respects: liability arising out of work or operations performed by the Consultant or Consultant's subconsultants; or automobile owned, leased, hired or borrowed by the Consultant.
2. For any claims related to Consultant's conduct while performing the work of this project, the Consultant's insurance coverage shall be primary insurance as respects the City, its agents, officers, officials, employees and volunteers. Any insurance or self-insurance maintained by the City, its agents, officers, officials, employees or volunteers shall be excess of the Consultant's insurance and shall not contribute with it.
3. Each insurance policy required by this clause shall be endorsed to state that coverage shall not be cancelled by either party, except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the City.

4. Coverage shall not extend to any indemnity coverage for the active negligence of the additional insured in any case where an agreement to indemnify the additional insured would be invalid under Subsection (b) of Section 2782 of the Civil Code.

H. Waiver of Subrogation. The workers compensation policy is to be endorsed with a waiver of subrogation. The insurance company, in its endorsement, agrees to waive all rights of subrogation against the City, its agents, officers, officials, employees and volunteers for losses paid under the terms of this policy which arises from the work performed by the named insured for the City.

I. The Acceptability of Insurers. Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A: VII, unless otherwise acceptable to the City.

J. Verification of Coverage. Consultant shall furnish the City with original certificates and amendatory endorsements effecting coverage required by this clause. The endorsements should be on forms provided by the City or on forms that conform to City requirements. All certificates and endorsements are to be received and approved by the City before work commences. The City reserves the right to require complete, certified copies of all required insurance policies, including endorsements effecting the coverage required by these specifications at any time.

SECTION 8 – INDEMNIFICATION

A. Consultant shall indemnify and hold harmless City, its agents, officers, officials, employees, and volunteers from any and all claims, demands, suits, loss, damages, injury, and/or liability (including any and all costs and expenses in connection therewith), incurred by reason of any negligent or otherwise wrongful act or omission of Consultant, its officers, agents, employees and subcontractors, or any of them, under or in connection with this Agreement; and Consultant agrees at its own cost, expense and risk to defend any and all claims, actions, suits, or other legal proceedings brought or instituted against City, its agents, officers, officials, employees and volunteers, or any of them, arising out of such negligent or otherwise wrongful act or omission, and to pay and satisfy any resulting judgments.

B. When Consultant under this Agreement is duly licensed under California Business and Professions Code as an architect, landscape architect, professional engineer, or land surveyor ("design professional"), the provisions of this section regarding Consultant's duty to defend and indemnify apply only to claims that arise out of or relate to the negligence, recklessness, or willful misconduct of the design professional.

C. If any action or proceeding is brought against Indemnitees by reason of any of the matters against which Consultant has agreed to indemnify Indemnitees as provided above, Consultant, upon notice from City, shall defend Indemnitees at Consultant's expense by counsel acceptable to City, such acceptance not to be unreasonably withheld. Indemnitees need not have first paid for any of the matters to which Indemnitees are entitled to Indemnification in order to be so indemnified. The insurance required to be maintained by Consultant shall ensure Consultant's obligations under this section, but the limits of such insurance shall not limit the liability of Consultant hereunder. The provisions of this section shall survive the expiration or earlier termination of this Agreement.

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D. The provisions of this section do not apply to claims to the extent occurring as a result of the City's sole negligence or willful acts or misconduct.

SECTION 9 – INDEPENDENT CONTRACTOR STATUS

A. Consultant is and shall at all times remain a wholly independent contractor and not an officer, employee or agent of City. Consultant shall have no authority to bind City in any manner, nor to incur an obligation, debt or liability of any kind on behalf of or against City, whether by contract or otherwise, unless such authority is expressly conferred under this Agreement or is otherwise expressly conferred in writing by City.

B. The personnel performing the services under this Agreement on behalf of Consultant shall at all times be under Consultant's exclusive direction and control. Neither City, nor any elected or appointed boards, officers, officials, employees or agents of City, shall have control over the conduct of Consultant or any of Consultant's officers, employees or agents, except as set forth in this Agreement. Consultant shall not at any time or in any manner represent that Consultant or any of Consultant's officers, employees or agents are in any manner officials, officers, employees or agents of City.

C. Neither Consultant, nor any of Consultant's officers, employees or agents, shall obtain any rights to retirement, health care or any other benefits which may otherwise accrue to City's employees. Consultant expressly waives any claim Consultant may have to any such rights.

SECTION 10 – CONFLICTS OF INTEREST

A. Consultant covenants that neither it, nor any officer or principal of its firm, has or shall acquire any interest, directly or indirectly, which would conflict in any manner with the interests of City or which would in any way hinder Consultant's performance of services under this Agreement. Consultant further covenants that in the performance of this Agreement, no person having any such interest shall be employed by it as an officer, employee, agent, or subcontractor without the express written consent of the City Manager. Consultant agrees to at all times avoid conflicts with the interests of City in the performance of this Agreement.

B. City understands and acknowledges that Consultant is, as of the date of execution of this Agreement, independently involved in the performance of non-related services for other governmental agencies and private parties. Consultant is aware of any stated position of City relative to such projects. Any future position of City on such projects shall not be considered a conflict of interest for purposes of this section.

SECTION 11 – OWNERSHIP OF DOCUMENTS

A. All original maps, models, designs, drawings, photographs, studies, surveys, reports, data, notes, computer files, files and other documents prepared, developed or discovered by Consultant in the course of providing any services pursuant to this Agreement shall become the sole property of City and may be used, reused or otherwise disposed of by City without the permission of the Consultant. When requested by City, but no later than three years after project

completion, Consultant shall deliver to City all such original maps, models, designs, drawings, photographs, studies, surveys, reports, data, notes, computer files, files and other documents.

B. All copyrights, patents, trade secrets, or other intellectual property rights associated with any ideas, concepts, techniques, inventions, processes, improvements, developments, works of authorship, or other products developed or created by Consultant during the course of providing services (collectively the "Work Product") shall belong exclusively to City. The Work Product shall be considered a "work made for hire" within the meaning of Title 17 of the United States Code. Without reservation, limitation, or condition, Consultant hereby assigns, at the time of creation of the Work Products, without any requirement of further consideration, exclusively and perpetually, any and all right, title, and interest Consultant may have in the Work Product throughout the world, including without limitation any copyrights, patents, trade secrets, or other intellectual property rights, all rights of reproduction, all rights to create derivative works, and the right to secure registrations, renewals, reissues, and extensions thereof.

SECTION 12 – CONFIDENTIAL INFORMATION; RELEASE OF INFORMATION

A. All information gained or work product produced by Consultant in performance of this Agreement shall be considered confidential, unless such information is in the public domain or already known to Consultant. Consultant shall not release or disclose any such information or work product to persons or entities other than City without prior written authorization from the City Manager, except as may be required by law.

B. Consultant, its officers, employees, agents or subcontractors, shall not, without prior written authorization from the City Manager or unless requested by the City Attorney of City, voluntarily provide declarations, letters of support, testimony at depositions, response to interrogatories or other information concerning the work performed under this Agreement. Response to a subpoena or court order shall not be considered "voluntary" provided consultant gives City notice of such court order or subpoena.

C. If Consultant, or any officer, employee, agent or subcontractor of Consultant, provides any information or work product in violation of this Agreement, then City shall have the right to reimbursement and indemnity from Consultant for any damages, costs and fees, including attorneys fees, caused by or incurred as a result of Consultant's conduct.

D. Consultant shall promptly notify City should Consultant, its officers, employees, agents or subcontractors be served with any summons, complaint, subpoena, notice of deposition, request for documents, interrogatories, request for admissions or other discovery request, court order or subpoena from any party regarding this Agreement and the work performed thereunder. City retains the right, but has no obligation, to represent Consultant or be present at any deposition, hearing or similar proceeding. Consultant agrees to cooperate fully with City and to provide City with the opportunity to review any response to discovery requests provided by Consultant. However, this right to review any such response does not imply or mean the right by City to control, direct, or rewrite such response.

SECTION 13 – SUSPENSION OF WORK

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City may, at any time, by ten (10) days written notice suspend further performance by Consultant. All suspensions shall extend the time schedule for performance in a mutually satisfactory manner and Consultant shall be paid for services performed and reimbursable expenses incurred prior to the suspension date.

SECTION 14 – COMPLIANCE WITH LAW

Consultant shall keep itself informed of and comply with all applicable federal, state and local laws, statutes, codes, ordinances, regulations and rules in effect during the term of this Agreement. Consultant shall obtain any and all licenses, permits and authorizations necessary to perform the services set forth in this Agreement. Neither City, nor any elected or appointed boards, officers, officials, employees or agents of City, shall be liable, at law or in equity, as a result of any failure of Consultant to comply with this section.

SECTION 15 – COMPLIANCE WITH CIVIL RIGHTS

During the performance of this contract, Consultant agrees as follows:

A. Equal Employment Opportunity. In connection with the execution of this Agreement, Consultant shall not discriminate against any employee or applicant for employment because of race, religion, color, ancestry, age, sexual orientation, physical handicap, medical condition, marital status, sex, or national origin. Such actions shall include, but not be limited to, the following: employment, promotion, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rate of pay or other forms of compensation; and selection for training including apprenticeship.

B. Nondiscrimination Civil Rights Act of 1964. Consultant will comply with all federal regulations relative to nondiscrimination to federally-assisted programs.

C. Solicitations for Subcontractors including Procurement of Materials and Equipment. In all solicitations, either by competitive bidding or negotiations, made by Consultant for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor, supplier, or lessor shall be notified by Consultant of Consultant's obligations under this Agreement and the regulations relative to nondiscrimination.

SECTION 16 – RECORDS

A. Records of Consultant's direct labor costs, payroll costs, and reimbursable expenses pertaining to this project covered by this Agreement will be kept on a generally recognized accounting basis and made available to City if and when required for a period of up to 3 years from the date of Consultant's final invoice.

B. Consultant's records and design calculations will be available for examination and audit if and as required. The cost of any reproductions shall be paid by City.

SECTION 17 – COOPERATION BY CITY

All public information, data, reports, records, and maps as are existing and available to City as public records, and which are necessary for carrying out the work as outlined in the Exhibit A, "Scope of Services", shall be furnished to Consultant in every reasonable way to facilitate, without undue delay, the work to be performed under this Agreement.

SECTION 18 – NOTICES

All notices required or permitted to be given under this Agreement shall be in writing and shall be personally delivered, or sent by facsimile or first class mail, addressed as follows:

To City: City Manager
1480 Main Street
St. Helena, California 94574

To Consultant: Michael Baker International
2729 Prospect Park Drive, Suite 220
Rancho Cordova, CA 95670

Notice shall be deemed effective on the date personally delivered or transmitted by facsimile, or, if mailed, three (3) days after deposit in the custody of the U.S. Postal Service.

SECTION 19 – TERMINATION

A. City may terminate this Agreement, with or without cause, at any time by giving ten (10) days written notice of termination to Consultant. If such notice is given, Consultant shall cease immediately all work in progress.

B. If either Consultant or City fail to perform any material obligation under this Agreement, then, in addition to any other remedies, either Consultant, or City may terminate this Agreement immediately upon written notice.

C. Upon termination of this Agreement by either Consultant or City, all property belonging to City which is in Consultant's possession shall be delivered to City. Consultant shall furnish to City a final invoice for work performed and expenses incurred by Consultant, prepared as set forth in this Agreement.

SECTION 20 – ATTORNEY FEES

If litigation or other proceeding is required to enforce or interpret any provision of this Agreement, the prevailing party in such litigation or other proceeding shall be entitled to an award of reasonable attorneys' fees, costs and expenses, in addition to any other relief to which it may be entitled. In addition, any legal fees, costs and expenses incurred to enforce the provisions of this Agreement shall be reimbursed to the prevailing party.

SECTION 21 – ENTIRE AGREEMENT

This Agreement, including the attached Exhibits, is the entire, complete, final and exclusive expression of the parties with respect to the matters addressed therein and supersedes all other agreements or understandings, whether oral or written, or entered into between Consultant and City prior to the execution of this Agreement. No statements, representations or other agreements, whether oral or written, made by any party which are not embodied herein shall be valid and binding unless in writing duly executed by the parties or their authorized representatives.

SECTION 22 – SUCCESSORS AND ASSIGNS

This Agreement shall be binding on the heirs, executors, administrators, successors and assigns of the parties. However, this Agreement shall not be assigned by Consultant without written consent of the City.

SECTION 23 – CONTINUITY OF PERSONNEL

Consultant shall make every reasonable effort to maintain the stability and continuity of Consultant's staff assigned to perform the services required under this Agreement. Consultant shall notify City of any changes in Consultant's staff assigned to perform the services required under this Agreement, prior to any such performance.

SECTION 24 – DEFAULT

In the event that Consultant is in default under the terms of this Agreement, the City shall not have any obligation or duty to continue compensating Consultant for any work performed after the date of default and may terminate this Agreement immediately by written notice to Consultant.

SECTION 25 – WAIVER

Waiver by any party to this Agreement of any term, condition, or covenant of this Agreement shall not constitute a waiver of any other term, condition, or covenant. Waiver by any party of any breach of the provisions of this Agreement shall not constitute a waiver of any other provision, nor a waiver of any subsequent breach or violation of any provision of this Agreement. Acceptance by City of any work or services by Consultant shall not constitute a waiver of any of the provisions of this Agreement.

SECTION 26 – LAW TO GOVERN; VENUE

This Agreement shall be interpreted, construed and governed according to the laws of the State of California. In the event of litigation between the parties, venue in state trial courts shall lie exclusively in the County of Napa. In the event of litigation in a U.S. District Court, venue shall lie exclusively in the Northern District of California, in San Francisco.

SECTION 27 – SEVERABILITY

If any term, condition or covenant of this Agreement is declared or determined by any court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of

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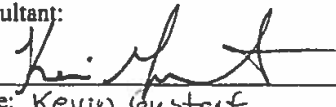
this Agreement shall not be affected thereby and the Agreement shall be read and construed without the invalid, void or unenforceable provision(s).

SECTION 28 – SPECIAL PROVISIONS

This Agreement is subject to the following special provisions: none.

IN WITNESS WHEREOF, the parties hereto have accepted, made, and executed this Agreement upon the terms, conditions, and provisions above stated, the day and year first above written.

Consultant:

By: 

Name: Kevin Gustaf

Title: Vice President

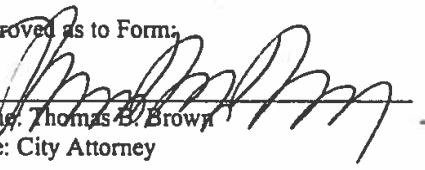
City:

By: 

Name: Jennifer Phillips

Title: City Manager

Approved as to Form:

By: 

Name: Thomas B. Brown

Title: City Attorney

Civil Engineering Services for Upper York Creek Ecosystem
Restoration Project



Work Plan / Scope of Work

Michael Baker has carefully reviewed the RFP and evaluated the available reports/studies on this project to provide the following scope of services for the final design and permitting of the Upper York Creek Ecosystem Restoration Project. The Michael Baker team has developed this recommended scope of work to address the key issues and challenges and implement a comprehensive technical work plan to complete the PS&E and obtain the necessary approvals for project construction.

Phase 1: Preliminary Studies and Project Refinement

Michael Baker will hold a kickoff meeting to commence the project with the City and project stakeholders. Michael Baker will prepare the meeting agenda and meeting minutes. The meeting will be used to initiate the project and discuss schedules, communications, expectations, critical issues, and design criteria.

Deliverables: Meeting agenda and meeting minutes

Michael Baker will obtain and review existing available technical studies from the City, County, USACE, FEMA, and other known sources related to the project improvements. The information collected will include hydrology and hydraulics studies and computer models, environmental documents, geotechnical studies, available geology and hydrogeology information, and future proposed development projects, as well as as-built plans and the City's GIS database for existing facilities along the project reach.

Deliverables: Summary of existing data pertaining to the project improvements

Michael Baker will compile supplemental topographic mapping by conventional field methods for final design purposes. Topography shall include locations and elevations of features not accurately defined by the existing project topographic mapping. The supplemental mapping shall include spot elevations, trees, top/line of slopes, surface utilities, existing structures, and areas of proposed construction footprints. This task is based on 40 hours of field survey.

Deliverables: Supplemental field topographic mapping



Civil Engineering Services for Upper York Creek Ecosystem
Restoration Project

Michael Baker International has teamed with WRECO to perform the Geotechnical Investigation and Analysis for the Proposed Project.

Field Investigation and Laboratory Testing

WRECO proposes to perform a field investigation to better characterize the subsurface information at the Project site. The field investigation will consist of one soil boring using hollow-stem auger drilling techniques to a completion depth of up to 40 feet below existing grade for the purpose of obtaining disturbed representative soil samples to better characterize the subsurface conditions. Representative soil samples at 2.5 foot intervals will be visually classified using the Unified Soil Classification System and retained for later laboratory testing. Borings will be presented on a boring location plan, and the soil descriptions and summary of the laboratory testing results will be presented on Logs of Borings.

Geotechnical Engineering Study Report

WRECO will prepare a Geotechnical Engineering Study Report for the proposed slope repair. This engineering study will contain the following information and recommendations:

- A Project summary and description of the scope of work performed for the Project. A discussion of the regional and local geology as it pertains to the Project.
- A summary of the identified site soils, summary of the laboratory testing results, and Logs of Borings with the observed soils, groundwater, and laboratory soil testing results.
- A discussion of where the groundwater source may be and methods for further evaluation and mitigation measures.
- A discussion of the regional seismology and seismic design parameters for the proposed Project site in accordance with the latest California Building Code and ASCE-7.
- Contract language for the bidding phase of the Project regarding the slope repair wall construction

Deliverables: Boring Location Plan and Logs of Borings, Draft and Final Geotechnical Engineering Study Report

Michael Baker will provide engineering services to perform the updated hydrology, hydraulic, and scour analyses for the development and analysis of the final design recommendations. The design hydrology will use the flow rates developed in the previous studies from the USACE and Prunuske Chatham, Inc. (PCI). Updated channel hydraulic models will be prepared to reflect the proposed grading for the entire project length to develop the optimal configuration and evaluate any potential modifications to the current 1950s plans. Channel geometric characteristics, such as conveyance cross-sections, roughness coefficients, confluences, and encroachments, will be analyzed based

**Civil Engineering Services for Upper York Creek Ecosystem
Restoration Project**



on site conditions, physical constraints and the proposed plans. A geomorphic assessment and scour analysis will be prepared to determine the final design requirements for the stream profile and structures.

Deliverables: Hydrology, hydraulics, and sedimentation calculations

Michael Baker shall prepare a design evaluation and value engineering analysis to determine the most viable project improvements that are acceptable to the City and the stakeholder agencies. The recommended improvements in PCI's 65% plans will be evaluated, taking into consideration a risk assessment, additional technical studies and base data, environmental constraints, and a value engineering analysis to determine if any potential modifications can improve the proposed project. The analysis will include the evaluation of the current geometric design plan and consider hydraulic effectiveness, preliminary construction costs, sedimentation and scour, environmental impacts and mitigation requirements, traffic control, constructability, geotechnical issues, and other intangible impacts. Michael Baker shall review each project element for value engineering, constructability, and likelihood of success in restoring and maintaining fish passage. A preliminary consultation with NOAA fisheries will be initiated to ensure agency approval on any potential design changes.

Deliverables: Value engineering recommendations and project modifications

Michael Baker will prepare a preliminary design report which will present and document the results of the technical studies and value engineering analysis. The report will include text, graphics, preliminary plan layouts, value engineering analysis discussion, and recommendations for the final project design. Technical analysis will be summarized with detailed analysis provided as an appendix.

Deliverables: Draft and final preliminary design reports

Michael Baker will develop updated 65% design plans for the project from the previous plans prepared by PCI, incorporating the results of the design evaluation and value engineering analysis. The plans shall be updated from the CAD files from the current PCI plans. It is assumed that the PCI CAD file will be provided to Michael Baker. The plans will include facility sizes, cross sections, construction details, preliminary structural requirements, hydraulic profiles, and landscape plans. The updated 65% plans shall clearly delineate and define the project improvements to evaluate conformance with the environmental documents and to prepare regulatory permits. A design review meeting with the



Civil Engineering Services for Upper York Creek Ecosystem
Restoration Project

City will be held with the submittal of the plans. The review meeting shall include a discussion of the following information:

- Updated technical studies
- Results of design evaluation and value engineering study
- Project elements and modifications recommended for final design
- Project schedule and estimated construction cost

Deliverables: Updated 65% improvement plans; design review meeting

Based on the updated improvement plans, Michael Baker will determine the required amount of excess material to be disposed of off-site. The team will evaluate the three sites identified in the EIR to determine their suitability in receiving the excess material. The Spring Mountain Vineyard site is a private entity and a determination will be made in consultation with the City if this site should be pursued. Assuming that Spring Mountain is not a viable site, an evaluation of the Lower York Creek Reservoir (LYCR) site will be performed. Consultation with the Clover Flat Landfill will also be performed to determine if the landfill can accept additional material. Modifications to the stream restoration grading will also be considered to identify changes that would reduce the amount of excess material to a quantity that could be handled by the LYCR and Clover Flat Landfill sites. Potential alternatives will be developed considering the cost and environmental impacts. The alternatives analysis will be discussed with the City to identify a preferred solution.

Michael Baker will prepare a preliminary grading plan for the recommended soil disposal site. For the purposes of this scope and fee it is assumed that the remaining excess material will be disposed of at the LYCR site. The plans shall be updated from the CAD files from the current PCI plans. The preliminary grading plans will include plan sheets at 1"=40' scale utilizing the compiled base mapping. The plans will also include typical cross sections, utility locations/conflicts, and ROW information.

Deliverables: Soil site analysis, preliminary grading plans

Civil Engineering Services for Upper York Creek Ecosystem
Restoration Project



Phase 2: Final Design and Construction Documents (65% to 100% Complete)

Michael Baker will continue to prepare restoration improvement plans to the 95% completion level. The plans will be adjusted to reflect comments on the 65% design and feedback from the design review meeting. The plans shall be updated to include all features, hydraulic data and HGLs, and structural details. The plan set shall include all plan sheets anticipated for the final drawings including title and note sheets, plan and profiles, landscape plans, structural details, and miscellaneous detail sheets. The plans shall include the detailed information as requested in the RFP and in accordance with City standards.

Deliverables: 95% channel improvement plans

Michael Baker will prepare the technical provisions section of the construction documents in accordance with the format requested by City. A schedule of bid items will be developed with associated quantities and cost estimate.

Deliverables: Technical provisions; bid schedule and quantities; cost estimate

Michael Baker will prepare structural sections, details, and calculations associated with the existing concrete structure modifications and the back system required for the project design. Anticipated structural drawings include typical details and general notes, splitway and slope structural sections, and miscellaneous details. Calculations will utilize geotechnical design values provided by the project geotechnical engineer as well as in-house computer programs for analysis. Calculations will utilize City-approved methods for analysis and be in a format to be checked by City staff.

Deliverables: Structural design report

Michael Baker will prepare a final basis of design report to support the design of the recommended improvements. This engineering analysis will provide verification of the hydraulic operation for the proposed facilities and become the technical engineering basis of the final design. The channel hydraulics will be updated from the preliminary design report to reflect any modifications to the channel configuration.

Deliverables: Final basis of design report



Civil Engineering Services for Upper York Creek Ecosystem
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Michael Baker will prepare a final field check of the plans, and complete final plans, specifications, and estimates to incorporate any changes in site conditions and address comments on the 95% submittal.

Deliverables: Final improvement plans (mylar); bid schedule and quantities; technical provisions

Michael Baker will provide personnel at the City's request to provide support during construction. Our restoration practitioners will be made available to assist in project implementation. It is assumed 8 hours per week will be required to assist the contractor in the field during construction. It is assumed for the purposes of this proposal the duration of construction will occur between April and November, 2017. Therefore 270 hours of field time have been allocated for this task.

The Project's Final EIR included as a required mitigation measure development of a "causative factors analysis and an implementation program to monitor, maintain, and/or improve channel capacity and promote sediment transport". Therefore Michael Baker will develop a Monitoring and Management Program (MMP) to meet these requirements.

Michael Baker will provide an initial survey for use in establishing a baseline condition when evaluating sediment deposition. Michael Baker will provide surveyed cross sections at each bridge or culvert from the existing spillway to the confluence of York Creek with the Napa River. Four cross sections will be taken at each bridge - at the upstream face, downstream face, and at the approximate expansion and contraction limits for each bridge so that the cross sections may be used in the future for hydraulic modeling. We will survey soffit elevations, abutment locations, and roadway elevations. Between each structure, cross sections will be taken at approximately 500 foot intervals. Figure 1 shows approximate locations of survey points to be taken with the initial survey.

Directly following completion of the restoration, Michael Baker will produce an as-built survey. This survey will be used to confirm that the project was built to design standards and will serve as baseline data for future monitoring. Michael Baker will compare this data to the design criteria and produce a brief report summarizing any implementation adjustments or discrepancies.

Within the MMP, Michael Baker will develop monitoring requirements consistent with the goals outlined in the EIR. We will recommend inspection of the channel at a defined interval, likely once per year for five years. More frequent inspections may be necessary if stability concerns have previously been noted, or there have been frequent/intense storm events. An inspection may be necessary immediately following a significant storm event (bankfull or higher) if the event occurs soon after completion of the project and, before bank vegetation has been established in accordance with the plans and specifications.

Civil Engineering Services for Upper York Creek Ecosystem
Restoration Project



The MMP will require site inspections to monitor:

- **Vertical Instability** - Any indication of incision or headcutting should be noted and immediate corrective action recommended. As-built plans will provide the design and construction bankfull depth at riffles. This depth will be verified upon inspection and should not deviate from the post-construction depth by a factor greater than 1.3 or other approved metric. A subsequent longitudinal profile survey may not be required during routine stability monitoring, unless negative changes have been identified.
- **Lateral Instability** - Any observation of changes in meander geometry such as channel widening, channel migration, or lateral erosion should be noted with recommended corrective action. For most projects, it is preferred that the channel develops some degree of narrowing and adjustment through depositional processes during the first few years as vegetation becomes established.
- **Structural Integrity** - In-stream structures are specifically designed to reduce bank shear stresses, maintain a stable plan and profile, and provide habitat. Any indication of structure failure such as undermining of structures, erosion between structures and the bank, piping, etc. should be noted along with an immediate corrective action. It should also be noted if structure instability is considered insignificant and is not likely to result in further instability. Such areas should be monitored closely in subsequent monitoring years.
- **Vegetation Viability** - For many natural channel design projects, native buffer vegetation along the channel bank and riparian corridor is critical to the stability of the stream. Any indication that vegetation planting is not establishing in accordance with the approved plans and specifications should be noted and recommendations made for corrective action. This includes an overabundance of vegetation within the bankfull channel such as on riffles that may cause bank instability.
- **Sediment Deposition** - Based on review of the site, monitoring locations will be determined at and downstream of the proposed Project site in order to evaluate sediment deposition at hydraulic structures such as bridges or other areas of constricted flow. The MMP will determine the extent of acceptable aggradation before additional analyses or restoration efforts are necessary.

Any observed changes should be evaluated to determine if they represent a movement toward a more unstable condition (e.g., down-cutting or erosion, increased bank height ratio) or a movement toward increased stability (e.g., settling, vegetative changes, deposition along the banks, decrease in width/depth ratio). The types, severity, and causes of changes will be documented. Corrective actions will be defined and recommended with each inspection. The MMP will define actionable deficiencies and determine when mitigation measures are necessary. Potential mitigation measures include onsite corrective actions, or additional analyses such as hydraulic modeling or sediment transport modeling.

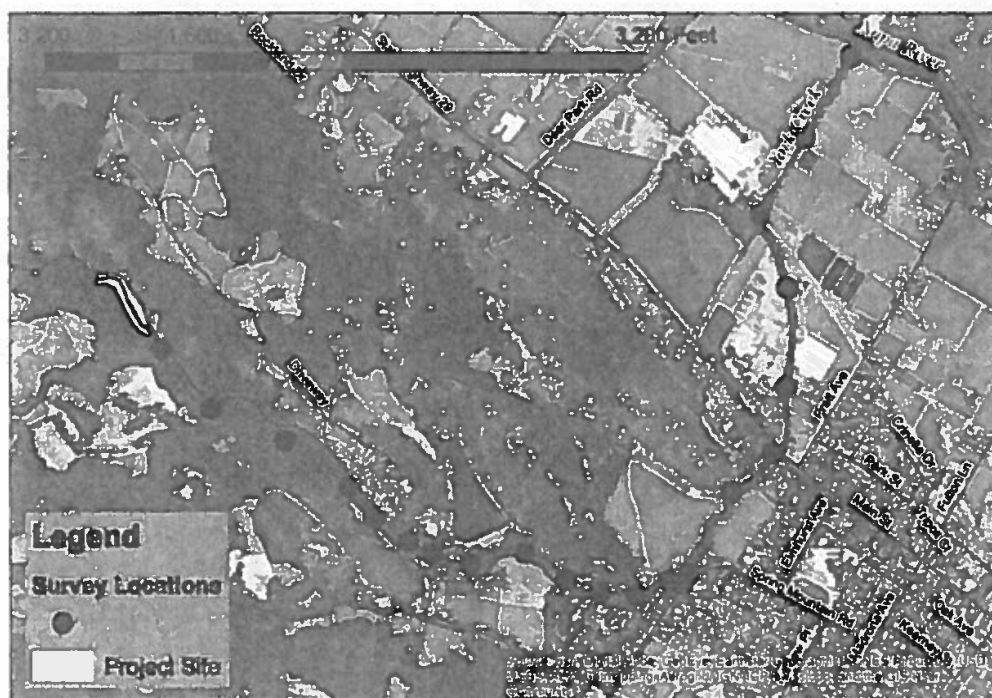


Figure 1, Survey Location Map



Civil Engineering Services for Upper York Creek Ecosystem
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Recommended Corrective Action

Bed/Sediment	Bank	Structure	Vegetation
1. No Action	1. No Action	1. No Action	1. No Action
2. Modify design	2. Repair matting and or reinstall live stakes.	2. Stabilize the structure with protective materials.	2. Replant bank and floodplain vegetation.
3. Remove debris or blockage	3. Grade banks to appropriate slope and reinstall matting and live stakes.	3. Reconstruct the unstable portion of structure	3. Replant surrounding riparian buffer with trees/shrubs
4. Protect the bed to prevent further degradation	4. Stabilize banks with bioengineering.	4. Move the structure to proper placement.	4. Place protective barrier around the vegetation.
5. Stabilize local sediment source.	5. Adjust design	5. Rebuild the structure.	5. Other
6. Other	6. Other	6. Other	

Figure 1. Potential Corrective Actions

Civil Engineering Services for Upper York Creek Ecosystem
Restoration Project



Stream Restoration Monitoring Report

Site _____ Monitoring Year _____

Field Inspector: _____ Date _____

Problem Area Number _____ As-built Sheet Number _____

Station Number _____ Photo Number _____

Please choose from the guidance sheet on the reverse side for the following information.

Type of Failure: _____

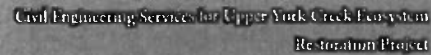
Severity: _____

Cause of the Failure: _____

Recommended Corrective Action: _____

Additional comments about this problem area

Figure 2. Sample Stream Restoration Monitoring Report



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In addition, Michael Baker will prepare two Biological Assessments. One Biological Assessment will evaluate effects of the project on California red-legged frog and will be used to facilitate the FSA Section 7 consultation with the USFWS. The other Biological Assessment will evaluate effects of the project on steelhead central California coastal ECU and will be used to facilitate the FSA Section 7 consultation with the NOAA Fisheries. Other species may be added to the Biological Assessments at the USACE's recommendation.

Michael Baker shall provide regulatory services for the processing of the regulatory applications through the USACE, Regional Board, CDDW, USFWS, and NOAA Fisheries. The processing shall include required correspondence or telephone calls with the reviewing staff related to the permit or points of clarification and coordination, if necessary. This task excludes Endangered Species Act Section 7 consultation with the USFWS.

As appropriate, Michael Baker will prepare applications for a County grading permit and National Pollution Discharge Elimination System construction permit.

Civil Engineering Services for Upper York Creek Ecosystem
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As design is refined, Michael Baker will continually validate that design standards are within the analyses of the EIR for the Upper York Creek Ecosystem Restoration Project (State Clearinghouse No. 2006092096). Michael Baker will inform the City's engineer of any instance where variation may result in consequent CEQA actions. Michael Baker will prepare an EIR Addendum at final design if necessary, to provide environmental clearance necessary for design changes.

Project Management and Coordination

Michael Baker will manage project duties for the full project in order to ensure a cost-efficient, quality process. As the prime contractor, our staff will provide a suite of disciplines to effectively coordinate and communicate leading to design approval. This task includes overall project management, project schedule and maintenance, liaison with affected agencies, meeting leadership, progress monitoring, and maintenance of project files. Michael Baker will supervise, coordinate, monitor, and review design for conformance with agency standards, policies, and procedures.

As a part of this task, Michael Baker shall coordinate and attend project meetings with the City, other agency stakeholders, and the landowners as necessary for the successful completion and approval of the project. For the purposes of this scope and fee, four meetings with the City and stakeholder are budgeted.

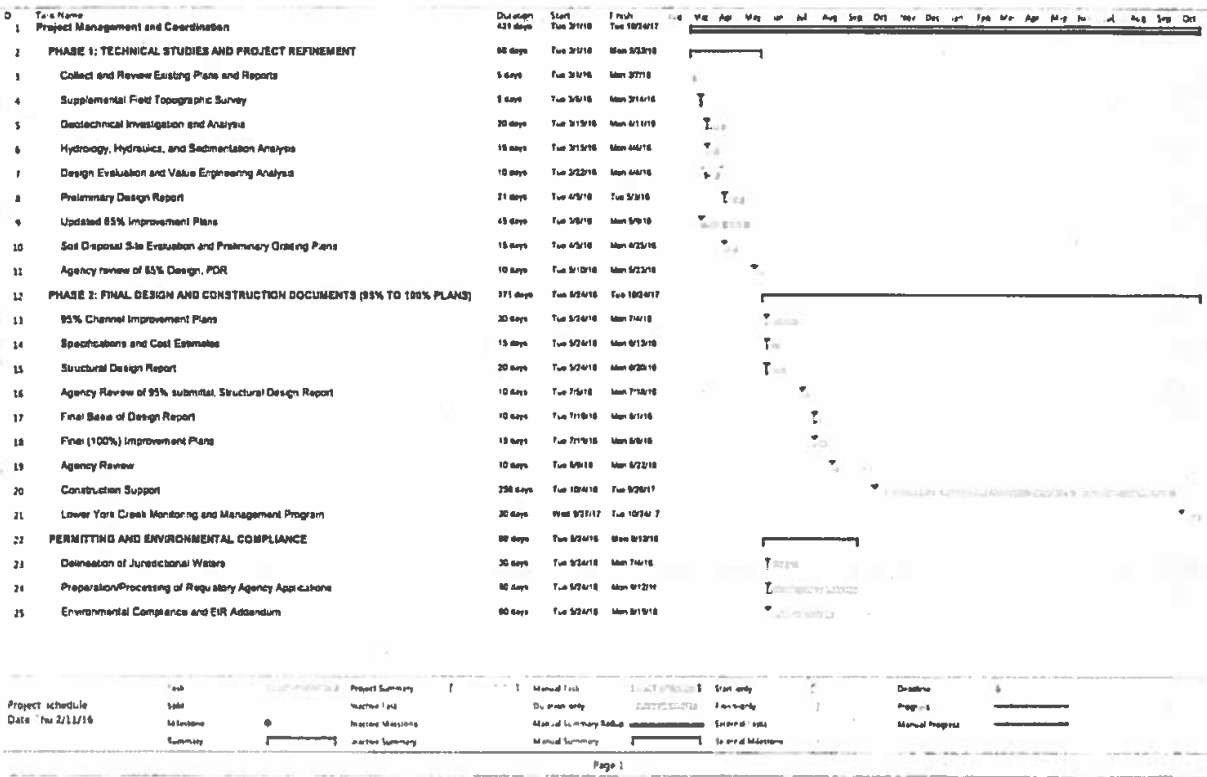
Deliverables: Meeting attendance, agendas, and minutes; project schedules



Civil Engineering Services for Upper York Creek Ecosystem
Restoration Project

Project Schedule

The project schedule can be found on the following page



Professional Fees & Expenses

POSTAGE

Donald W. Jones, Jr. 1963 1964 1965 1966 1967 1968 1969 1970 1971 1972 1973 1974 1975 1976 1977 1978 1979 1980 1981 1982 1983 1984 1985 1986 1987 1988 1989 1990 1991 1992 1993 1994 1995 1996 1997 1998 1999 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040 2041 2042 2043 2044 2045 2046 2047 2048 2049 2050 2051 2052 2053 2054 2055 2056 2057 2058 2059 2060 2061 2062 2063 2064 2065 2066 2067 2068 2069 2070 2071 2072 2073 2074 2075 2076 2077 2078 2079 2080 2081 2082 2083 2084 2085 2086 2087 2088 2089 2090 2091 2092 2093 2094 2095 2096 2097 2098 2099 2100 2101 2102 2103 2104 2105 2106 2107 2108 2109 2110 2111 2112 2113 2114 2115 2116 2117 2118 2119 2120 2121 2122 2123 2124 2125 2126 2127 2128 2129 2130 2131 2132 2133 2134 2135 2136 2137 2138 2139 2140 2141 2142 2143 2144 2145 2146 2147 2148 2149 2150 2151 2152 2153 2154 2155 2156 2157 2158 2159 2160 2161 2162 2163 2164 2165 2166 2167 2168 2169 2170 2171 2172 2173 2174 2175 2176 2177 2178 2179 2180 2181 2182 2183 2184 2185 2186 2187 2188 2189 2190 2191 2192 2193 2194 2195 2196 2197 2198 2199 2200 2201 2202 2203 2204 2205 2206 2207 2208 2209 2210 2211 2212 2213 2214 2215 2216 2217 2218 2219 2220 2221 2222 2223 2224 2225 2226 2227 2228 2229 2230 2231 2232 2233 2234 2235 2236 2237 2238 2239 2240 2241 2242 2243 2244 2245 2246 2247 2248 2249 2250 2251 2252 2253 2254 2255 2256 2257 2258 2259 2260 2261 2262 2263 2264 2265 2266 2267 2268 2269 2270 2271 2272 2273 2274 2275 2276 2277 2278 2279 2280 2281 2282 2283 2284 2285 2286 2287 2288 2289 2290 2291 2292 2293 2294 2295 2296 2297 2298 2299 2300 2301 2302 2303 2304 2305 2306 2307 2308 2309 2310 2311 2312 2313 2314 2315 2316 2317 2318 2319 2320 2321 2322 2323 2324 2325 2326 2327 2328 2329 2330 2331 2332 2333 2334 2335 2336 2337 2338 2339 2340 2341 2342 2343 2344 2345 2346 2347 2348 2349 2350 2351 2352 2353 2354 2355 2356 2357 2358 2359 2360 2361 2362 2363 2364 2365 2366 2367 2368 2369 2370 2371 2372 2373 2374 2375 2376 2377 2378 2379 2380 2381 2382 2383 2384 2385 2386 2387 2388 2389 2390 2391 2392 2393 2394 2395 2396 2397 2398 2399 2400 2401 2402 2403 2404 2405 2406 2407 2408 2409 2410 2411 2412 2413 2414 2415 2416 2417 2418 2419 2420 2421 2422 2423 2424 2425 2426 2427 2428 2429 2430 2431 2432 2433 2434 2435 2436 2437 2438 2439 2440 2441 2442 2443 2444 2445 2446 2447 2448 2449 2450 2451 2452 2453 2454 2455 2456 2457 2458 2459 2460 2461 2462 2463 2464 2465 2466 2467 2468 2469 2470 2471 2472 2473 2474 2475 2476 2477 2478 2479 2480 2481 2482 2483 2484 2485 2486 2487 2488 2489 2490 2491 2492 2493 2494 2495 2496 2497 2498 2499 2500 2501 2502 2503 2504 2505 2506 2507 2508 2509 2510 2511 2512 2513 2514 2515 2516 2517 2518 2519 2520 2521 2522 2523 2524 2525 2526 2527 2528 2529 2530 2531 2532 2533 2534 2535 2536 2537 2538 2539 2540 2541 2542 2543 2544 2545 2

[4] Rate of Change		Price
100 Shares		
Boise National, also 100 shares	Percent	24.0
Boise Water	Percent	22.0
100 Shares	Percent	19.0
100 Shares	Percent	17.0
Boise National	Percent	16.0
100 Shares	Percent	15.0
Boise National, 100	Percent	14.0
100 Shares	Percent	13.0
Boise National	Percent	12.0
100 Shares	Percent	11.0
Boise National	Percent	10.0
100 Shares	Percent	9.0
Boise National	Percent	8.0
100 Shares	Percent	7.0
Boise National	Percent	6.0
100 Shares	Percent	5.0
Boise National	Percent	4.0
100 Shares	Percent	3.0
Boise National	Percent	2.0
100 Shares	Percent	1.0
Boise National	Percent	0.0

[illegible]

**AMENDMENT NO. 2
TO PROFESSIONAL SERVICES AGREEMENT WITH MICHAEL BAKER INTERNATIONAL
FOR PROFESSIONAL SERVICES FOR THE UPPER YORK CREEK ECOSYSTEM RESTORATION PROJECT
AS PART OF CAPITAL IMPROVEMENT PROJECT W-26**

This Amendment No. 2 to Agreement for Professional services is made effective on _____, 2018 by and between the City of St. Helena, a municipal corporation ("City"), and Michael Baker International ("Consultant").

RECITALS

- A. Pursuant to the terms of the written Agreement between City and Consultant, dated April 26, 2016, and approved by Resolution No. 2016-51, dated April 26, 2016, the City entered into a Professional Services Agreement with Consultant for \$461,813.00 ("Agreement") regarding the City's Upper York Creek Ecosystem Restoration Project ("Project"). The Project is part of the City's Capital Improvement Project W-26; and
- B. Pursuant to the terms of Amendment No. 1 between City and Consultant, dated May 23, 2017, and approved by Resolution No. 2017-65, dated May 23, 2017, the City increased the Agreement with the Consultant in the amount of \$144,557.80; and
- C. The Agreement's current Scope of Services, including Amendment No. 1, do not include the funds or the additional work that have been identified to complete the regulatory permitting process and acquire easements in order to proceed with construction; and
- D. City and Consultant now desire to amend the Agreement to include, as part of Capital Improvement Project W-26, the Upper York Creek Ecosystem Restoration Project, the additional scope required; and
- E. The Consultant has represented it has the necessary expertise, experience, and qualifications to perform the additional services for the Project; and

TERMS

- A. Parties agree to amend Section 1, "Basic Services" of the Agreement and Amendment No. 1, to provide additional services, as outlined in Exhibit A-2, "Scope of Services" attached hereto.
- B. Section 4.A of the Agreement is amended to read as follows: "Subject to any limitations set forth in this Agreement, City agrees to pay Consultant the amount specified in Exhibit B-2, "Compensation" attached hereto and made a part hereof." The "Total compensation shall not exceed" specified in Section 4.A is amended as follows:

Original Agreement Amount	\$461,813.00
Amendment No. 1	\$144,557.80
Amendment No. 2	<u>\$234,624.00</u>
Total Compensation	\$840,994.80

Total compensation shall not exceed \$840,994.80, unless prior additional compensation is approved in writing in accordance with Section 2.

C. The Agreement, as modified by this Amendment No. 2, constitutes the entire agreement between City and Consultant. Except as expressly set forth in the Amendment No. 2, the Agreement and Amendment No. 1 have not been modified, changed, altered, or amended, and is in full force and effect.

Entered as of the day and year first above stated.

IN WITNESS WHEREOF, the parties hereto have accepted, made, and executed this Agreement upon the terms, conditions, and provisions above stated, the day and year first above written.

CONSULTANT:

Michael Baker International
2729 Prospect Park Drive, Suite 220
Rancho Cordova, CA 95670

Signatures of Authorized Persons:

By: _____

Print Name: _____

Title: _____

CITY OF ST. HELENA

a Municipal Corporation

By: _____
Mark Prestwich, City Manager

APPROVED AS TO FORM:

Tom Brown, City Attorney

ATTEST:

City Clerk

Attachments:

- Exhibit A-2: Scope of Services
- Exhibit B-2: Compensation

EXHIBIT A-2: SCOPE OF SERVICES

We Make a Difference

April 21, 2018

JN 153371

Erica Athmann Smithies, PE
Public Works Director/City Engineer
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Subject: Exhibit A-2, Scope of Services, Upper York Creek Ecosystem Restoration Project Additional Scope and Fee

Dear Erica:

On April 25, 2017, Michael Baker International (Michael Baker) provided an additional scope and fee request based on the suggestion from National Marine Fisheries Service (NMFS) to revise the project from a conventional restoration project to a natural dam removal concept. This additional scope was approved by the City of St. Helena City Council on May 23, 2017. Since this time Michael Baker and its' subcontractors have proceeded with several tasks outside of the original scope of work. Also, additional tasks have been identified as a result of the change in scope. This letter summarizes the additional work performed and future work required.

Task 1 Project Management and Coordination

Out of Scope Work Completed:

As of March 13, 2018, thirteen (13) agency meetings have been held. The total fees resulting from the 13 additional meetings is \$17,680.

Future Work:

It is assumed six (6) additional meetings will be required. The additional fees for these services is \$8,160.

Task 3 Supplemental Field Topographic Survey

Out of Scope Work Completed:

Michael Baker performed a survey of York Creek from May 30, 2017 to June 9, 2017. The fees incurred for this survey was \$22,817. Also, Michael Baker performed additional survey on July 11th and 12th and November 21st and 22nd in order to tie the Project in to the State Plane Coordinate System. The Project was on an unknown datum; therefore, this additional survey was required. The total fees incurred from the survey from July 11th to November 22nd was \$9,468. From January 12th to 18th, Michael Baker surveyed the location of proposed sediment trap structures as delineated by Chris Blencoe, a forestry expert asked by NMFS to assist with pre-design of the project. The total fees for the survey of the sediment trap location was \$6,356.

Future work:

Because the Project footprint has been expanded to include sediment trap structures downstream of the project, additional services will be required to determine easement locations, including plats and legal descriptions, for two (2) temporary easements for a period of ten years, so that the sediment trap structures may be constructed and monitored in accordance with the pending Monitoring and Adaptive Management Plan (MAMP). Michael Baker has contacted ARWS to provide general consulting, appraisal, appraisal review and acquisition services. The total fees for the future work by ARWS is \$24,915. The total fees for topographic survey and plats and legal determination by Michael Baker under this task is \$20,796.

Task 4 Geotechnical Investigation and Analysis

Future Work:

As requested by the City, a scope and fee for a screening reservoir material for naturally occurring asbestos has been obtained. The total fee for this work is \$8,063.

Task 5 Hydrology, Hydraulics, and Sedimentation Analysis*Future Work:*

Because of the change in project scope, Michael Baker will be required to develop a revised hydraulic design for a roughened ramp within the approximately 200-foot section of York Creek within the Dam notch section. The fees for the additional hydraulic design is \$8,720.

Task 7 Preliminary Design Report*Out of Scope Work Completed:*

Stillwater Sciences prepared a basis of design technical memorandum and conceptual designs of the sediment trap structures. The total fees for these services is \$11,000.

Task 18 Preparation/Processing of Regulatory Agency Applications*Out of Scope Work Completed:*

The project required the following tasks completed by Michael Baker as a result of the change in project scope:

- Delineation of jurisdictional waters downstream of the dam (includes time for travel, field work, report writing and GIS)
- Habitat assessment downstream of the dam (includes time for travel, field work, report writing and GIS)
- Preparation and processing of the Incidental Take Permit through CDFW

The total fees for the work completed by Michael Baker is \$30,245.

Stillwater Sciences completed Red Legged Frog and Yellow legged frog surveys as requested by CDFW. The total fees for the work completed by Stillwater Sciences under Task 18 is \$9,625.

Future Work:

As a result of the increased footprint, Michael Baker will be required to conduct additional cultural resources studies within the increased Area of Potential Effects (APE). The fees for the additional studies required by the Corps is \$18,679. Stillwater Sciences has prepared a scope of work for additional surveys required for Red and Yellow legged frog eggs. The fees for the additional surveys is \$32,300.

Direct Costs*Future Work:*

It is assumed an additional \$5,800 will be required in direct costs.

Summary

Based on the work completed and future work required, the total additional fees required for the Project are \$234,624 as presented in Table 1. If you have any questions or if you need additional information, please contact me directly at (916) 231-3355, or via david.mueller@mbakerintl.com.

Sincerely,



David Mueller
Project Manager



2300 Contra Costa Blvd.
Suite 525
Pleasant Hill, CA 94523

925.691.8500 **phone**
925.691.6505 **fax**
www.arws.com

February 22, 2018

David M Mueller
Technical Manager III
Michael Baker International
2729 Prospect Park Dr., Suite 220
Rancho Cordova, CA 95670

Re: St. Helena Upper York Creek Dam Removal Project
Easement Negotiations

Dear Mr. Mueller:

It was nice discussing this project with you and Nabaz Saieed. Associated Right of Way Services, Inc. (AR/WS) is pleased to submit our proposal to provide general consulting, appraisal, appraisal review and acquisition services to Michael Baker International for the City of St. Helena's Upper York Creek Dam Removal Project.

Please review the attached Scope of Work and Budget. Feel free to give me a call if you wish to discuss or if you have any questions. Thank you for considering AR/WS for this assignment.

Sincerely,

A handwritten signature in blue ink, appearing to read "Matthew Schock", is written over a light blue horizontal line.

Matthew Schock, R/W-AC
Business Director
(925) 691-8500
mschock@arws.com



Scope of Work

SCOPE OF WORK

Associated Right of Way Services, Inc. (AR/WS) will provide appraisal, appraisal review and acquisition/negotiation services to Michael Baker International (Client) for the City of St. Helena's Upper York Creek Dam Removal Project (Project).

The properties are identified as follows:

No.	APN	Property Owner	Location
1.	022-180-015	Good Wine Co	2849 Spring Mountain Rd, St. Helena, CA
2.	N/A	Napa County	Spring Mountain Rd, St. Helena, CA

Our proposal is based on the following assumptions:

- Based on discussions with the Client, the project will include the construction and maintenance of sediment traps in York Creek.
- The project is federally funded.
- Temporary property rights for access, construction, maintenance and sediment delivery will be required from one private property (Property No. 1 above).
- Temporary rights will also be required from property owned by the County of Napa.
- AR/WS services for the Spring Mountain property will include appraisal, appraisal review and acquisition. Services for the County of Napa property will include assisting in discussions with the County to determine what rights should be obtained. Appraisal, appraisal review and acquisition services can be provided, if needed at a later date, but are not included in our scope of work and budget estimate.

1. GENERAL CONSULTATION

- On-going consultation and meetings.
- Coordinate with Client, City, subcontractor (appraisal reviewer) and legal counsel.
- Serve as a liaison with the County of Napa to assist in the determination of property rights needed.
- Assist with analyzing various courses of action. Work with Client to resolve problems and recommend solutions.

1. PROPERTY APPRAISAL SERVICES

- Appraisal to be provided addressed and delivered to Client staff as directed.
- Appraisal to be prepared in accordance with California Eminent Domain Law; California Government Code Section 7260 et seq.; the Uniform Standards of Professional Appraisal Practice requirements, except as jurisdictionally exempt; and 49 CFR Part 24.
- The owner or a designated representative will be invited by the appraiser to accompany him/her during the inspection of the property.
- Appraisals to be prepared in an Appraisal Report format in accordance with Uniform Standards of Professional Appraisal Practice, Standard Rule 2-2.
- Appraisals are for the "Fair Market Value" of the property as per California Code of Civil Procedure, Section 1263.320.



Scope of Work

- The market value of the property taken will not include any increase or decrease in the value of the property that is attributable to any of the following:
 - The project for which the property is taken;
 - The eminent domain proceeding in which the property is taken;
 - Any preliminary actions of the acquiring authority relating to the taking of the property.
- Appraiser will not give consideration to, nor include in their appraisals, any allowance for relocation benefits of personal property.
- If updated values are requested, appraisal services will be billed on an hourly basis in accordance with the AR/WS Fee Schedule. (Optional Service)
- If revisions are made to the property requirements during the appraisal process or upon completion of the report, appraisal time to address these revisions will be billed on an hourly basis in accordance with the AR/WS Fee Schedule. (Optional Service)

CLIENT OBLIGATIONS (APPRAISAL)

- Appraisal map.
- Plat maps and legal descriptions.
- Preliminary title report.
- Legal opinions as necessary.
- Environmental document

2. PROPERTY APPRAISAL REVIEW

AR/WS will subcontract with a qualified certified review appraiser. The review appraiser will prepare an independent written review of the report prepared by the AR/WS real property appraiser. The review will be conducted in accordance to professional standards, USPAP, and all applicable laws and regulations.

- A checklist identifying the various requirements of the appraisal report will be used to ensure that the reports contain all of the prescribed requirements.
- Review appraiser will prepare a summary of the appraisal process and provide comments regarding any omissions or problems with the report, such as lack of reasonable support for the appraisal conclusions.
- Review appraiser will make initial call to the appraiser to inform the appraiser that the report is being reviewed. Comments will be provided to the appraiser for discussion.
- Schedule a field review and meeting with the appraiser, if needed.
- Upon satisfactory completion of the appraisal report, a review certificate report will be prepared.

3. PROPERTY ACQUISITION AND NEGOTIATION

- AR/WS will initiate and maintain individual acquisition files and prepare acquisition documents. Said documents include, but are not limited to: offer letter, appraisal summary statement and summary of the basis for just compensation, summary statement pertaining to the acquisition of real property or an interest therein, purchase agreement and public acquisition brochure. All acquisition documents to receive Client's written approval as to form prior to use in the field.



Scope of Work

- AR/WS will negotiate to acquire temporary easements from one parcel. Assumes negotiation with up to one owner and no lessees.
- If settlement with owner is reached pursuant to the Client approved appraisal or Client approved administrative settlement, AR/WS will prepare a Memorandum of Settlement for transmittal to Client. If an administrative settlement appears to be prudent, AR/WS will prepare a settlement discussion memorandum reviewing the issues. This memorandum will require Client written approval before implementation of any settlement agreement.
- AR/WS will establish with Client a process of coordinating escrow closings and reviewing escrow instructions. Where there are escrow closings, preparation of escrow instructions will be completed by title company. Approval of conditions of title and escrow instructions, including but not limited to, “subject to” title exceptions, will be done by Client.
- All discussions for the acquisition of property or an interest therein will be directed to result in the payment of just compensation.
- If agreement with the owners and other required interests cannot be reached, AR/WS will advise Client that negotiations have reached an impasse. The Client may consider scheduling of an action in eminent domain including the required public necessity hearing.
- AR/WS will make every reasonable effort to acquire properties on behalf of the Client expeditiously through agreement with its owners and to avoid litigation. This may necessitate greater levels of effort in the negotiations phase and, where appropriate, should continue after eminent domain has been initiated. Client will provide ongoing feedback to AR/WS as to authorization for settlements.

CLIENT OBLIGATIONS (ACQUISITION)

- Written approval of all acquisition documents in a timely manner.
- Direction as to administrative settlements, negotiating authority and condition of title acceptance.
- Providing any formats to be used by AR/WS on Client’s behalf.
- Review and approval of title company prepared escrow instructions, including acceptable condition of title.

ADDITIONAL WORK

AR/WS will provide court and/or appeals related services, including, but not limited to: depositions; court appearances; arbitrations/mediations; hearings; testimony; and preparation for such activities, in connection with any service provided to the Client. These services, if requested, are not included in the AR/WS Budget Estimate and would be billed at the applicable current AR/WS hourly rate in accordance with the Fee Schedule.



Budget Estimate

Budget Estimate
February 22, 2018

Confidential for CLIENT Use Only

Estimate Valid for 30 Days After Submission

Client:	Michael Baker International
Project:	St. Helena Upper York Creek Dam Removal
Services:	Property appraisal, appraisal review, and acquisition/negotiation for temporary property rights from one private property. Serve as a liaison and assist in discussions with the County of Napa.

Categories	Scope of Services	Estimated Budget
1. General Consultation (Time Charged)	Serve as a liaison and assist in discussions with the County of Napa. On-going consultation and meetings. Coordination with Client and City.	\$3,500
2. Property Appraisal (Lump Sum)	Appraisal services for temporary property rights needed from one subject property.	\$9,500
3. Appraisal Review (By Others)	Subcontract appraisal review for 1 appraisal report.	\$1,650
4. Property Negotiations / Acquisitions (Time Charged)	Negotiations with one property owner and no lessees.	\$8,000
Estimated Budget Total:		\$22,650

Start Requirements:	Agreement for Professional Services (<i>signed contract</i>) – Notice to Proceed.
Ending:	A. Submittal of appraisal report. B. Negotiations are concluded upon delivery of Memorandum of Settlement to Client or advisory from AR/WS to Client that negotiations have reached an impasse and eminent domain should be considered.
NOTES: - Figures are based on information provided to AR/WS as of the date of this estimate. - Assumes CEQA and NEPA compliance has been met. - Subject to AR/WS Assumptions and Limitations, contained herein. - The Budget has been prepared based upon an 8-month project duration. An extended or reduced project schedule may increase the estimated budget. - A contingency is recommended but is not included in the above figures.	



Fee Schedule

AR/WS FEE SCHEDULE 2018

CONSULTING CATEGORY	HOURLY RATE
Principal Consultant	\$225.00
Managing Consultant	\$195.00
Consultant I	\$150.00
Consultant II	\$130.00
Consultant III	\$115.00
Right of Way Technician	\$80.00
Administrative Support	\$65.00
Appraisal Reports	Lump Sum
Appraisal Services (Hourly)	\$200.00
Subcontractors	Cost + 10%
Depositions, Court Appearances, Arbitrations / Mediations, Hearings, and Testimony (including preparation)	\$275.00

Fees include direct and indirect expenses and profit



Assumptions and Limitations

1. AR/WS estimated budget assumes timely assignment by Client of all appraisals, acquisition parcels and relocation cases. Deferring or “piece meal” assignments adds to level of effort and costs.
2. Client to provide written appraisal approval. Client to sign Offers of Just Compensation as reflected in the Appraisal Summary Statement(s). Client letterhead to be used for offers and significant correspondence, including Notices of Decision to Appraise and acquisition and relocation notices. Initiation of acquisition work assumes that Client has secured any required environmental certification as well as any federal or state approvals to begin right of way services.
3. All services to be provided pursuant to the Uniform Relocation Assistance and Real Property Acquisition Policies Act and applicable state and federal laws, related guidelines and regulations.
4. Client to provide adequate appraisal maps, plat maps, construction plans, mitigation measures, preliminary title reports, legal descriptions and deed sheets (*for easements*).
5. Unless noted otherwise, pre-acquisition activities for soliciting Permits to Enter for soils/testing/contract work, Rights of Entry, Agreements for Possession and Use are not included.
6. Except for appraisals, which are typically charged lump sum; this is a “time charged” contract in accordance with the AR/WS Fee Schedule. Material changes to the contracted Scope of Work after services begin will add to the original budget/contract amount. Material changes, for which AR/WS is not responsible, include, but are not limited to, addition of new parcels, schedule changes, new and revised legislation, regulations, statutes or ordinances by any public entity or legislature, extended negotiations, multiple vestings, title complications, relocation complications, hard to house households, unrecorded claims, extended site searches, eminent domain actions, design changes, revised or updated appraisals. This Agreement is not a guarantee of property rights requested or displacements completed for a fixed budget amount. Unless otherwise agreed, preparation for or attendance at depositions, relocation appeals, expert witness testimony or court appearances are not included in the budget.
7. Budget to be reviewed periodically. AR/WS may reapportion budget allocations among categories. Team composition may be adjusted by AR/WS.
8. Escrow costs and title reports shall be paid by Client. Escrow instructions to be prepared by Title Company with AR/WS coordination. Client to determine acceptable condition of title and what, if any, title exceptions to take “subject to”. AR/WS to assist and consult as requested.
9. Upon written notice from Client, AR/WS will suspend, delay, or interrupt all or a part of its services. In such event, AR/WS will resume services upon written notice from Client. An extension of time and added costs will be mutually agreed upon within a reasonable time following re-initiation of all or any part of services.
10. Client will give prompt notice to AR/WS whenever Client observes or becomes aware of any development that affects the scope or timing of AR/WS’ services, or any defect in the work of AR/WS.
11. Unless otherwise noted, preparation of Caltrans Right of Way Certification documents is not included in the Scope of Services.
12. AR/WS understands that construction and design plans are subject to some change. AR/WS will accommodate changes in the property requirements, including number or parcels, acquisitions and relocations. Changes in proposed acquisitions after appraisals have begun or negotiations/relocations have commenced will add time and expense to assignments. The parties acknowledge that such revisions may add to costs.
13. AR/WS reviews and adjusts billing rates and fees from time to time, generally as of January 1st of each year, but no more than once annually. Any rate adjustments will be reflected in the AR/WS monthly invoice.
14. Except for Client’s obligations to pay for services rendered, no liability will attach to either AR/WS or Client from delay in performance or non-performance caused by circumstances or events beyond the reasonable control of the party affected, including, but not limited to, acts of God, fire, flood, explosion, war, request or intervention of a governmental authority, court order, labor relations, accidents, unanticipated delays or inability to obtain materials, equipment, fuel or transportation.
15. Once AR/WS has completed an appraisal, the fee for that appraisal is due and payable upon Client’s receipt of invoice. If any formal or informal appraisal review requires additional appraisal services after AR/WS has completed an appraisal, these additional appraisal services will be billed on a time-charged basis in accordance with the AR/WS Fee Schedule.
16. AR/WS submits invoices on a monthly basis. If AR/WS is a sub-consultant to a prime consultant, that prime consultant agrees to bill its Client within thirty (30) calendar days of receipt of the AR/WS monthly invoice.



2855 Telegraph Avenue, Suite 400, Berkeley, CA 94705
phone 510.848.8098 fax 510.848.8398

April 13, 2018

David Mueller
Technical Manager III
Michael Baker International
2729 Prospect Park Dr., Suite 220
Rancho Cordova, CA 95670
(916) 231-3355

Proposed Scope of Work for York Creek – 2018 Foothill Yellow-legged Frog
Surveys, Task 11 Modification 1

Dear Michael,

2855 Telegraph Avenue
Suite 400
Berkeley, CA 94705
510.848.8098
fax 510.848.8398

279 Cousteau Place
Suite 400
Davis, CA 95616
530.756.7550
fax 530.756.7586

850 G Street
Suite K
Arcata, CA 95521
707.822.9607
fax 707.822.9608

P.O. Box 5360
Santa Cruz, CA 95061
831.786.8969

P.O. Box 904
Santa Barbara, CA 93102
206.914.5031

P.O. Box 6688
Los Osos, CA 93412
707.407.6862

108 NW Ninth Avenue
Suite 202
Portland, OR 97209
503.267.9006

1314 NE 43rd Street
Suite 210
Seattle, WA 98105
206.914.5031

www.stillwatersci.com

Per your request, here is our proposed scope of work to assist Michael Baker International by providing additional biological services for the Upper York Creek Ecosystem Restoration Project, added as costs to existing Task 11 (Foothill Yellow-legged Frog Survey). This scope includes five additional visual encounter surveys to look for foothill yellow-legged frogs in 2018, as requested by California Department of Fish and Wildlife (CDFW) via e-mail to project team members on March 23.

Stillwater Sciences biologists will conduct surveys targeting foothill yellow-legged frogs using methods described in the Technical Memorandum submitted to CDFW, approved on April 13, 2018 (*Foothill Yellow-legged Frog Survey Methodology for the Upper York Creek Ecosystem Restoration Project*). The budget includes three breeding surveys, two pre-construction surveys, and development of the survey methodology submitted to CDFW.

Schedule and Deliverables:

- Survey methodology, submitted electronically to CDFW (complete)
- Three separate one-day breeding/tadpole-rearing season surveys between March 30 and June 30
- One pre-construction survey 14 days prior to initiation of Project activities
- One pre-construction survey 48 hours prior to initiation of Project activities
- A brief technical memo reporting results of the surveys, to be submitted electronically, within 4 weeks of the final field effort

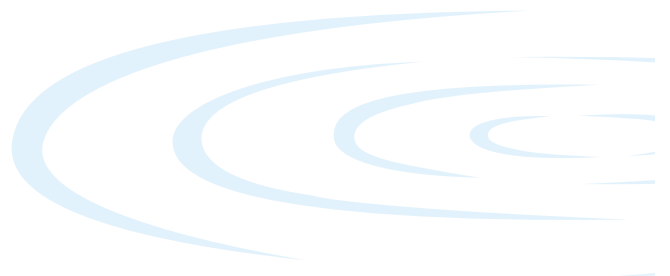
Stillwater Labor and Expenses: \$32,300

Thank you for this opportunity for Stillwater to assist with your Project!

Yours Sincerely,

A handwritten signature in blue ink, appearing to read "H. Burger", is displayed on a light yellow rectangular background.

Holly Burger
Wildlife Biologist/Project Manager
510.848.8098 ext. 130
burger@stillwatersci.com





1243 Alpine Road, Suite 108
Walnut Creek, CA 94596
Phone: 925.941.0017
Fax: 925.941.0018
www.wreco.com

February 14, 2018

David Mueller
Michael Baker International
2729 Prospect Park Dr., Suite 220
Rancho Cordova, CA 95670

Project: Upper York Creek Ecosystem Restoration
Subject: Request for Additional Budget for Limited Sediment Study (NOA Screening)

Dear Mr. Mueller,

WRECO is submitting an additional budget request for the above referenced project. This request is to perform a limited sediment screening for naturally occurring asbestos in channel deposits upstream of the existing dam as part of the York Creek Ecosystem Restoration Project. WRECO understands that the testing will be performed to support the evaluation of sediment reuse alternatives. The limited sediment study will include sampling and testing of the sediment bed for asbestos for a 0.3-acre area shown in the attached drawing.

WRECO Detailed Scope of Work

Task 1 Project Management and Coordination

WRECO will attend a project kickoff meeting and participate in up to three (3) project coordination/management conference calls.

- **Deliverables:**
 - *Monthly Invoice Summary*

Task 2 Sampling and Analysis Plan

WRECO will describe pre-field activities and planned field reconnaissance and sampling activities in a sampling and analysis plan (SAP). Pre-field activities will include site mapping, conditions assessment, safety planning, securing access, rights of entry, and any required permits. WRECO will develop the SAP to be generally consistent with the evaluation requirements of *Asbestos Airborne Toxic Control Measure For Construction, Grading, Quarrying, And Surface Mining Operations California Code Of Regulations Title 17, Section 93105(c)*; consistent with the Department of Toxic Substances Control's, *Information Advisory Clean Imported Fill Material*, October 2001; per Section 6.0 of the HTW Assessment, Upper York Creek Ecosystem Restoration Project, St. Helena, CA (ITSI, 2003); and California for Air Resources Board Test Method 435.

The SAP will include no less than three (3) random grab samples per spatial acre or a minimum of four (4) samples for first 1,000 cubic yards, plus one (1) sample per additional 500 cubic yards of material, whichever is greater.



1243 Alpine Road, Suite 108
Walnut Creek, CA 94596
Phone: 925.941.0017
Fax: 925.941.0018
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Deliverables:

- *Sampling and Analysis Plan (PDF)*

Task 3 Field Sampling and Laboratory Analysis

WRECO will perform bulk testing of composite sampling at no less than four locations over an approximate 0.3-acre area randomly distributed across the designated borrow area. Each boring will be advanced to a minimum of five feet below ground surface level, logged, composited, and delivered under chain of custody control to Testamerica Laboratories in Pleasanton, California, for Air Resources Board Test Method 435 analysis.

Deliverables:

- *Laboratory Analytical Results*

Task 4 Technical Memorandum

WRECO will summarize the sampling and analysis results in a technical memo to include the following:

- A Project summary and description of the sampling and testing performed;
- A summary of the identified soil and rock conditions observed at the Project site, summary of the laboratory testing results, and boring logs;
- Photo log and map of sampled locations;
- Recommendations for safe material reuse and/or disposal.

Deliverables:

- *Draft Technical Memorandum (PDF)*
- *Final Technical Memorandum (PDF)*

Attached, please find our work-hour and fee estimate (time and material and not to exceed).

Please call Tony Jones, our Project Manager, at (925) 941-0017 extension 201 if you have any questions.

Sincerely,

Han-Bin Liang, Ph.D., P.E.
President

WRECO
1243 Alpine Road, Suite 108
Walnut Creek, CA 94596

Upper York Creek Ecosystem Restoration Project, CIP W-26

City of St. Helena

Additional Work For Sediment Study and Asbestos Sampling

Work-Hour and Fee Estimate for WRECO Tasks

Prepared by WRECO

February 14, 2018

Man-Hours

Task	Task Description	Principal Engineer	Senior Engineer	Associate Engineer	Staff Engineer	Senior Env Scientist	Associate Env Scientist	Staff Env Scientist	Senior Technician	Clerical/Tech Editor
1	Project Management and Coordination					4				
2	Sampling and Analysis Plan					2	10			
3	Field Sampling, Laboratory Analysis, and Quality Control						10	10		
4	Technical Memorandum									
	<i>Draft Submittal</i>					1	8	10		2
	<i>Final Submittal</i>					1	2	2		2
Subtotal		0	0	0	0	8	30	22	0	4

Fee

Direct Cost

	Hours	Hourly Rate	Fee
Principal Engineer	0	\$ 245.00	\$ -
Senior Engineer	0	\$ 180.00	\$ -
Associate Engineer	0	\$ 110.00	\$ -
Staff Engineer	0	\$ 90.00	\$ -
Senior Environmental Scientist	8	\$ 140.00	\$ 1,120.00
Associate Environmental Scientist	30	\$ 95.00	\$ 2,850.00
Staff Environmental Scientist	22	\$ 90.00	\$ 1,980.00
Senior Technician	0	\$ 105.00	\$ -
Clerical/Tech Editor	4	\$ 95.00	\$ 380.00
Subtotal Direct Labor	64		\$ 6,330.00

Expenses

Travel & Per Diem	\$ 350.00
Office Misc. & Reproductions	\$ 200.00
Laboratory Testing	\$ 450.00
Subtotal	\$ 1,000.00

Total Cost

\$ 7,330.00

Exhibit B-2, Compensation

Task	Task Name	Out of Scope Costs	Future Scope	Total additional fees
1	Project Management and Coordination	\$ 17,680.00	\$ 8,160.00	\$ 25,840.00
3	Supplemental Field Topographic Survey			\$ 84,352.00
	Coordinate Transfer	\$ 9,468.00		
	York Creek Cross Sections	\$ 22,817.00		
	Sediment Traps	\$ 6,356.00		
	AR/WS Easement Services ¹		\$ 24,915.00	
	Topographic survey, Plats and legals		\$ 20,796.00	
4	Geotechnical Investigation and Analysis			\$ 8,063.00
	Screening for naturally occurring asbestos ¹		\$ 8,063.00	
5	Hydrology, Hydraulics, and Sedimentation Analysis			\$ 8,720.00
	Roughened Ramp Design		\$ 8,720.00	
7	Preliminary Design Report			\$ 11,000.00
	Stillwater Sciences Conceptual Design ¹	\$ 11,000.00		
18	Preparation/Processing of Regulatory Agency Applications			\$ 90,849.00
	Michael Baker	\$ 30,245.00	\$ 18,679.00	
	Stillwater Sciences Additional Surveys ¹	\$ 9,625.00		
	Stillwater Sciences Additional Surveys ¹		\$ 32,300.00	
DC	Direct Costs		\$ 5,800.00	\$ 5,800.00
	TOTAL	\$ 107,191.00	127,433.00	\$ 234,624.00

Notes: 1. Includes 10% subcontractor markup

CITY OF ST. HELENA

RESOLUTION No. 2018-

Resolution authorizing the City Manager to execute Amendment No. 2 in the amount of \$234,624 to the Professional Services Agreement with Michael Baker International for the Upper York Creek Dam Removal Project, for a total not to exceed amount of \$840,994.80

RECITALS

- A. The City of St. Helena previously entered into a Professional Services Agreement with Michael Baker International in an amount not to exceed \$461,813 for design and engineering services for the Upper York Creek Dam Removal Project; and
- B. On May 23, 2017, City Council authorized Amendment No. 1 in the amount of \$144,557.80 for altering project elements, adding work scope for hydrology, hydraulics, cultural resources report update, and sediment flow among other project tasks; and
- C. Michael Baker International needs to provide additional unforeseen environmental, right of way, and engineering services during the design and permitting phase of the project; and
- D. City staff has negotiated Amendment No. 2 with Michael Baker International in the amount of \$234,624 to provide additional engineering, right of way, and environmental services for the project. The total amended not to exceed amount of the agreement will be \$840,994.80; and
- E. The City has committed to the removal of the Upper York Creek Dam via Resolution 2017-50; and

RESOLUTION

The City Council of the City of St. Helena hereby resolves as follows:

- 1. Authorizes the City Manager to execute Amendment No. 2 to the Professional Services Agreement with Michael Baker International for the Upper York Creek Dam Removal Project, for a not to exceed amount of \$234,624. The total amended not to exceed amount of the agreement will be \$840,994.80.

Approved at a Regular Meeting of the St. Helena City Council on May 8, 2018, by the following vote:

Mayor Galbraith: _____
Vice Mayor White: _____
Councilmember Dohring: _____
Councilmember Ellsworth: _____
Councilmember Koberstein: _____

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Tzaopoulos, City Clerk



Report to the City Council
Council Meeting of May 8, 2018

Agenda Section: Consent

Subject: Consideration and proposed approval of a resolution approving a fourth amendment to the Unrepresented Compensation Program and authorizing and approving publicly available pay schedules in accordance with the requirement of California Code of Regulations, Title 2, Section 570.5 which includes revised salary schedules to include a 3.5% COLA effective July 1, 2018 to all mid-managers of the Unrepresented Compensation program and a 3.5% COLA to the following executive department heads: City Clerk, Fire Chief, Finance Director, Human Resources & Information Director, Library Director, Planning & Community Improvement Director, Police Chief, Public Works Director, and Recreation Director

CEQA Not a CEQA project
Determination:

Prepared By: Kathy Robinson, Human Resources & IT Director

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

Compensation and benefit terms for the City's mid-managers and department directors are outlined in an "Unrepresented Compensation" program approved by the City Council. The current program was initially approved on March 8, 2016 and has been amended twice to extend the term and for administrative cleanup. Compensation adjustments were last provided to mid-managers and department directors in July 2017.

DISCUSSION

The current Unrepresented Compensation Program expired on December 31, 2017. The City Manager recently met with the unrepresented employees to share his

recommended changes to the Unrepresented Compensation program. All recommendations have been amended in the proposed Unrepresented Compensation program and are shown in track changes along with a final clean copy (Attachment 1).

A summary of each recommendation is itemized below.

Cost-of-Living Adjustment

According to the U.S. Bureau of Labor Statistics, the consumer price index for the San Francisco Area over the past 12 months (thru February 2018 - the most current data available), increased 3.6%. As a result, the City Manager is recommending a 3.5% cost-of-living salary adjustment (COLA) of 3.5% effective July 1, 2018, which is equivalent to the St. Helena Employees Association (SHEA) July 1, 2018 salary adjustment and consistent with adjustments in nearby municipalities.

The California Code of Regulations (CCR) Title 2, Section 570.5 (Section 570.5) provides that position title, pay rate, and time base for each employee position the City has in the CalPERS system to be included in a publicly available compensation schedule. Per the CCR, a 3.5% cost-of-living salary adjustment was added to the mid-manager and executive staff (department head) compensation schedules as well as a time-based change from a bi-monthly payroll period to a bi-weekly payroll period which reflects the Citywide payroll period conversion to be implemented the first payroll period of Fiscal Year 2018/19 (Attachment 2).

Section 570.5 also states that the salary schedule shall not be referenced by another document in lieu of disclosing the payrate. The inclusion of the salary schedule to the unrepresented compensation program by way of attachments are repetitive and not necessary; therefore reference to salary schedule has been removed from the document.

Addition of Section 3.5 Out-Of-Class Pay

Clarify the Out-Of-Class Pay rules for Employees covered by the Unrepresented Compensation Program and allow the City Manager to recognize employees for performing duties outside of their classifications on a full-time basis during the absence of another Executive Management, Mid-Manager, or Confidential employee, but also for performing a portion of those duties of a higher classification on a temporary basis in order to assist other employees in meeting the City's crucial needs.

Amendment to Section 7.2 Vacation Accrual and Section 7.3 Vacation Usage

Reduce the the maximum vacation hours accrued from 380 hours to 280 hours for any employee hired or promoted into an unrepresented compensation position on or after May 8, 2018. This change encourages the use of vacation hours and will lower one-time payments the City is required to make upon separation or retirement, which also will contribute the City's financial sustainability.

Amendment to Section 11.1 Vehicle Allowance and Section 11.2 Deferred Compensation Plan

Administrative amendments have been made to sections 11.1 Vehicle Allowance and Section 11.2 Deferred Compensation Plan replacing the language per pay period with per month in order to support the new bi-weekly payroll schedule that is implemented July 1, 2018.

Amendment to Section 11.4 Sick Leave Payout

Due to the historical availability of a sick leave accrual incentive program that provides 50% payout out of sick leave hours upon separation or, upon retirement, the conversion of all accrued sick leave hours to fund medical premiums upon retirement, the City General Fund has a substantial unfunded liability associated with this post-employment benefit. Currently, the General Fund liability balance for retirees is \$155,831 which requires a direct monthly payment to health providers of \$4,960. However, the existing sick leave bank for current employees translates to an additional \$553,823, resulting in a total potential General Fund liability of \$709,654.

To reduce future unfunded liabilities and further stabilize the City's long-term financial sustainability, the City Manager is recommending the discontinuation of the sick leave accrual incentive benefit for mid-managers and department directors (the benefit was discontinued for SHEA employees in 2012, and remains available to members of the St. Helena Police Officers Association in good standing upon separation or retirement with at least 10 or more years of service).

The unrepresented employees acknowledge that this is a significant cost containment measure and support the City Manager's recommendation to end this benefit for all future employees hired or promoted into an unrepresented position on or after May 8, 2018, while maintaining the benefit for any employee currently in an unrepresented position.

Addition of Section 11.6 Uniform Allowance

This is an administrative amendment to add section 11.6 Uniform Allowance for Sworn Personnel who are members of the unrepresented compensation program. These employees are currently receiving this benefit, but it was not added to the program in March 2016. In order to be in compliance with CalPERS reporting of pensionable compensation, this benefit needs to be defined in the unrepresented compensation program.

FISCAL IMPACT

Total financial impacts to the budget for Mid-Manager, Executive Staff included Fire Chief's salary increases were considered and budgeted in the proposed FY 2018/19 budget.

RECOMMENDED ACTION

Adopt resolution approving the fourth amendment to the Unrepresented Compensation Program and authorizing and approving publicly available pay schedules in accordance with the requirement of California Code of Regulations, Title 2, Section 570.5 which includes revised salary schedules to include a 3.5% COLA effective July 1, 2018 to all mid-managers of the Unrepresented Compensation program and a 3.5% COLA to the following executive department heads: City Clerk, Fire Chief, Finance Director, Human Resources & Information Director, Library Director, Planning & Community Improvement Director, Police Chief, Public Works Director, and Recreation Director.

ATTACHMENTS

[Attachment 1. Unrepresented Comp Program 2018-05-08 \(track changes, final\)](#)

[Attachment 3. Resolution Approving Fourth Amendment to Unrepresented Compensation Program](#)

[Attachment 2. 2018-05-08 Publicly Available Salary Schedule FY18-19 MM-DH](#)

**UNREPRESENTED COMPENSATION
PROGRAM
(~~Third~~ Fourth Amendment)**

January 1, 2018 — June 2020~~March 8, 2016 — December 31, 2017~~

Approved May 8, 2018~~June 27, 2017~~

track changes

**CITY OF ST. HELENA
UNREPRESENTED EMPLOYEE COMPENSATION PROGRAM**

SECTION 1: INTRODUCTION

[Section 1.1 Employee Definitions](#)

[Section 1.2 Purpose of the Unrepresented Employee Compensation Program](#)

[Section 1.3 Employees Covered](#)

[Section 1.4 Exempt Status of Management Employees Covered](#)

SECTION 2: EMPLOYMENT CONTRACTS

SECTION 3: EMPLOYEE SALARY COMPENSATION

[Section 3.1 Annual Salary Adjustments](#)

[Section 3.2 Salary Schedule](#)

[Section 3.3 Confidential Pay Differential](#)

[Section 3.4 Bi-lingual Pay](#)

[Section 3.5 Out-of-Class Pay](#)

SECTION 4: RETIREMENT BENEFITS

[Section 4.1 Tier One: Pension Formulas](#)

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ATTACHMENT: EXHIBIT 1 SALARY SCHEDULE EFFECTIVE 1/1/16

<u>At-will Employees</u>
<u>Mid-Management Employees</u>
<u>Confidential Employees</u>

EXHIBIT 2 SALARY SCHEDULE EFFECTIVE 3/8/16

<u>At-will Employees</u>
<u>Mid-Management Employees</u>
<u>Confidential Employees</u>

EXHIBIT 3 SALARY SCHEDULE EFFECTIVE 7/1/2017

<u>At-will Employees</u>
<u>Mid-Management Employees</u>
<u>Confidential Employees</u>

SECTION 1: INTRODUCTION

All provisions of this resolution only apply to At-will Executive Management, Mid-Management, and Confidential employees (together "Employees") as defined herein.

1.1 Employee Definitions:

At-Will Executive Management Employee – an employee who serves at the will of the City Manager and who has responsibility for formulating, administering, and/or managing City policies and programs. In the City, this would typically be department heads.

Mid-Management Employee – an employee whose position is just below the department heads or City Manager and is responsible for managing a distinct responsibility area. Mid-Managers are in regular City service and are not at-will.

Confidential Employee – a Mid-Management employee, who in the course of his or her duties, has access to confidential information relating to the City's administration of employer-employee relations. This access may include instances of an occasional but critical nature or due to the employee whose position requires the incumbent to provide direct administrative support to a manager who has such access.

1.2 Purpose of the Unrepresented Employee Compensation Program:

For At-will Executive Management, Mid-Management, and Confidential employees (together "Employees"), this resolution is adopted to promote the development of a stronger, more effective Management Team, not merely for purposes of employer-employee relations but also as a means of recognizing outstanding management performance in all public service areas. These general purposes may be achieved through several means, notably: training, more effective communication among departments, and clear identification of goals and objectives. Also inherent in such a program is the means of retaining good department heads and mid-managers and strengthening the managers (if any) who's effectiveness and performances fall short of reasonable levels of expectation. This resolution is also referred to herein as the "Unrepresented Program." This resolution sets forth all of the compensation and benefits for the positions set forth in section 1.3.

1.3 Employees Covered:

Employees covered under this program shall include the following:

- A. At-Will Executive Management
- Finance Director
- Fire Chief
- Library Director
- Planning/Community Development Director
- Police Chief
- Public Works Director

Recreation Director
Human Resources & Information Technology Director
City Clerk

B. Mid-Management

Assistant Public Works Director
Chief Building Official
Grant & Finance Manager
Library Manager
Police Lieutenant
Management Analyst
Public Works Manager
Senior Management Analyst (non-Confidential)
Senior Planner
Water Conservation Coordinator
Utilities Operations Manager

C. Confidential

Administrative Services Manager
Senior HR/IT Analyst

Additional job classes may be added to the Unrepresented Program from time to time, based upon the creation of additional City departments/divisions, the addition of new positions, or by the reclassification of existing positions to either At-will Management, Mid-Management, or Confidential based upon the nature of the work.

1.4 Exempt Status of Employees Covered:

The City has reviewed the salaries and duties of the Employees covered under the Unrepresented Program and has determined that these employees are exempt from the overtime provisions of the federal Fair Labor Standards Act.

SECTION 2: EMPLOYMENT CONTRACTS

The Executive Management employees as designated in Section 1.3(A) shall be "At Will" employees, and shall enter into an employment contract, confirming the "At Will" status of the employee and setting forth any special pay or benefits such as severance pay. Employment contracts with all At-will Executive Management employees will be approved by the City Manager, or, in the case of the City Manager's employment contract, approved by the Council, pursuant to the terms of the City of St. Helena Municipal Code, authorizing the City Manager to appoint all At-will Executive Management employees except the City Attorney.

SECTION 3: EMPLOYMEE SALARY COMPENSATION

3.1 *Annual Salary Adjustment:*

~~3.1.1 Effective on the same date as the pension cost sharing arrangement described in Sections 4.1.3.2, 4.2.3.2, and 4.3.3.2 becomes effective pursuant to the required CalPERS contract amendment process, miscellaneous employees salary ranges shall be increased by an additional one percent (1%). This additional 1% salary range increase is expressly contingent upon the implementation of the pension cost sharing arrangement, and will not be implemented unless and until the cost sharing arrangement is implemented. The City will consider cost sharing for safety employees (Fire Chief, Police Chief, and Police Lieutenant) covered by this resolution at a future date.~~

~~3.1.2 The City recognizes that it is appropriate to provide unrepresented employees with a three percent (3%) salary increase, in addition to the one (1%) percent contained in 3.1.1. However, due to the City's current financial challenges, it is unable to provide unrepresented employees with the three percent (3%) increase at this time. The City will review whether there is adequate funding after the FY 2016-17 Budget is finalized and determine whether unrepresented employees shall receive a salary increase and the effective date of any salary increase in July 2018 on the first full payroll period of Fiscal 2018-19, unrepresented employees will receive a three and one-half (3 ½) percent salary increase.~~

3.1.2 Upon completion of the Citywide Classification and Compensation study and any City Council action that is taken as a result of recommendations identified from the study, unrepresented members and the City will commence a reopener for Fiscal Year 2019/2020.

3.2 *Salary Schedule:*

The salary ranges for Employees covered by this Unrepresented Compensation Program are set forth in Exhibit 1, attached to this resolution, and made a part hereof by reference.

3.3 *Confidential Pay Differential:*

Each Confidential employee will receive a 3% pay differential to be added to the employee's base pay. This 3% pay differential will not be added to the salary range for that job class. If at any time that a currently designated Confidential employee who receives the confidential differential is deemed to be Non-Confidential, the 3% confidential differential will cease at that time, and the City will take appropriate steps to reclassify the position.

3.4 *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 by communicating in Spanish. For employees who are certified as fluent in both written and verbal Spanish language, bilingual 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.

3.5 Out-Of-Class Pay

Pay for Performing Full Duties of Higher Class: When, because of the absence of a Department Head, Executive Management, Mid-Management, or Confidential personnel, an Employee performs substantially all of the functions (full-time) of a higher Classification, the Employee will receive an increase of ten percent (10%) of his/her base 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 the City Manager, and will be reportable to CalPERS as special compensation to the extent permitted by CalPERS rules and regulations.

Pay for Performing Partial Duties of Higher Class: When an Employee is temporarily assigned to perform substantial functions of a higher classification for at least a period of one month, but does not perform those additional duties on a full-time basis and/or the Employee assigned to the position normally responsible for the duties is not absent, the City Manager has the discretion to provide an increase of up to five percent (5%) of the Employee's normal base wage effective on the first day of assumption of the substantial additional duties and continuing until the City Manager determines that the assignment of the additional duties ceases. This additional pay is provided at the City Manager's sole discretion, and discretion and must be pre-approved in writing. Under current CalPERS rules and regulations, this pay for performing partial duties of the higher class is not reportable special compensation.

SECTION 4: RETIREMENT BENEFITS

Management Employees are provided retirement benefits under the California Public Employee Retirement System (CalPERS) as described in this Section 4.

4.1 Tier One: 2% at 55 Retirement Program (Miscellaneous Group) and 3% at 50 (Safety Group) – Employees Hired Before July 1, 2012 (Tier One Classic Members)

This section 4.1 (including subsections) shall apply to miscellaneous employees hired before July 1, 2012.

4.1.1 2% at 55 or 3% at 50 Pension Formulas: The "2% @ 55" (for miscellaneous employees) or "3% @ 50" (for safety employees) retirement programs will be available to members covered by this Section 4.1.

4.1.2 Final Compensation Based On 12-Month Period: For the purposes of determining a retirement benefit, final compensation for members covered by this Section 4.1 shall mean the highest twelve (12) consecutive month period as specified in Government Code Section 20042.

4.1.3 Required Member Contributions:

4.1.3.1 Members covered by this Section 4.1 shall continue to pay, through payroll deduction, the full 7.0% member contribution for Miscellaneous Group and 9.0% member contribution for the Safety Group.

4.1.3.2 Miscellaneous Member Pension Cost Sharing: Beginning on the effective date of the amendment to the CalPERS contract providing for cost sharing (estimated date, Spring 2016), miscellaneous members covered by this Section 4.1 shall pay, through payroll deduction, the full 7.0% employee contribution plus an additional 1% of compensation earnable toward the City's costs for a total contribution of 8% toward the normal cost of pension benefits as permitted by Government Code Section 20516.

4.2 Tier Two: 2% at 60 Retirement Program (Miscellaneous Group) or 3% at 55 (Safety Group) for Members Hired On or After July 1, 2012, and Before December 31, 2012, and Unit Members Qualified for Reciprocity (Tier Two Classic Members):

This Section 4.2 (including subsections) shall apply to members hired on or after July 1, 2012, and before January 1, 2013. In addition, this Section 4.2 shall apply to members 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:

4.2.1 2% at 60 or 3% at 55 Pension Formulas: The "2% @ 60" (for miscellaneous) or "3% @ 55" (for safety) retirement programs will be available to members covered by this Section 4.2.

4.2.2 Final Compensation Based On 36-Month Period: For the purposes of determining a retirement benefit, final compensation for members covered by this Section 4.2 shall mean the highest annual average pensionable compensation earned during thirty-six (36) consecutive months of service.

4.2.3 Required Member Contributions

4.2.3.1 Employees covered by this Section 4.2 shall continue to pay, through payroll deduction, the full 7.0% member contribution for Miscellaneous Group and 9.0% member contribution for the Safety Group.

4.2.3.2 Miscellaneous Member Pension Cost Sharing: Beginning on the effective date of the amendment to the CalPERS contract providing for cost sharing (estimated date, Spring 2016), miscellaneous employees covered by this Section 4.2 shall pay, through payroll deduction, the full 7.0% member contribution plus an additional 1% of compensation earnable towards the City's costs for a total contribution of 8% toward the normal cost of pension benefits as permitted by Government Code Section 20516.

4.3 Tier Three: 2% at 62 PEPR Retirement Tier (Miscellaneous Group) or 3% at 57 (Safety Group) is Required For Members Hired On or After January 1, 2013 and

Not Qualified For Reciprocity (Not a Classic Member):

This Section 4.3 (including subsections) shall apply to members 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).

4.3.1 2% at 62 or 3% at 57 Pension Formulas: The “2% @ 62” (for miscellaneous) or “3% @ 57” (for safety) retirement programs will be available to members covered by this Section 4.3.

4.3.2 Final Compensation Based On 36-Months: Effective January 1, 2013, for the purposes of determining a retirement benefit, final compensation for members covered by this Section 4.3 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.

4.3.3 Required Member Contributions

4.3.3.1 Required 50% of Normal Costs: As required by Government Code Section 7522.04(g), effective January 1, 2013, members covered by this Section 4.3 shall pay, through payroll deduction, fifty percent (50%) of normal costs.

4.3.3.2 Miscellaneous Member Pension Cost Sharing: Beginning on the effective date of the amendment to the CalPERS contract providing for cost sharing (expected Spring of 2016), in addition to paying 50% of normal costs as described above, employees covered by this Section 4.3 shall pay, through payroll deduction, an additional 1.0% of pensionable compensation toward the City’s cost of pension benefits as permitted by Government Code Section 20516.

4.4 Cost Sharing Implementation – All Tiers:

CalPERS mandates an election of employees, separate from adoption of this resolution, to provide for this cost sharing pursuant to Government Code Section 20516. As soon as practicable, the City will initiate the contract amendment process for miscellaneous employee cost sharing. Upon completion of the City’s amendment to the CalPERS contract, miscellaneous member contributions will be made pursuant to Government Code Section 20516, Member Cost Sharing of Additional Benefits. The City will consider cost sharing for the Fire Chief at a future date.

4.5 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 will not be available for conversion to service credit.

4.6 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.

4.7 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).

4.8 All Provisions Subject to Requirements of Law:

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 Unrepresented Compensation Program Resolution and related practices, the City will comply with the requirements of law, and those legal requirements prevail over any inconsistent prior practices or prior resolutions.

SECTION 5: INSURANCE BENEFITS

5.1 General Provisions:

The City will pay the full cost of the employee's health insurance plan to cover both the employee and the employee's dependents. The City will pay the full cost for dental coverage for the employee and her/his dependents. When an employee commences work with the City, the effective date of coverage of his/her benefits distribution selection shall be established by the individual carrier. In most cases, coverage begins the first of the month following date of hire.

Employees will choose from available insurance programs and/or health and welfare plans at the time of hire or as carriers allow during Open Enrollment periods. Dependent coverage may be added or deleted between Open Enrollment periods subject to conditions imposed by the selected carriers.

5.2 Life Insurance:

The City will provide term life insurance for each employee, not to exceed \$50,000.

Employees may elect to increase the value of their life insurance policy by \$20,000 at their own expense for a total policy value of \$70,000. Employees opting for the additional coverage will have the cost of that coverage deducted from their pay.

5.3 Short-term Disability Insurance: The City will pay for the employee's cost to participate in the State Disability Insurance (SDI) program.

5.4 Vision Care: The City will pay for vision care benefits, for the employee and all dependents through VSP Vision Care Insurance.

SECTION 6: HOLIDAYS

All Unrepresented employees shall receive 12 paid holidays per year, as follows:

<u>Holiday</u>	<u>Day Observed</u>
New Year's Day	January 1

Martin Luther King, Jr. Birthday	3 rd Monday in January
President's Day	3 rd Monday in February
Cesar Chavez Birthday	March 31 st
Memorial Day	Last Monday in May
Independence Day	July 4 th
Labor Day	1 st Monday in September
Veteran's Day	November 11 th
Thanksgiving Day	4 th Thursday in November
Day after Thanksgiving	Friday following Thanksgiving
Christmas Eve Day	December 24 th
Christmas Day	December 25 th

It is the intent of this resolution that all full-time employees receive 12 paid holidays regardless of their assigned workweek. 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 an employee is required to work on a holiday, s/he may select another day as holiday leave with pay during the fiscal year with the consent of the City Manager.

Floating Holidays: Except for the calendar year they are hired, on January 1st of each year, employees earn 16 hours of floating holiday for use during that calendar year, taken in at least 8-hour increments. The hours must be used by the end of the calendar year and does not accrue. After five years of service, employees earn 40 hours of floating holiday.

SECTION 7: VACATION LEAVE

7.1 Vacation Entitlement:

Employees shall accumulate vacation in accordance with the following vacation entitlement schedule:

<u>Years of Continuous Service</u>	<u>Vacation Days Earned/Year</u>
1 – 5 years	10
6 th year	15
7 th year	16

This pattern continues until 20 days per year is reached. On the employee's 25th anniversary and every five years thereafter, one additional day will be awarded on that year.

7.2 Vacation Accrual:

Employees shall begin earning vacation upon the first day of employment. Vacation leave time shall be accrued as it is earned; odd fractions rounded to the nearest tenth. Vacation time shall not be taken until earned and shall be subject to other provisions of this resolution. When an employee is on a leave without pay status, s/he shall not be

entitled to earn vacation.

For purposes of calculating vacation earned upon termination, the employee's final accrual will be prorated, based on the days worked in the employee's last month of employment. Upon termination of an employee's service with the City, s/he shall be paid a lump sum for all earned vacation not taken, at the employee's hourly rate then in effect.

An employee who was a member of the unrepresented compensation program before May 8, 2018 may accrue a maximum of 380 vacation hours. An employee who is hired or promoted into an unrepresented compensation position on or after May 8, 2018 may accrue a maximum of 280 vacation hours.

7.3 Vacation Usage:

An employee may take vacation at a time approved by the employee's direct supervisor, or, in the case of the City Manager, after notification of the City Council. It is the policy of the City that employees take their normal provided vacation leave each year.

Employees should not be earning vacation leave once their accrued vacation balance has reached 380 hours. All employees who have accrued at least 380 hours of vacation shall expend at least 80 hours of vacation leave per calendar year with at least 40 hours being consecutive.

SECTION 8: EXECUTIVE LEAVE

In recognition of the extra hours required to perform at the level of management, including attendance at numerous meetings outside normal working hours and the fact that employees who are exempt from FLSA are not compensated for overtime work, the following executive leave policy shall be implemented:

Each FLSA-exempt, unrepresented employee may receive up to five (5) days Executive Leave annually at the discretion of the City Manager provided on January 1st of each year. On January 1st of each year, all hours not taken in the prior year will be lost unless an extension of time is granted by the City Manager. Additionally, at-will executive staff may receive up to another five (5) days Executive Leave annually at the discretion of the City Manager provided on July 1st of each year, and all hours not taken by December 31st of the same year will be lost unless an extension of time is granted by the City Manager.

Newly hired employees shall have Executive Leave awarded to them in the following pro-rated manner:

If the employee is hired from:

January – March	40 hours awarded on the date of hire
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April – June	30 hours awarded on the date of hire
July – September will	20 hours awarded on the date of hire, 40 hours additional at-
October – December will	10 hours awarded on the date of hire, 20 hours additional at-

SECTION 9: OTHER LEAVES OF ABSENCE

9.1 Sick Leave:

Employees shall accrue and use sick leave in accordance with City of St. Helena Personnel/Administrative on Sick Leave.

9.2 Family Care:

Except as otherwise required by state or federal law, sick leave may be used to care for the employee's child, spouse, or domestic partner who is incapacitated by a serious health condition as defined by state or federal Law. Sick leave utilized for Family Care shall not exceed forty-eight (48) hours per occurrence.

9.3 Bereavement Leave:

Leave with pay up to 3 days per year in state/5 days out of state shall be granted by the City Manager to employees in case of the death of spouse or domestic partner regardless of gender, parent or step-parent, grand-parent, child, or stepchild, brother or sister, parent-in-law, brother/sister-in-law, son/daughter-in-law, or any relative in the immediate household of the employee. Bereavement leave shall not be charged against any accumulated leave. Additional time off (vacation, executive leave) may be taken if approved by the City Manager.

9.4 Industrial Accident Leave:

The City shall provide paid leave and benefits consistent with the State's Worker's Compensation laws.

9.5 Miscellaneous Leave With Pay:

Employees shall be granted a leave of absence with full pay for jury duty; subpoena of the employee as a witness; or attendance in court resulting from the employee's official duties as assigned by the City Manager. Any compensation received by the employee for the above, except for travel reimbursement, shall be promptly remitted to the City by the employee.

9.6 Leave Pursuant to the Family and Medical Care Leave Act and the California Family Rights Act:

Employees shall be entitled to take leave in response to the birth or adoption of a child, or the placement of a child with the employee for foster care; the employee's own

serious health condition, or to care for a child, parent or spouse of the employee who has a serious health condition; for a "qualifying exigency" arising from the foreign deployment of the employee's spouse, son, daughter, or parent with the Armed Forces; or to care for a servicemember with a serious injury or illness if the employee is the servicemember's spouse, son, daughter, parent or next of kin, as specified in the federal Family and Medical Care Leave Act (FMLA) and the California Family Rights Act (Government Code Section 12945.2). Employees may use their accrued leave balances during such leave.

If the period of leave exceeds the employer's accrued leave balances, the employee shall take the balance of the leave as unpaid leave.

9.7 Leave for Pregnancy, Childbirth and Related Medical Conditions (California Government Code Section 12945):

In addition to leave authorized by Section 9.6, eligible employees may take leave based on pregnancy, childbirth, or related medical conditions pursuant to California Government Code Section 12945. Generally, this leave should not exceed six (6) weeks for a normal pregnancy, childbirth, or related conditions, but may be taken for a period of up to a total of four (4) months if the employee is disabled due to pregnancy, childbirth, or other medical conditions. The need for leave beyond six (6) weeks due to disability shall be verified in writing by the employee's physician. The employee may use accrued leave balances during leave taken pursuant to this Section. If the period of leave exceeds the employee's accrued leave balances, the balance of the leave shall be taken as unpaid leave.

9.8 Leave of Absence Without Pay:

Upon the written request of any employee, the City Manager may approve in writing a leave of absence without pay for a period up to thirty (30) calendar days. Except in the cases of illness or maternity, an employees' request for Leave Without Pay shall be submitted to the City Manager, accompanied by a recommendation or an explanation from the manager as to how an adequate level of service can be maintained during her/his absence. Such leave may be extended up to one calendar year by action of the City Council.

9.9 Military Leave:

An employee called to active duty in any reserve component of the Armed Forces of the United States or the National Guard shall be granted a leave of absence for the duration of said active duty. Any full-time employee on a military leave of absence shall be compensated as outlined in the City's Personnel Policies Manual if the employee provides proper documentation from the Commanding Officer concerning their active duty; or, if the employee is a Commanding Officer, with a copy of the order to report to active duty and any applicable extension orders.

SECTION 10: TRAINING AND PROFESSIONAL GROWTH

10.1 Professional Seminars and Training:

To promote continued development of skills, knowledge, and abilities among the Employee, the City Manager may grant time off to employee(s) for educational leave. Such leave may be received in order to attend professional, technical, or managerial workshops, courses, conferences, conventions, seminars, or related activities. The cost of attendance at these activities, including travel, per diem, registration, tuition, materials or other reasonable costs, are legitimate City expenditures as provided for in the annual City Budget.

10.2 Professional Membership Fees:

Most At-will Executive Management, Mid-Management, and Confidential personnel are expected to maintain membership in appropriate professional organizations. These memberships serve to acquaint the City with the current state-of-the-art in these professional areas by means of publications and special activities. The City will include the costs of these membership fees in the respective department budgets, subject to approval by the City Manager.

10.3 College Tuition Reimbursement:

An employee who is taking courses in a field related to his/her employment may receive reimbursement for tuition and/or materials up to \$1,500 per year of the reasonable cost for books and tuition per fiscal year.

SECTION 11: OTHER BENEFITS**11.1 Vehicle Reimbursement:**

Covered employees to a far greater extent than most other City employees are required to travel throughout the City and the County to fulfill their job requirements. This travel is frequently required outside of normal working hours. In recognition of this employment requirement, the City may provide either the use of a City vehicle or pay an auto allowance of \$~~1~~200 per ~~month~~pay period. In addition, if travel is required by the employee in his/her personal vehicle beyond the County line, mileage shall be reimbursed at the same rate as set by the IRS.

11.2 Deferred Compensation Plan:

Employees may elect payroll deductions in an amount permissible under IRS regulations, to be placed in a deferred compensation program administered at no cost to the City. To the extent allowed by law, such monies deposited would become tax deferred and would be subject to income taxation in the year they are withdrawn from the deferred compensation program. The City shall match up to \$~~1~~200 per ~~month~~pay period to the employee's contribution into the City's deferred compensation program.

11.3 Health Club Membership:

The City will pay a one-time membership fee of \$25.00 towards employee enrollment in a health clubs.

11.4 Sick Leave Payout:

11.4.1 Payout Upon separation, the City will pay out 50% of accrued sick leave for an employee who was an unrepresented compensation member before May 8, 2018. An employee who is hired or promoted into an unrepresented compensation position on or after May 8, 2018 will not be eligible for any sick leave pay out.

11.4.2 –Retirees conversion, upon meeting REMIFs retiree eligibility to participate in retiree benefits, an employee who was an unrepresented compensation member before May 8, 2018, will have the option of using 100% of their accrued sick leave towards health premiums. An employee who is hired or promoted into an unrepresented compensation position on or after May 8, 2018 will not be eligible to convert any of their accrued sick leave towards health premiums.

11.5 St. Helena Charity Based Events:

In recognition of the importance of being engaged with the St. Helena community, Unrepresented Employees are eligible to be reimbursed for charity event tickets related to their employment. To be eligible for reimbursement, the event must be held within the County of Napa and directly benefit the St. Helena community. Event tickets may be purchased only for the employee up to a total reimbursable amount of \$750.00 per calendar year.

11.6 Uniform Allowance:

Sworn Personnel that are members of the unrepresented compensation program shall receive an annual uniform allowance in the amount of \$750. The Uniform Allowance will be paid twice a year: in December and June, in equal amounts.

SECTION 12: TERMINATION ALLOWANCE**12.1 Severance Pay:**

In order to foster job security within a professional climate, At-will Executive Management employees who receive no protection from the City's Personnel System may be entitled to severance pay when they are discharged from the City service. At-will Management employees terminated for cause are not eligible for severance benefits.

12.2 Allowance Schedule:

At-will Executive Management employees shall generally be entitled to two (2) months' salary, excluding fringe benefits. All specific severance pay terms and conditions must be included in the employee's Employment Contract, as noted in section 2 (Employment Contracts). In no event shall an employee receive a severance that is greater than the employee's salary multiplied by the number of months left on the unexpired term of the employee's employment contract, and all severance provisions shall comply with all other requirements of law.

**UNREPRESENTED COMPENSATION
PROGRAM
(Fourth Amendment)**

January 1, 2018 – June 2020

Approved May 8, 2018

**CITY OF ST. HELENA
UNREPRESENTED EMPLOYEE COMPENSATION PROGRAM**

SECTION 1: INTRODUCTION

[Section 1.1 Employee Definitions](#)

[Section 1.2 Purpose of the Unrepresented Employee Compensation Program](#)

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<u>Section 12.2</u>	<u>Allowance Schedule</u>

SECTION 1: INTRODUCTION

All provisions of this resolution only apply to At-will Executive Management, Mid-Management, and Confidential employees (together “Employees”) as defined herein.

1.1 Employee Definitions:

At-Will Executive Management Employee – an employee who serves at the will of the City Manager and who has responsibility for formulating, administering, and/or managing City policies and programs. In the City, this would typically be department heads.

Mid-Management Employee – an employee whose position is just below the department heads or City Manager and is responsible for managing a distinct responsibility area. Mid-Managers are in regular City service and are not at-will.

Confidential Employee – a Mid-Management employee, who in the course of his or her duties, has access to confidential information relating to the City’s administration of employer-employee relations. This access may include instances of an occasional but critical nature or due to the employee whose position requires the incumbent to provide direct administrative support to a manager who has such access.

1.2 Purpose of the Unrepresented Employee Compensation Program:

For At-will Executive Management, Mid-Management, and Confidential employees (together “Employees”), this resolution is adopted to promote the development of a stronger, more effective Management Team, not merely for purposes of employer-employee relations but also as a means of recognizing outstanding management performance in all public service areas. These general purposes may be achieved through several means, notably: training, more effective communication among departments, and clear identification of goals and objectives. Also inherent in such a program is the means of retaining good department heads and mid-managers and strengthening the managers (if any) who’s effectiveness and performances fall short of reasonable levels of expectation. This resolution is also referred to herein as the “Unrepresented Program.” This resolution sets forth all of the compensation and benefits for the positions set forth in section 1.3.

1.3 Employees Covered:

Employees covered under this program shall include the following:

- A. At-Will Executive Management
- Finance Director
- Fire Chief
- Library Director
- Planning/Community Development Director
- Police Chief
- Public Works Director

Recreation Director
Human Resources & Information Technology Director
City Clerk

B. Mid-Management

Assistant Public Works Director
Chief Building Official
Grant & Finance Manager
Library Manager
Police Lieutenant
Management Analyst
Public Works Manager
Senior Management Analyst (non-Confidential)
Senior Planner
Water Conservation Coordinator
Utilities Operations Manager

C. Confidential

Administrative Services Manager
Senior HR/IT Analyst

Additional job classes may be added to the Unrepresented Program from time to time, based upon the creation of additional City departments/divisions, the addition of new positions, or by the reclassification of existing positions to either At-will Management, Mid-Management, or Confidential based upon the nature of the work.

1.4 Exempt Status of Employees Covered:

The City has reviewed the salaries and duties of the Employees covered under the Unrepresented Program and has determined that these employees are exempt from the overtime provisions of the federal Fair Labor Standards Act.

SECTION 2: EMPLOYMENT CONTRACTS

The Executive Management employees as designated in Section 1.3(A) shall be "At Will" employees, and shall enter into an employment contract, confirming the "At Will" status of the employee and setting forth any special pay or benefits such as severance pay. Employment contracts with all At-will Executive Management employees will be approved by the City Manager, or, in the case of the City Manager's employment contract, approved by the Council, pursuant to the terms of the City of St. Helena Municipal Code, authorizing the City Manager to appoint all At-will Executive Management employees except the City Attorney.

SECTION 3: EMPLOYMEE SALARY COMPENSATION

3.1 *Annual Salary Adjustment:*

3.1.1 Effective in July 2018 on the first full payroll period of Fiscal 2018-19, unrepresented employees will receive a three and one-half (3 ½) percent salary increase.

3.1.2 Upon completion of the Citywide Classification and Compensation study and any City Council action that is taken as a result of recommendations identified from the study, unrepresented members and the City will commence a reopener for Fiscal Year 2019/2020.

3.2 *Salary Schedule:*

The salary ranges for Employees covered by this Unrepresented Compensation Program are set forth in Exhibit 1, attached to this resolution, and made a part hereof by reference.

3.3 *Confidential Pay Differential:*

Each Confidential employee will receive a 3% pay differential to be added to the employee's base pay. This 3% pay differential will not be added to the salary range for that job class. If at any time that a currently designated Confidential employee who receives the confidential differential is deemed to be Non-Confidential, the 3% confidential differential will cease at that time, and the City will take appropriate steps to reclassify the position.

3.4 *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 by communicating in Spanish. For employees who are certified as fluent in both written and verbal Spanish language, bilingual 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.

3.5 *Out-Of-Class Pay*

Pay for Performing Full Duties of Higher Class: When, because of the absence of a Department Head, Executive Management, Mid-Management, or Confidential personnel, an Employee performs substantially all of the functions (full-time) of a higher Classification, the Employee will receive an increase of ten percent (10%) of his/her base 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 the City Manager, and will be reportable to CalPERS as special compensation to the extent permitted by CalPERS rules and regulations.

Pay for Performing Partial Duties of Higher Class: When an Employee is temporarily assigned to perform substantial functions of a higher classification for at least a period of one month, but does not perform those additional duties on a full-time basis and/or the Employee assigned to the position normally responsible for the duties is not absent, the City Manager has the discretion to provide an increase of up to five percent (5%) of the Employee's normal base wage effective on the first day of assumption of the substantial additional duties and continuing until the City Manager determines that the assignment of the additional duties ceases. This additional pay is provided at the City Manager's sole discretion and must be pre-approved in writing. Under current CalPERS rules and regulations, this pay for performing partial duties of the higher class is not reportable special compensation.

SECTION 4: RETIREMENT BENEFITS

Management Employees are provided retirement benefits under the California Public Employee Retirement System (CalPERS) as described in this Section 4.

4.1 Tier One: 2% at 55 Retirement Program (Miscellaneous Group) and 3% at 50 (Safety Group) – Employees Hired Before July 1, 2012 (Tier One Classic Members)

This section 4.1 (including subsections) shall apply to miscellaneous employees hired before July 1, 2012.

4.1.1 2% at 55 or 3% at 50 Pension Formulas: The "2% @ 55" (for miscellaneous employees) or "3% @ 50" (for safety employees) retirement programs will be available to members covered by this Section 4.1.

4.1.2 Final Compensation Based On 12-Month Period: For the purposes of determining a retirement benefit, final compensation for members covered by this Section 4.1 shall mean the highest twelve (12) consecutive month period as specified in Government Code Section 20042.

4.1.3 Required Member Contributions:

4.1.3.1 Members covered by this Section 4.1 shall continue to pay, through payroll deduction, the full 7.0% member contribution for Miscellaneous Group and 9.0% member contribution for the Safety Group.

4.1.3.2 Miscellaneous Member Pension Cost Sharing: Beginning on the effective date of the amendment to the CalPERS contract providing for cost sharing (estimated date, Spring 2016), miscellaneous members covered by this Section 4.1 shall pay, through payroll deduction, the full 7.0% employee contribution plus an additional 1% of compensation earnable toward the City's costs for a total contribution of 8% toward the normal cost of pension benefits as permitted by Government Code Section 20516.

4.2 Tier Two: 2% at 60 Retirement Program (Miscellaneous Group) or 3% at 55 (Safety Group) for Members Hired On or After July 1, 2012, and Before December 31, 2012, and Unit Members Qualified for Reciprocity (Tier Two Classic Members):

This Section 4.2 (including subsections) shall apply to members hired on or after July 1, 2012, and before January 1, 2013. In addition, this Section 4.2 shall apply to members 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:

4.2.1 2% at 60 or 3% at 55 Pension Formulas: The “2% @ 60” (for miscellaneous) or “3% @ 55” (for safety) retirement programs will be available to members covered by this Section 4.2.

4.2.2 Final Compensation Based On 36-Month Period: For the purposes of determining a retirement benefit, final compensation for members covered by this Section 4.2 shall mean the highest annual average pensionable compensation earned during thirty-six (36) consecutive months of service.

4.2.3 Required Member Contributions

4.2.3.1 Employees covered by this Section 4.2 shall continue to pay, through payroll deduction, the full 7.0% member contribution for Miscellaneous Group and 9.0% member contribution for the Safety Group.

4.2.3.2 Miscellaneous Member Pension Cost Sharing: Beginning on the effective date of the amendment to the CalPERS contract providing for cost sharing (estimated date, Spring 2016), miscellaneous employees covered by this Section 4.2 shall pay, through payroll deduction, the full 7.0% member contribution plus an additional 1% of compensation earnable towards the City’s costs for a total contribution of 8% toward the normal cost of pension benefits as permitted by Government Code Section 20516.

4.3 Tier Three: 2% at 62 PEPPRA Retirement Tier (Miscellaneous Group) or 3% at 57 (Safety Group) is Required For Members Hired On or After January 1, 2013 and Not Qualified For Reciprocity (Not a Classic Member):

This Section 4.3 (including subsections) shall apply to members 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).

4.3.1 2% at 62 or 3% at 57 Pension Formulas: The “2% @ 62” (for miscellaneous) or “3% @ 57” (for safety) retirement programs will be available to members covered by this Section 4.3.

4.3.2 Final Compensation Based On 36-Months: Effective January 1, 2013, for the purposes of determining a retirement benefit, final compensation for members covered by this Section 4.3 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.

4.3.3 Required Member Contributions

4.3.3.1 Required 50% of Normal Costs: As required by Government Code Section 7522.04(g), effective January 1, 2013, members covered by this Section 4.3 shall pay, through payroll deduction, fifty percent (50%) of normal costs.

4.3.3.2 Miscellaneous Member Pension Cost Sharing: Beginning on the effective date of the amendment to the CalPERS contract providing for cost sharing (expected Spring of 2016), in addition to paying 50% of normal costs as described above, employees covered by this Section 4.3 shall pay, through payroll deduction, an additional 1.0% of pensionable compensation toward the City's cost of pension benefits as permitted by Government Code Section 20516.

4.4 Cost Sharing Implementation – All Tiers:

CalPERS mandates an election of employees, separate from adoption of this resolution, to provide for this cost sharing pursuant to Government Code Section 20516. As soon as practicable, the City will initiate the contract amendment process for miscellaneous employee cost sharing. Upon completion of the City's amendment to the CalPERS contract, miscellaneous member contributions will be made pursuant to Government Code Section 20516, Member Cost Sharing of Additional Benefits. The City will consider cost sharing for the Fire Chief at a future date.

4.5 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 will not be available for conversion to service credit.

4.6 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.

4.7 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).

4.8 All Provisions Subject to Requirements of Law:

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 Unrepresented Compensation Program Resolution and related practices, the City will comply with the requirements of law, and those legal requirements prevail over any inconsistent prior practices or prior resolutions.

SECTION 5: INSURANCE BENEFITS

5.1 General Provisions:

The City will pay the full cost of the employee's health insurance plan to cover both the employee and the employee's dependents. The City will pay the full cost for dental coverage for the employee and her/his dependents. When an employee commences

work with the City, the effective date of coverage of his/her benefits distribution selection shall be established by the individual carrier. In most cases, coverage begins the first of the month following date of hire.

Employees will choose from available insurance programs and/or health and welfare plans at the time of hire or as carriers allow during Open Enrollment periods. Dependent coverage may be added or deleted between Open Enrollment periods subject to conditions imposed by the selected carriers.

5.2 Life Insurance:

The City will provide term life insurance for each employee, not to exceed \$50,000.

Employees may elect to increase the value of their life insurance policy by \$20,000 at their own expense for a total policy value of \$70,000. Employees opting for the additional coverage will have the cost of that coverage deducted from their pay.

5.3 Short-term Disability Insurance: The City will pay for the employee's cost to participate in the State Disability Insurance (SDI) program.

5.4 Vision Care: The City will pay for vision care benefits, for the employee and all dependents through VSP Vision Care Insurance.

SECTION 6: HOLIDAYS

All Unrepresented employees shall receive 12 paid holidays per year, as follows:

<u>Holiday</u>	<u>Day Observed</u>
New Year's Day	January 1
Martin Luther King, Jr. Birthday	3 rd Monday in January
President's Day	3 rd Monday in February
Cesar Chavez Birthday	March 31 st
Memorial Day	Last Monday in May
Independence Day	July 4 th
Labor Day	1 st Monday in September
Veteran's Day	November 11 th
Thanksgiving Day	4 th Thursday in November
Day after Thanksgiving	Friday following Thanksgiving
Christmas Eve Day	December 24 th
Christmas Day	December 25 th

It is the intent of this resolution that all full-time employees receive 12 paid holidays regardless of their assigned workweek. 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 an employee is required to work on a holiday, s/he may select another day as holiday leave with pay during the fiscal year

with the consent of the City Manager.

Floating Holidays: Except for the calendar year they are hired, on January 1st of each year, employees earn 16 hours of floating holiday for use during that calendar year, taken in at least 8-hour increments. The hours must be used by the end of the calendar year and does not accrue. After five years of service, employees earn 40 hours of floating holiday.

SECTION 7: VACATION LEAVE

7.1 Vacation Entitlement:

Employees shall accumulate vacation in accordance with the following vacation entitlement schedule:

<u>Years of Continuous Service</u>	<u>Vacation Days Earned/Year</u>
1 – 5 years	10
6 th year	15
7 th year	16

This pattern continues until 20 days per year is reached. On the employee's 25th anniversary and every five years thereafter, one additional day will be awarded on that year.

7.2 Vacation Accrual:

Employees shall begin earning vacation upon the first day of employment. Vacation leave time shall be accrued as it is earned; odd fractions rounded to the nearest tenth. Vacation time shall not be taken until earned and shall be subject to other provisions of this resolution. When an employee is on a leave without pay status, s/he shall not be entitled to earn vacation.

For purposes of calculating vacation earned upon termination, the employee's final accrual will be prorated, based on the days worked in the employee's last month of employment. Upon termination of an employee's service with the City, s/he shall be paid a lump sum for all earned vacation not taken, at the employee's hourly rate then in effect.

An employee who was a member of the unrepresented compensation program before May 8, 2018 may accrue a maximum of 380 vacation hours. An employee who is hired or promoted into an unrepresented compensation position on or after May 8, 2018 may accrue a maximum of 280 vacation hours.

7.3 Vacation Usage:

An employee may take vacation at a time approved by the employee's direct supervisor, or, in the case of the City Manager, after notification of the City Council. It is the policy of the City that employees take their normal provided vacation leave each year.

Employees should not be earning vacation leave once their accrued vacation balance has reached 380 hours. All employees who have accrued at least 380 hours of vacation shall expend at least 80 hours of vacation leave per calendar year with at least 40 hours being consecutive.

SECTION 8: EXECUTIVE LEAVE

In recognition of the extra hours required to perform at the level of management, including attendance at numerous meetings outside normal working hours and the fact that employees who are exempt from FLSA are not compensated for overtime work, the following executive leave policy shall be implemented:

Each FLSA-exempt, unrepresented employee may receive up to five (5) days Executive Leave annually at the discretion of the City Manager provided on January 1st of each year. On January 1st of each year, all hours not taken in the prior year will be lost unless an extension of time is granted by the City Manager. Additionally, at-will executive staff may receive up to another five (5) days Executive Leave annually at the discretion of the City Manager provided on July 1st of each year, and all hours not taken by December 31st of the same year will be lost unless an extension of time is granted by the City Manager.

Newly hired employees shall have Executive Leave awarded to them in the following pro-rated manner:

If the employee is hired from:

January – March	40 hours awarded on the date of hire
April – June	30 hours awarded on the date of hire
July – September will	20 hours awarded on the date of hire, 40 hours additional at-
October – December will	10 hours awarded on the date of hire, 20 hours additional at-

SECTION 9: OTHER LEAVES OF ABSENCE

9.1 Sick Leave:

Employees shall accrue and use sick leave in accordance with City of St. Helena Personnel/Administrative on Sick Leave.

9.2 Family Care:

Except as otherwise required by state or federal law, sick leave may be used to care for the employee's child, spouse, or domestic partner who is incapacitated by a serious health condition as defined by state or federal Law. Sick leave utilized for Family Care shall not exceed forty-eight (48) hours per occurrence.

9.3 Bereavement Leave:

Leave with pay up to 3 days per year in state/5 days out of state shall be granted by the City Manager to employees in case of the death of spouse or domestic partner regardless of gender, parent or step-parent, grand-parent, child, or stepchild, brother or sister, parent-in-law, brother/sister-in-law, son/daughter-in-law, or any relative in the immediate household of the employee. Bereavement leave shall not be charged against any accumulated leave. Additional time off (vacation, executive leave) may be taken if approved by the City Manager.

9.4 Industrial Accident Leave:

The City shall provide paid leave and benefits consistent with the State's Worker's Compensation laws.

9.5 Miscellaneous Leave With Pay:

Employees shall be granted a leave of absence with full pay for jury duty; subpoena of the employee as a witness; or attendance in court resulting from the employee's official duties as assigned by the City Manager. Any compensation received by the employee for the above, except for travel reimbursement, shall be promptly remitted to the City by the employee.

9.6 Leave Pursuant to the Family and Medical Care Leave Act and the California Family Rights Act:

Employees shall be entitled to take leave in response to the birth or adoption of a child, or the placement of a child with the employee for foster care; the employee's own serious health condition, or to care for a child, parent or spouse of the employee who has a serious health condition; for a "qualifying exigency" arising from the foreign deployment of the employee's spouse, son, daughter, or parent with the Armed Forces; or to care for a servicemember with a serious injury or illness if the employee is the servicemember's spouse, son, daughter, parent or next of kin, as specified in the federal Family and Medical Care Leave Act (FMLA) and the California Family Rights Act (Government Code Section 12945.2). Employees may use their accrued leave balances during such leave.

If the period of leave exceeds the employer's accrued leave balances, the employee shall take the balance of the leave as unpaid leave.

9.7 Leave for Pregnancy, Childbirth and Related Medical Conditions (California Government Code Section 12945):

In addition to leave authorized by Section 9.6, eligible employees may take leave based on pregnancy, childbirth, or related medical conditions pursuant to California

Government Code Section 12945. Generally, this leave should not exceed six (6) weeks for a normal pregnancy, childbirth, or related conditions, but may be taken for a period of up to a total of four (4) months if the employee is disabled due to pregnancy, childbirth, or other medical conditions. The need for leave beyond six (6) weeks due to disability shall be verified in writing by the employee's physician. The employee may use accrued leave balances during leave taken pursuant to this Section. If the period of leave exceeds the employee's accrued leave balances, the balance of the leave shall be taken as unpaid leave.

9.8 *Leave of Absence Without Pay:*

Upon the written request of any employee, the City Manager may approve in writing a leave of absence without pay for a period up to thirty (30) calendar days. Except in the cases of illness or maternity, an employees' request for Leave Without Pay shall be submitted to the City Manager, accompanied by a recommendation or an explanation from the manager as to how an adequate level of service can be maintained during her/his absence. Such leave may be extended up to one calendar year by action of the City Council.

9.9 *Military Leave:*

An employee called to active duty in any reserve component of the Armed Forces of the United States or the National Guard shall be granted a leave of absence for the duration of said active duty. Any full-time employee on a military leave of absence shall be compensated as outlined in the City's Personnel Policies Manual if the employee provides proper documentation from the Commanding Officer concerning their active duty; or, if the employee is a Commanding Officer, with a copy of the order to report to active duty and any applicable extension orders.

SECTION 10: TRAINING AND PROFESSIONAL GROWTH

10.1 *Professional Seminars and Training:*

To promote continued development of skills, knowledge, and abilities among the Employee, the City Manager may grant time off to employee(s) for educational leave. Such leave may be received in order to attend professional, technical, or managerial workshops, courses, conferences, conventions, seminars, or related activities. The cost of attendance at these activities, including travel, per diem, registration, tuition, materials or other reasonable costs, are legitimate City expenditures as provided for in the annual City Budget.

10.2 *Professional Membership Fees:*

Most At-will Executive Management, Mid-Management, and Confidential personnel are expected to maintain membership in appropriate professional organizations. These memberships serve to acquaint the City with the current state-of-the-art in these professional areas by means of publications and special activities. The City will include the costs of these membership fees in the respective department budgets, subject to approval by the City Manager.

10.3 College Tuition Reimbursement:

An employee who is taking courses in a field related to his/her employment may receive reimbursement for tuition and/or materials up to \$1,500 per year of the reasonable cost for books and tuition per fiscal year.

SECTION 11: OTHER BENEFITS**11.1 Vehicle Reimbursement:**

Covered employees to a far greater extent than most other City employees are required to travel throughout the City and the County to fulfill their job requirements. This travel is frequently required outside of normal working hours. In recognition of this employment requirement, the City may provide either the use of a City vehicle or pay an auto allowance of \$200 per month. In addition, if travel is required by the employee in his/her personal vehicle beyond the County line, mileage shall be reimbursed at the same rate as set by the IRS.

11.2 Deferred Compensation Plan:

Employees may elect payroll deductions in an amount permissible under IRS regulations, to be placed in a deferred compensation program administered at no cost to the City. To the extent allowed by law, such monies deposited would become tax deferred and would be subject to income taxation in the year they are withdrawn from the deferred compensation program. The City shall match up to \$200 per month to the employee's contribution into the City's deferred compensation program.

11.3 Health Club Membership:

The City will pay a one-time membership fee of \$25.00 towards employee enrollment in a health clubs.

11.4 Sick Leave Payout:

11.4.1 Payout upon separation, the City will pay out 50% of accrued sick leave for an employee who was an unrepresented compensation member before May 8, 2018. An employee who is hired or promoted into an unrepresented compensation position on or after May 8, 2018 will not be eligible for any sick leave pay out.

11.4.2 Retirees conversion, upon meeting REMIFs retiree eligibility to participate in retiree benefits, an employee who was an unrepresented compensation member before May 8, 2018, will have the option of using 100% of their accrued sick leave towards health premiums. An employee who is hired or promoted into an unrepresented compensation position on or after May 8, 2018 will not be eligible to convert any of their accrued sick leave towards health premiums.

11.5 St. Helena Charity Based Events:

In recognition of the importance of being engaged with the St. Helena community, Unrepresented Employees are eligible to be reimbursed for charity event tickets related

to their employment. To be eligible for reimbursement, the event must be held within the County of Napa and directly benefit the St. Helena community. Event tickets may be purchased only for the employee up to a total reimbursable amount of \$750.00 per calendar year.

11.6 Uniform Allowance:

Sworn Personnel that are members of the unrepresented compensation program shall receive an annual uniform allowance in the amount of \$750. The Uniform Allowance will be paid twice a year: in December and June, in equal amounts.

SECTION 12: TERMINATION ALLOWANCE

12.1 Severance Pay:

In order to foster job security within a professional climate, At-will Executive Management employees who receive no protection from the City's Personnel System may be entitled to severance pay when they are discharged from the City service. At-will Management employees terminated for cause are not eligible for severance benefits.

12.2 Allowance Schedule:

At-will Executive Management employees shall generally be entitled to two (2) months' salary, excluding fringe benefits. All specific severance pay terms and conditions must be included in the employee's Employment Contract, as noted in section 2 (Employment Contracts). In no event shall an employee receive a severance that is greater than the employee's salary multiplied by the number of months left on the unexpired term of the employee's employment contract, and all severance provisions shall comply with all other requirements of law.

Attachment 3

CITY OF ST. HELENA**RESOLUTION NO. 2018-_____**

Approval of a resolution approving a fourth amendment to the Unrepresented Compensation Program: (1) authorizing a 3.5% cost of living adjustment (COLA) effective July 1, 2018 (the first full payroll period of Fiscal Year 2018-2019) to all mid-managers and department heads of the Unrepresented Compensation program, (2) addition of Section 3.5 Out-Of-Class Pay; (3) amending Section 7.2 Vacation Accrual and Section 7.3 Vacation Usage; (4) updating Section 11.1 Vehicle Reimbursement to \$200 per month; (5) updating Section 11.2 Deferred Compensation Plan match to \$200 per month; (6) amending Section 11.4 Sick Leave Payout (7) addition of Section 11.6 Uniform Allowance; and authorizing and approving publicly available pay schedules in accordance with the requirement of California Code of Regulations, Title 2, Section 570.5 which includes revised salary schedules to include a 3.5% cost of living adjustment (COLA) effective July 1, 2018 to all mid-managers of the Unrepresented Compensation program and a 3.5% COLA to the following executive department heads: City Clerk, Fire Chief, Finance Director, Human Resources & Information Director, Library Director, Planning & Community Improvement Director, Police Chief, Public Works Director, and Recreation Director

RECITALS

- A. The City currently has two groups of employees who are unrepresented: At-Will Executive Management and Mid-Managers; and
- B. On March 8, 2016, City Council approved Resolution 2016-36 establishing a new Unrepresented Compensation Program from March 8, 2016 through December 31, 2016; and
- C. On June 14, 2016, City Council approved Resolution 2016-75 amending the Unrepresented Compensation program; and
- D. On September 13, 2016, City Council approved Resolution 2016-124 amending the Unrepresented Compensation program and extending the term of the program to end on June 30, 2017; and
- E. On June 27, 2017, City Council approved Resolution 2017-93 amending the Unrepresented Compensation program and extending the term of the program to end December 31, 2017; and
- F. The current Unrepresented Compensation Program expired on December 31, 2017; and
- G. The City Manager met with the unrepresented employees to share his recommended changes to the Unrepresented Compensation program.

RESOLUTION

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

1. Approves the fourth amendment to the Unrepresented Compensation Program for Executive Directors, Mid-Managers, and Confidential Managers covering the period of January 1, 2018 through June 30, 2020; and
2. Approves publicly available pay schedules in accordance with the requirement of California Code of Regulations, Title 2, Section 570.5 which includes revised salary schedules to include a 3.5% COLA increase effective July 1, 2018 (the first full payroll period of Fiscal Year 2018-2019) to all mid-managers of the Unrepresented Compensation program and a 3.5% COLA increase to the following executive department heads: City Clerk, Fire Chief, Finance Director, Human Resources & Information Director, Library Director, Planning & Community Improvement Director, Police Chief, Public Works Director, and Recreation Director; and

Approved at a Regular Meeting of the St. Helena City Council on May 8, 2018, by the following vote:

Mayor Galbraith:

Vice Mayor White:

Councilmember Dohring:

Councilmember Koberstein:

Councilmember Ellsworth:

APPROVED:

Alan Galbraith, Mayor

ATTEST:

Cindy Tzafopoulos, City Clerk

CITY OF ST. HELENA PUBLICLY AVAILABALE SALARY SCHEDULE

Mid-Management Exempt
Approved and Adopted May 8, 2018
Includes a 3.5% salary Increase effective July 1, 2018
FY 2018-2019

Position	Range		A	B	Steps C	D	E
Recreation Manager*	53.9	Annual	68,394.00	71,814.00	75,405.00	79,176.00	83,134.00
		Monthly	5,699.50	5,984.50	6,283.75	6,598.00	6,927.83
		Bi-weekly	2,630.54	2,762.08	2,900.19	3,045.23	3,197.46
		Hourly	32.88	34.53	36.25	38.07	39.97
Management Analyst	58.5	Annual	77,871.00	81,765.00	85,853.00	90,146.00	94,654.00
Public Works Maintenance Manager		Monthly	6,489.25	6,813.75	7,154.42	7,512.17	7,887.83
Public Works Project Manager		Bi-weekly	2,995.04	3,144.81	3,302.04	3,467.15	3,640.54
Water Conservation Coordinator*		Hourly	37.44	39.31	41.28	43.34	45.51
Flood Project Manager*	62	Annual	80,441.00	84,463.00	88,686.00	93,121.00	97,777.00
		Monthly	6,703.42	7,038.58	7,390.50	7,760.08	8,148.08
		Bi-weekly	3,093.88	3,248.58	3,411.00	3,581.58	3,760.65
		Hourly	38.67	40.61	42.64	44.77	47.01
Senior Management Analyst	60.5	Annual	85,149.00	89,406.00	93,878.00	98,570.00	103,499.00
Grants and Finance Manager*		Monthly	7,095.75	7,450.50	7,823.17	8,214.17	8,624.92
Sr. Public Works Maintenance Manager		Bi-weekly	3,274.96	3,438.69	3,610.69	3,791.15	3,980.73
Sr. Public Works Project Manager		Hourly	40.94	42.98	45.13	47.39	49.76
Sr. Water Conservation Coordinator*							
Senior Planner	99.6	Annual	92,669.00	97,301.00	102,167.00	107,276.00	112,639.00
		Monthly	7,722.42	8,108.42	8,513.92	8,939.67	9,386.58
		Bi-weekly	3,564.19	3,742.35	3,929.50	4,126.00	4,332.27
		Hourly	44.55	46.78	49.12	51.58	54.15
Library Manager		Annual	94,563.00	99,291.00	104,256.00	109,470.00	114,943.00
		Monthly	7,880.25	8,274.25	8,688.00	9,122.50	9,578.58
		Bi-weekly	3,637.04	3,818.88	4,009.85	4,210.38	4,420.88
		Hourly	45.46	47.74	50.12	52.63	55.26
Utilities Operations Manager		Annual	99,291.00	104,256.00	109,469.00	114,943.00	120,688.00
		Monthly	8,274.25	8,688.00	9,122.42	9,578.58	10,057.33
		Bi-weekly	3,818.88	4,009.85	4,210.35	4,420.88	4,641.85
		Hourly	47.74	50.12	52.63	55.26	58.02
Lieutenant		Annual	99,623.00	104,605.00	109,834.00	115,327.00	121,093.00
		Monthly	8,301.92	8,717.08	9,152.83	9,610.58	10,091.08
		Bi-weekly	3,831.65	4,023.27	4,224.38	4,435.65	4,657.42
		Hourly	47.90	50.29	52.80	55.45	58.22
Assistant Public Works Director	111.6	Annual	109,001.00	114,451.00	120,174.00	126,182.00	132,490.00
Chief Building Official		Monthly	9,083.42	9,537.58	10,014.50	10,515.17	11,040.83
		Bi-weekly	4,192.35	4,401.96	4,622.08	4,853.15	5,095.77
		Hourly	52.40	55.02	57.78	60.66	63.70
<u>Confidential Positions</u>							
HR Analyst ⁽¹⁾		Annual	77,871.00	81,765.00	85,853.00	90,146.00	94,654.00
		Monthly	6,489.25	6,813.75	7,154.42	7,512.17	7,887.83
		Bi-weekly	2,995.04	3,144.81	3,302.04	3,467.15	3,640.54
		Hourly	37.44	39.31	41.28	43.34	45.51
Senior HR Analyst ⁽¹⁾	60.5	Annual	85,149.00	89,406.00	93,878.00	98,570.00	103,499.00
		Monthly	7,095.75	7,450.50	7,823.17	8,214.17	8,624.92
		Bi-weekly	3,274.96	3,438.69	3,610.69	3,791.15	3,980.73
		Hourly	40.94	42.98	45.13	47.39	49.76
Administrative Services Manager ⁽¹⁾		Annual	99,291.00	104,256.00	109,469.00	114,943.00	120,688.00
		Monthly	8,274.25	8,688.00	9,122.42	9,578.58	10,057.33
		Bi-weekly	3,818.88	4,009.85	4,210.35	4,420.88	4,641.85
		Hourly	47.74	50.12	52.63	55.26	58.02

(1) Confidential Positions receive a 3% pay differential that is added to the employee's base salary

CITY OF ST. HELENA PUBLICLY AVAILABALE SALARY SCHEDULE

Executive Management - Department Heads

Approved and Adopted May 8, 2018

Includes a 3.5% salary Increase effective July 1, 2018

FY 2018-2019

Position	Range		A	B	Steps C	D	E
Fire Chief ⁽¹⁾		Annual					63,860.00
City Clerk	66.6	Annual	101,834.00	106,925.00	112,271.00	117,884.00	123,779.00
		Monthly	8,486.17	8,910.42	9,355.92	9,823.67	10,314.92
		Bi-weekly	3,916.69	4,112.50	4,318.12	4,534.00	4,760.73
		Hourly	48.96	51.41	53.98	56.68	59.51
Library Director		Annual	106,514.00	111,840.00	117,433.00	123,304.00	129,468.00
		Monthly	8,876.17	9,320.00	9,786.08	10,275.33	10,789.00
		Bi-weekly	4,096.69	4,301.54	4,516.65	4,742.46	4,979.54
		Hourly	51.21	53.77	56.46	59.28	62.24
Recreation Director		Annual	112,271.00	117,884.00	123,779.00	129,967.00	136,465.00
		Monthly	9,355.92	9,823.67	10,314.92	10,830.58	11,372.08
		Bi-weekly	4,318.12	4,534.00	4,760.73	4,998.73	5,248.65
		Hourly	53.98	56.68	59.51	62.48	65.61
Human Resources/IT Director		Annual	117,433.00	123,304.00	129,468.00	135,944.00	142,741.00
		Monthly	9,786.08	10,275.33	10,789.00	11,328.67	11,895.08
		Bi-weekly	4,516.65	4,742.46	4,979.54	5,228.62	5,490.04
		Hourly	56.46	59.28	62.24	65.36	68.63
Finance Director		Annual	125,983.00	132,282.00	138,896.00	145,843.00	153,134.00
		Monthly	10,498.58	11,023.50	11,574.67	12,153.58	12,761.17
		Bi-weekly	4,845.50	5,087.77	5,342.15	5,609.35	5,889.77
		Hourly	60.57	63.60	66.78	70.12	73.62
Planning/Community Services Director		Annual	137,166.00	144,025.00	151,227.00	158,787.00	166,727.00
		Monthly	11,430.50	12,002.08	12,602.25	13,232.25	13,893.92
		Bi-weekly	5,275.62	5,539.42	5,816.42	6,107.19	6,412.58
		Hourly	65.95	69.24	72.71	76.34	80.16
Police Chief		Annual	144,711.00	151,945.00	159,543.00	167,520.00	175,896.00
		Monthly	12,059.25	12,662.08	13,295.25	13,960.00	14,658.00
		Bi-weekly	5,565.81	5,844.04	6,136.27	6,443.08	6,765.23
		Hourly	69.57	73.05	76.70	80.54	84.57
Public Works Director		Annual	148,816.00	156,257.00	164,070.00	172,274.00	180,887.00
		Monthly	12,401.33	13,021.42	13,672.50	14,356.17	15,073.92
		Bi-weekly	5,723.69	6,009.88	6,310.38	6,625.92	6,957.19
		Hourly	71.55	75.12	78.88	82.82	86.96
City Manager ⁽¹⁾		Annual					189,880.00
		Monthly					15,823.00
		Bi-weekly					7,303.08
		Hourly					91.29

(1) Positions do not have a pay range



Report to the City Council
Council Meeting of May 8, 2018

Agenda Section: Consent

Subject: Consideration and proposed adoption of a resolution designating the City Manager and/or Director of Public Works as the authorized representatives to sign and file a Financial Assistance Application, for and on behalf of the City, for a loan and/or grant agreement from the State Water Resources Control Board and the United States Department of Agriculture for the planning, design, and/or construction of Capital Improvement Program projects.

CEQA Determination: Not a CEQA project

Prepared By: Felix Hernandez III, Utilities Operations Manager

Reviewed By: Erica Ahmann Smithies, Public Works Director and City Engineer

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

On August 8, 2017 City Council adopted the City's Five Year Capital Improvement Program (CIP) for Fiscal Years 2017/18 through 2021/22. This CIP is the City's commitment to building a more resilient and vibrant future for the residents, workers, and visitors of St. Helena. Updated annually, the CIP is a fiscal expenditure plan that lays out infrastructure investments over the next five years. The document includes the most realistic estimates of St. Helena's future needs coupled with known financial constraints.

The information included in the CIP is based on the current information available and updated annually to reflect changing priorities, funding availability and project completion. Inclusion of a project in the CIP does not commit the City to specific expenditures or appropriations for any particular project.

Major projects identified in this plan include:

- Water Master Plan Update
- Upper York Creek Dam Removal
- Bell Canyon Reservoir Improvements
- Tank Upgrades
- Pump Station Upgrades
- Spill Containment
- SCADA Upgrades
- Sewer Master Plan Update
- Crinella Pump Station Upgrades
- Phase 1 WWTRP Upgrades
- Reclamation Field Improvements
- Add sewer pump stations to SCADA
- Update GIS mapping for water and wastewater

DISCUSSION

The State Water Resources Control Board Clean Water State Revolving Fund Loan and Grant Program (SWRCB CWSRF) and United States Department of Agriculture Water and Waste Disposal Loan and Grant Program (USDA) provides funding to local and public agencies for the planning, design, and/or construction of Capital Improvement Program (CIP) projects. In coordination with the City's contracted consultant, staff researched and identified four options for funding of CIP projects with particular focus on proposed upgrades at the St. Helena Wastewater Treatment and Reclamation Plant (WWTRP). City staff determined the SWRCB CWSRF and USDA programs provide the best combination of interest rate, repayment term, and projects eligible for funding. City Council authorization will still be required for contract approvals and policy decisions related to and for awarded loan or grant funded projects.

The SWRCB CWSRF Loan and Grant Program eligible projects include, but are not limited to:

- Construction of publicly-owned treatment facilities
- Wastewater treatment
- Local sewers
- Sewer interceptors
- Water reclamation and distribution
- Stormwater treatment
- Combined sewers
- Landfill leachate treatment

Financing Terms:

- Interest Rate - ½ most recent
- General Obligation (GO) Bond Rate at time of funding approval
- Financing Term - up to 30 years or the useful life of the project
- Financing Amount - No maximum funding limit

- No maximum disbursement limit
- Repayment - Begins 1 year after completion of construction
- The rate has been less than 2% since March 2014, and was most recently 1.8% in March 2017.

The USDA Loan and Grant Program eligible projects include, but are not limited to:

- Drinking water sourcing, treatment, storage and distribution
- Sewer collection, transmission, treatment and disposal
- Solid waste collection, disposal and closure
- Storm water collection, transmission and disposal

In some cases, funding may also be available for related activities such as:

- Legal and engineering fees
- Land acquisition, water and land rights, permits and equipment
- Start-up operations and maintenance
- Interest incurred during construction
- Purchase of facilities to improve service or prevent loss of service
- Other costs determined to be necessary for completion of the project
- See 7 CFR Part 1780.7 and 1780.9 for a complete list.

Financing Terms:

- Up to 40-year payback period, based on the useful life of the facilities financed
- Fixed interest rates, based on the need for the project and the median household income of the area to be served
- Interest rate is currently ~3.375%

As part of the financial assistance application, both the SWRCB CWSRF and USDA Loan and Grant Programs require the applicant to identify the person who has the authority to represent the applicant and sign documents pertaining to the funding application. If the applicant is a public agency or has a governing board, the application must include a copy of a resolution adopted by the governing body designating its authorized representative and authorizing the submission of an application. If the applicant does not have a governing board, then it must provide documentation supporting the authorization of the authorized representative. It is advisable to designate the title of the position authorized to sign and submit an application rather than naming a specific person. The funding application must be signed by the authorized representative.

FISCAL IMPACT

None at this time.

RECOMMENDED ACTION

Adoption of a resolution designating the City Manager and/or Director of Public Works as the authorized representatives to sign and file a Financial Assistance Application, for and on behalf of the City, for a loan and/or grant agreement from the State Water

Resources Control Board and the United States Department of Agriculture for the planning, design, and/or construction of Capital Improvement Program projects.

ATTACHMENTS

[Attachment: 1 Resolution](#)

[Funding Options 2-28-2018_GHD Memo](#)

CITY OF ST. HELENA

RESOLUTION No. 2018-

Resolution designating the City Manager and/or Director of Public Works as authorized representatives to sign and file a Financial Assistance Application, for and on behalf of the City, for a loan and/or grant agreement from the State Water Resources Control Board and the United States Department of Agriculture for the planning, design, and/or construction of Capital Improvement Plan projects.

RECITALS

- A. On August 8, 2017 City Council adopted the City's Five Year CIP for Fiscal Years 2017/18-2021/22.
- B. The State Water Resources Control Board Clean Water State Revolving Fund Loan and Grant Program (SWRCB CWSRF) and United States Department of Agriculture Water and Waste Disposal Loan and Grant Program (USDA) provides funding to local and public agencies for the planning, design, and/or construction of Capital Improvement Plan (CIP) projects; and
- C. The City's Five Year CIP for Fiscal Years 2017/18-2021/22 adopted August 8, 2017 identified potential projects eligible for SWRCB CWSRF and USDA funding.
- D. On February 28, 2018, City staff received and reviewed four (4) options for funding CIP projects with particular focus on proposed upgrades at the St. Helena Wastewater Treatment and Reclamation Plant (WWTRP); and
- E. City staff found the State Water Resources Control Board Clean Water State Revolving Fund Loan and Grant Program (SWRCB CWSRF) and United States Department of Agriculture Water and Waste Disposal Loan and Grant Program (USDA) provided the best combination of interest rate, repayment term, and projects eligible for funding; and
- F. As part of the financial assistance application, both the SWRCB CWSRF and USDA Loan and Grant Programs require the applicant to identify the person who has the authority to represent the applicant and sign documents pertaining to the funding application; and
- G. If the applicant is a public agency or has a governing board, the application must include a copy of a resolution adopted by the governing body designating its authorized representative and authorizing the submission of an application; and

- H. It advisable to designate the title of the position authorized to sign and submit an application rather than naming a specific person. The funding application must be signed by the authorized representative.

RESOLUTION

The City Council of the City of St. Helena hereby resolves as follows:

1. The City Manager and/or Director of Public Works are designated as authorized representatives to sign and file a Financial Assistance Application, for and on behalf of the City, for a loan and/or grant agreement from the State Water Resources Control Board and the United States Department of Agriculture for the planning, design, and/or construction of Capital Improvement Plan projects.

Approved at a Regular Meeting of the St. Helena City Council on May 8, 2018, by the following vote:

Mayor Galbraith:	_____
Vice Mayor White:	_____
Councilmember Ellsworth:	_____
Councilmember Dohring:	_____
Councilmember Koberstein:	_____

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Tzaopoulos, City Clerk



Memorandum

February 28, 2018

To:	Felix Hernandez		
From:	Alex Culick, PE Rebecca Crow, PE	Tel:	707.540.9022
Cc:	Michelle Trinh		
Subject:	St. Helena Next Steps with Project Funding	Job no.:	11110776

St. Helena is well on its way to developing the information needed to develop a funding package for design and construction of the proposed upgrades at the St. Helena Wastewater Treatment and Reclamation Plant (WWTRP). GHD is currently assisting the City with the completion of a project feasibility study, which is a required document for many funding programs. The tables below present the current available funding programs the City can tap into for improvement project design, final planning/permitting, and construction funding.

For funding eligibility, the following 2016 American Community Survey census data was used:

- Median Household income: \$85,505
- Population: 6,154

A summary of the available funding programs and a table discussing the advantages and other considerations are on the following pages.



State Water Resources Control Board, Clean Water State Revolving Fund

This is a program run by the State of California. It is funded by interest income and annual allocations of federal funds through the Clean Water Act.

Grant/ Loan	Most grants reserved for disadvantaged communities*. St. Helena WWTRP Project likely only eligible for loan funds.
Interest Rate	Interest rate is ½ of the latest general obligation bond rate. The rate has been less than 2% since March 2014, and was most recently 1.8% in March 2017.
Repayment Term	Maximum of 30 years
CEQA/ NEPA	While the City's project is exempt from CEQA, it will still require NEPA review under the CWSRF as the funds originate from the federal government. The CWSRF has a NPEA lite process, the highlights of which include the requirement for a cultural resources study and biological survey of the project site and associated write ups.
Design Costs	Design costs could be covered on a planning/ design loan funding package, and could also include outstanding planning items if needed, including NEPA. Planning, design funds are issued on a reimbursement basis with funds typically issued within 30 days of the reimbursement request.
Construction Costs	Once the design is complete a second funding application could be submitted for construction of the improvements. Construction funds are issued on a reimbursement basis with funds typically issued within 30 days of the reimbursement request.
Timing	CWSRF application are accepted in a continuous basis
* The CWSRF green reserve program has recently been able to fund up to 50% of project costs for project that include green infrastructure, improve water or energy efficiency or include environmentally innovative activities. The Green reserve funds could be put towards a specific portion of the project to potentially reduce overall costs to the City.	



USDA Water and Waste Disposal Program

This is a program run by the US Department of Agriculture, a federal agency. It is funded by annual allocations of federal funds.

Grant/ Loan	Most grants reserved for disadvantaged communities. St. Helena WWTRP Project likely only eligible for loan funds.
Interest Rate	Interest rate is currently ~3.375%
Repayment Term	Maximum of 40 years
CEQA/ NEPA	While the City's project is exempt from CEQA, it will still require NEPA under USDA as the funds originate from the federal government. The USDA will help facilitate the NEPA process, for which an Environmental Assessment is the likely document. The City will need to conduct at a minimum a cultural resources study and biological survey of the project site.
Design Costs	Design costs and any remaining planning costs would be eligible expenses to include in the final loan package for reimbursement, but USDA does not reimburse any project funds until the project notice to proceed has been issued.
Construction Costs	There would only be one USDA design. Construction grant application. Construction funds would be available for use once the notice to proceed has been issued. USDA typically reimburses within a week of receiving a complete reimbursement request package.
Timing	USDA applications are accepted in a continuous basis. Annual funding is usually allocated at the start of the fiscal year in October and is available until it runs out.

Infrastructure State Revolving Fund (ISRF)

This program is run by the state of California. It is funded by interest income from construction project, with some seed money from the state.

Loan Only	St. Helena WWTRP Project likely eligible for loan funds.
Interest Rate	Interest rate is currently ~3.375%
Repayment Term	Maximum of 30 years
CEQA/ NEPA	The ISRF is state funding, no NEPA compliance would be required. The CEQA categorical exemption would be used.
Design Costs	Design costs and any remaining planning costs would be eligible expenses to include in the final loan package for reimbursement, but ISRF does not reimburse any project funds until the project is ready for construction.
Construction Costs	Loan packages issued for projects that are ready to complete construction within 2 years of ISRF's financing approval.
Timing	ISRF applications are accepted in a continuous basis.



Department of Water Resources Proposition 1 Integrated Regional Water Management Program (IRWMP) – Bay Area Integrated Regional Water Management Plan

This program is run by the State of California, Department of Water Resources, and funding decision are made at the watershed level by the Bay Area Integrated Regional Water Management Plan. The program is currently funded by state Proposition 1 funds. The goals of the Bay Area IRWMP are listed below, and a innovative funding application could garner some funds for the improvement project.

- Goal 1: Promote Environmental, Economic and Social Sustainability
- Goal 2: Improve water supply reliability and quality
- Goal 3: Protect and improve watershed health and function and Bay water quality
- Goal 4: Improve Regional Flood Management
- Goal 5: Create, protect, enhance and maintain environmental resources and habitats

Grant	This funding source is grant only. A minimum 25% match is required.
Interest Rate	N/A
Repayment Term	N/A
CEQA/ NEPA	The IRWMP is state funding, no NEPA compliance would be required. The CEQA categorical exemption would be used.
Design Costs	Costs eligible for reimbursement can only be incurred after a grant agreement is executed. Costs incurred after November 4, 2014, but before the grant is executed, are eligible as match. Design cost eligible for reimbursement would depend on the timing of funding.
Construction Costs	Construction costs would be eligible for reimbursement. Construction could not commence before funding is approved.
Timing	The Bay Area IRWMP was allocated \$65 million in Proposition 1 funds. A majority of the funds are for implementation projects. The first round of implementation funding is anticipated in summer/ fall 2018. A second round of funding would follow 1 to 2 years later.



Summary of Funding Program Advantages and Considerations

Program	Advantages	Other Considerations
State Water Resources Control Board, Clean Water State Revolving Fund	• Low loan interest rates (less than 2% since March 2014) • Program can reimburse planning and design costs prior to construction • Possible grant contribution for project green infrastructure components. • Program continuously accepting applications.	• Maximum Loan term is 30 years • Federal Environmental Regulation Cross cutter Evaluation Needed
USDA Water and Waste Disposal Program	• Loan term typically 40 years, reducing annual payments • St. Helena has worked with USDA on previous projects • Program continuously accepting applications.	• Design and remaining planning costs would be eligible reimbursable expenses, but funds are not available until the project is ready for construction. • NEPA compliance required
Infrastructure State Revolving Fund (ISRF)	• No NEPA compliance required • Program continuously accepting applications.	• Maximum Loan term is 30 years • Loan interest Rate ~3.375% • Design and remaining planning costs would be eligible reimbursable expenses, but funds are not available until the project is ready for construction.
Department of Water Resources Proposition 1 Integrated Regional Water Management Program (IRWMP) – Bay Area Integrated Regional Water Management Plan	• Potential for project grant funds • No NEPA compliance required	• Limited funds available for the Bay Area Region • Wastewater compliance project may not be as competitive as other multi-benefit projects • If grant funds obtained, may still need a loan for remaining project costs. • Fund available only during call for projects (2 rounds expected 2018 and 2020)



Report to the City Council
Council Meeting of May 8, 2018

Agenda Section: Public Hearing

Subject: Consideration and approval of a Resolution amending the Appropriations Limit for FY 2017-2018.

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

Reviewed By: Mark T. Prestwich, City Manager

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

State law requires the City to set an appropriation limit after adoption of the annual budget. This limit is commonly known as the "Gann Limit." The limit is based on appropriations (formal authorization by the City Council to spend funds) only from proceeds of taxes, as defined by the law and statewide reporting guidelines. The appropriation limit amount is increased each year by a formula that uses a combination of percent changes in the Statewide Per Capita Income (PCI), city or county population, and the City non-residential assessed valuation. The factors are allowed to be used in combination to provide the greatest increase or least decrease in the annual appropriation limit.

In November 1979, the people of California added Article XIII-B to the State Constitution, which placed limitations on the appropriations of State and local governments. In June 1990, the people approved Proposition 111, which, among other things, amended the Article XIII-B. The amendment created a new base year of FY 1986-87, allowed annual increases based on the city or county population growth and assessed valuation growth of non-residential property, provides for exclusion of capital expenditures over \$100,000, and requires an annual independent auditor review of the calculations. Statewide reporting guidelines were developed to define and implement the changes and establish the annual audit requirements.

The City's appropriation limit and the appropriations subject to the limit are calculated based on the statewide reporting guidelines and are reviewed by the independent auditor for compliance with the State law and guidelines. The appropriations limit has increased significantly since 1987 by applying the higher of county or city population growth rates and the percentage of non-residential assessed valuation growth. The State Department of Finance provides the PCI and population growth rates. The County Assessor provides the non-residential assessed valuation information.

DISCUSSION*FY 2017-18 Appropriation*

Staff discovered an error in the FY 2017-18 Appropriation Limit calculation approved by City Council on June 27, 2017 (the carryover amount used was from FY 2015-16 rather than FY 2016-17). Correcting this error does not have any fiscal impact for the City of St. Helena.

Amended Appropriations Limit for FY 2017-18:

The amended appropriations limit for FY 2017-18 is \$48,768,534 rather than the \$45,720,764 approved on June 27, 2017. The FY 2017-18 approved budget is 76.24% below the appropriation limit.

The amended FY 2017-18 GANN Limit Calculation Sheets and supporting documents are included as Attachment 1.

FISCAL IMPACT

None, since the Appropriation Limit is higher than the Appropriations subject to Limit for Fiscal Year 2017-18.

RECOMMENDED ACTION

Staff recommends the City Council of the City of St. Helena adopt a Resolution amending the appropriation limit for Fiscal Year 2017-2018.

ATTACHMENTS

[Attachment 1 - Amended GANN 2018](#)

[Attachment 2 - Resolution Amending GANN Limit for FY 2017-18](#)

Attachment 1

**CITY OF ST. HELENA
APPROPRIATIONS LIMITATION SUMMARY
Fiscal Year 2017-18**

PROCEEDS OF TAXES	11,589,505
EXCLUSIONS	0
APPROPRIATIONS SUBJECT TO LIMITATION	\$11,589,505
CURRENT YEAR LIMIT	\$48,768,534
OVER (UNDER) LIMIT	(\$37,179,029)
AVAILABLE CAPACITY AS A % OF LIMIT	76.24%

In November, 1979, the voters of the State of California approved Proposition 4, commonly known as the Gann Initiative. The Proposition created Article XIII B of the State Constitution placing limits on the amount of revenue which can be spent by all entities of government. Prop 4 became effective for the 1980/81 fiscal year, but the formula for calculating the limits was based on the 1978/79 "base year" revenues.

In order to deal with an increasing number of complaints about the restrictions of Prop 4, and to increase the accountability of local government in adopting their limits, the voters approved Prop 111 in June 1990. Among other things, Prop 111 provides new adjustment formulas which should make the Appropriations Limit more responsive to local growth issues. It also requires an annual review of Limit calculations.

The Appropriations Limitations imposed by Propositions 4 and 111 creates a restriction on the amount of revenue which can be appropriated in any fiscal year. The Limit is based on actual appropriations during the 1978/79 fiscal year, and is increased each year using the growth of population and inflation. Not all revenues are restricted by the Limit, only those which are referred to as "Proceeds of Taxes."

Attachment 1

CITY OF ST. HELENA
Spending Limit Calculation
Fiscal Year 2017-18

APPROPRIATIONS SUBJECT TO LIMIT

Fiscal year 2017-2018 estimated revenues	\$13,104,254
Less:	
Nonproceeds of tax	(\$1,514,749)
Plus:	
User fees in excess of costs	0
Total appropriations subject to limit:	\$11,589,505

APPROPRIATION LIMIT

Fiscal year 2016-2017 appropriation limit:	46,915,726
A. Cost of living adjustment *	1.0369
B. Population adjustment **	1.0025
Change Factor (A x B)	1.0395
Increase in appropriation limit	\$1,852,808
FISCAL YEAR 2017-2018 APPROPRIATION LIMIT	\$48,768,534
REMAINING APPROPRIATION CAPACITY	\$37,179,029
Available capacity as a percent of limit	76.24%

* Based on percentage change in California per capita income.

** Based on annual population change for St. Helena.

Attachment 1

CITY OF ST. HELENA
Spending Limit Calculation
Fiscal Year 2017-18

REVENUE SOURCE	PROCEEDS	NON-PROCEEDS	TOTAL
	OF TAX	OF TAX	
Property tax	3,606,041		3,606,041
Retail sales/use tax	4,349,811		4,349,811
Transient occupancy tax	2,711,133		2,711,133
Business license tax	143,550		143,550
Real property transfer tax	117,098		117,098
Motor vehicle in-lieu	648,119		648,119
Public Safety Sales Tax		55,700	55,700
Franchise Taxes		198,815	198,815
Charges for Services		898,732	898,732
Other Revenues		359,705	359,705
SUBTOTAL	\$11,575,752	\$1,512,952	\$13,088,704
PERCENT OF TOTAL	88.44%	11.56%	100.00%
INTEREST INCOME	\$13,753	\$1,797	15,550.00
TOTAL-GENERAL FUND	\$11,589,505	\$1,514,749	\$13,104,254

(excludes interfund transfers & Sales Tax Set-Aside)

Attachment 1

CITY OF ST. HELENA
Appropriation Limitation Adjustments Since 2002

BUDGET YEAR	PRICE FACTOR	POPULATION FACTOR	CHANGE FACTOR	PRIOR YEAR APPROP LIMIT	CURRENT APPROP LIMIT
2002/2003	0.9873	0.9985	0.9858	32,739,266	32,274,992
2003/2004	1.0231	1.0027	1.0259	32,274,992	33,109,700
2004/2005	1.0328	1.0099	1.0430	33,109,700	34,534,236
2005/2006	1.0526	1.0150	1.0684	34,534,236	36,895,998
2006/2007	1.0396	0.9119	0.9480	36,895,998	34,978,144
2007/2008	1.0460	1.0150	1.0617	34,978,144	36,586,269
2008/2009	1.0429	-1.0029	1.0400	36,586,269	38,049,720
2009/2010	1.0062	1.0114	1.0177	38,049,720	38,722,084
2010/2011	0.9746	1.0069	0.9813	38,722,084	37,998,939
2011/2012	0.9749	1.0069	0.9816	37,998,939	37,300,777
2012/2013	1.0377	1.0068	1.0448	37,300,777	38,970,224
2013/2014	1.0512	1.0029	1.0542	38,970,224	41,084,299
2014/2015	0.9977	1.0124	1.0101	41,084,299	41,498,079
2015/2016	1.0382	1.0209	1.0599	41,498,079	43,983,747
2016/2017	1.0537	1.0123	1.0667	43,983,747	46,915,726
2017/2018	1.0369	1.0025	1.0395	\$46,915,726	48,768,534

Attachment 2

CITY OF ST. HELENA

RESOLUTION NO. 2018-_____

APPROVING THE AMENDMENT TO THE APPROPRIATION LIMIT FOR FISCAL YEAR 2017-18 AND THE SELECTION OF CURRENT FISCAL YEAR ADJUSTMENT FACTORS

RECITALS

- A. **WHEREAS**, the people of California on November 6, 1979 added Article XIII-B to the State Constitution placing various limitations on the appropriations of the State and local governments; and
- B. **WHEREAS**, the State Legislature adopted Chapters 1205 and 1342 of the 1980 Statutes which implemented Article XIII-B; and
- C. **WHEREAS**, the people of California on June 5, 1990 amended Article XIII-B effective July 1, 1990; and
- D. **WHEREAS**, the provisions of the amendments have been interpreted by a coalition of statewide organizations, and the organizations have issued through the League of California Cities revised guidelines to recalculate the appropriations limit; and
- E. **WHEREAS**, the Government Code provides the process in which to calculate the appropriation limit and requires cities to adopt a resolution setting the annual appropriation limit; and
- F. **WHEREAS**, The City of St. Helena has complied with the provisions of Article XIII-B in determining the appropriations limit for Fiscal Year 2017-18.

RESOLUTION

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

- 1. The annual adjustment factors used to calculate the FY 2017-18 appropriations limit shall be the change in statewide per capita personal income percentage of 3.69% and the change in City population growth rate of 0.25%; and
- 2. The Amended FY 2017-18 appropriation limit shall be \$48,768,534; and
- 3. The City reserves the right to change this factor selection at some future time when the necessary information becomes available on a regularly accepted and/or legislated basis.

Approved at a Regular Meeting of the St. Helena City Council on May 8, 2018, by the following vote:

Mayor Galbraith:

Vice Mayor White:

Councilmember Dohring:

Councilmember Koberstein:

Councilmember Ellsworth:

APPROVED:

Alan Galbraith, Mayor

ATTEST:

Cindy Tzafopoulos, City Clerk



Report to the City Council
Council Meeting of May 8, 2018

Agenda Section: New Business

Subject: Update on City Council "Stabilize, Maintain and Improve Access to Housing" Goal

CEQA Determination: Not a CEQA project

Prepared By:

Reviewed By: Noah Housh, Planning & Community Improvement Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

One of the City's three 5-year goals is to "Stabilize, Maintain and Improve Access to Housing." To help identify and organize strategies to address the goal, the City hired Erica Sklar to prepare a White Paper on community housing needs, constraints and solutions, supported by a working group consisting of Vice Mayor White, Council Member Koberstein, and City Manager Prestwich.

DISCUSSION

The initial draft of the White Paper is nearing completion and this update includes a high-level Executive Summary (attached) of issues identified in the study. In short, housing production has not kept pace with job growth and is no longer aligned with the income levels of local employees. Due to the continuing escalation in housing sales prices, only those with an annual income over \$200,000 can afford to purchase the median priced single family dwelling in St. Helena. The Executive Summary identifies funding and regulatory mechanisms recommended to encourage a greater diversity of housing types and affordability, which also support businesses and civic life.

The working group is planning a formal presentation of the draft White Paper to the City Council on June 26, followed by a series of three summer community workshops to

receive feedback on concepts identified. Feedback received from the workshops will be incorporated into the White Paper and will facilitate its refinement and the prioritization of planned initiatives.

FISCAL IMPACT

Not applicable.

RECOMMENDED ACTION

Receive and file.

ATTACHMENTS

[Executive Summary](#)

St Helena Housing & Community Report

Executive Summary

This study is designed to identify, analyze and synthesize the multiple and interrelated contributing factors to St. Helena's housing challenge and to forecast some of the consequences of community inaction. It is clear from a review of population, housing and employment data that there is a mismatch between housing affordability and income for both St. Helena residents and employees. The challenge is to understand its impact on St. Helena's historically diverse community, the local economy and environment, and to plan for or mitigate those impacts. This is not new information, as it has been reported since the 2004 Housing Element, but the effects of the mismatch are showing up in multiple aspects of community metrics.

The analysis of historic and current data related to housing affordability, employment projections, and housing production confirms that housing production has not kept pace with job growth and is no longer aligned with the income levels of local employees. In addition, due to the continuing escalation in housing sales prices, only those with an annual income over \$200,000 can afford to purchase the median priced single-family dwelling in St. Helena. These trends will likely continue; if left to market forces, new housing production favors the high-end home market over serving local resident and workforce needs.

While it is tempting to identify a single factor responsible for housing unaffordability, for example lack of land availability or cost of construction, the contributing factors are complex and interrelated. The challenge is to determine which factors to address and how, as well as to establish a base line of desirable housing types and affordability to match community needs. The gap between housing supply and local workforce is so large now that there is no viable means for serving the entire need. Community forums on affordable housing in the past have expressed a preference for small developments with less than 15 units which makes the developments significantly more expensive to finance than with the traditional State and Federal subsidy sources. So what can be done and what is a feasible approach that will "maintain, sustain and improve access to housing"¹ in St. Helena in the future?

This report concludes with a review of the funding and regulatory mechanisms needed to encourage a greater diversity of housing types and affordability and to support businesses and civic life. Recommendations vary by complexity, cost and time required to enact them with some requiring a community vote while others are City Council driven. Constructing more housing, particularly infill housing, or establishing mechanisms to assist would-be home buyers will require a larger and more recurrent City funding source than the income stream that currently funds the Affordable Housing Trust Fund.

¹ "Maintain, sustain and improve access to housing" is one of five three-year goals that the City Council adopted in 2017.

Funding mechanisms include, but are not limited to the following:

- An earmarked portion of current Transient Occupancy Tax (T.O.T.) revenues and/or an increase in the TOT rate;
- Updated inclusionary housing fees that more closely reflect real costs;
- Increase or earmark a portion of sales tax revenue or business license fees;
- Enactment of an equitably designed, voter-approved real estate transfer tax;
- General obligation or other bonds.

The City might incentivize construction of additional and innovative housing types through a variety of legislative measures, including, without limitation, the following:

- Zoning overlay district, specific plan area and/or mixed-use zoning district that incentivizes housing production in the immediate downtown through density and height bonuses, relaxed parking requirements, expedited review and other measures;
- Flexible development standards and/or increased concessions intended to stimulate production of specific housing types;
- Zoning amendments directed at production of cottage houses, pocket neighborhoods, co-housing and clustered development;
- Rent stabilization ordinances;
- Revised inclusionary ordinance to require certain development types to construct on-site housing or provide Council approved equivalent action;
- Promotion of accessory dwelling units as rental opportunities;
- Sale or trade of public lands.

Meeting the challenge of maintaining and sustaining the supply of moderately priced owner-occupied homes, requires financial support and new programs such as:

- Establishment of a community land trust program that serves as a vehicle for deed-restricting occupancy and price escalation of owner occupied homes;
- Provide down payment assistance through a second mortgage program.



Update on City Housing Goal

By: Erica R Sklar, Consultant

May 8th, 2018 City Council Meeting



Purpose

City 3-Year Goal: Stabilize, Maintain and
Improve Access to Housing

City 2016 Mission Statement (excerpt):

The City of St. Helena is dedicated to serving the needs and desires of its citizens by:

- Encouraging a wide range of innovative, well-designed housing available to residents of all ages and income levels.



Process

- Update and analyze demographic trends (Population, Housing, Employment)
- Identify contributing factors to St. Helena's housing challenge
- Identify consequences on community
- Identify strategies for addressing housing challenge
- Prioritize options



Key Findings

1. St Helena is losing its middle class.
1. There is a significant gap in household income vs. housing cost.
1. There are two local jobs for every local worker.
2. Type of local employment is changing.
1. Much of job growth in Napa County is in lower income jobs.



St Helena Population increased 3% since 2000



Year 2000
Population: 5950



Year 2010
Population: 5814



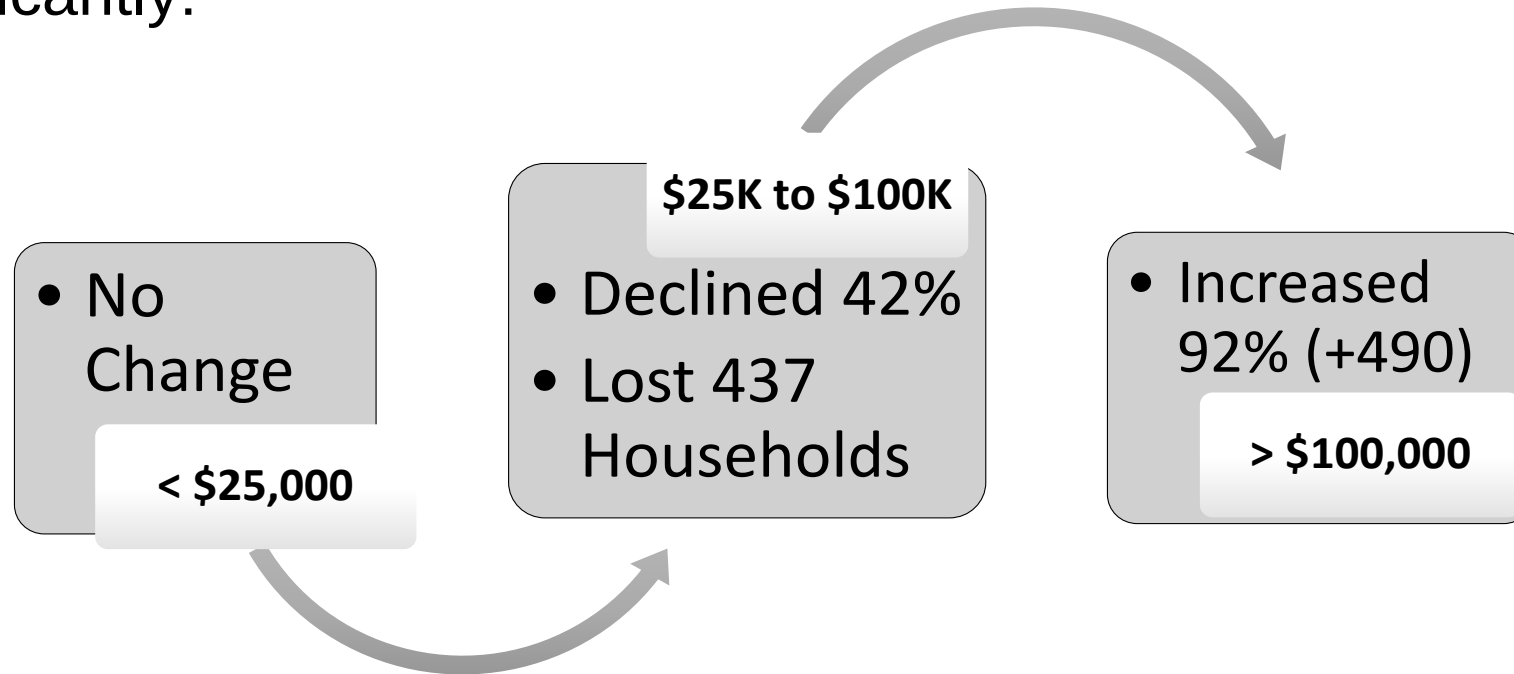
Year 2016
Population: 6154

May 8th, 2018 City Council Meeting



1. Decline in Middle Class

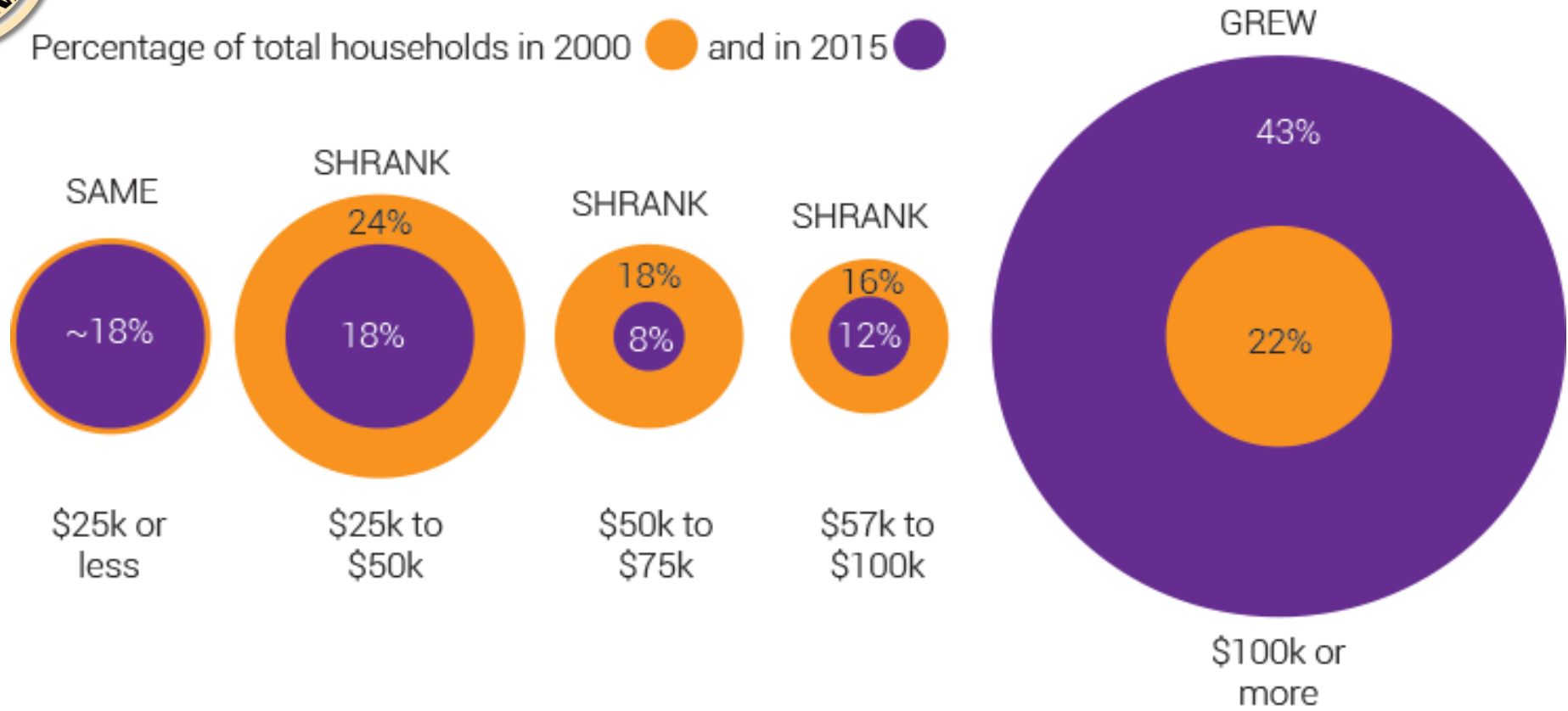
Between 2000 and 2016 Incomes in St Helena changed significantly:



May 8, 2018 City Council Meeting



Percentage of total households in 2000 ● and in 2015 ●



May 8th, 2018 City Council Meeting



2. Gap Between Income & Housing Costs

**Average rent for
2-bedroom
apartment:
\$1,809**

- Income needed to afford average rent:
\$65,000
- Restaurant Manager, Loan Officer, Paralegal

**Median cost of
home: \$1,090,000**

- Income needed to afford mean sales
cost: **>\$200,000**
- Some doctors & some CEOs

May 8, 2018 City Council Meeting



Cost to Live Locally

Average rent for 2-bedroom apartment: \$1,809



36% of Residents can't afford rent

Median home price \$1,090,000

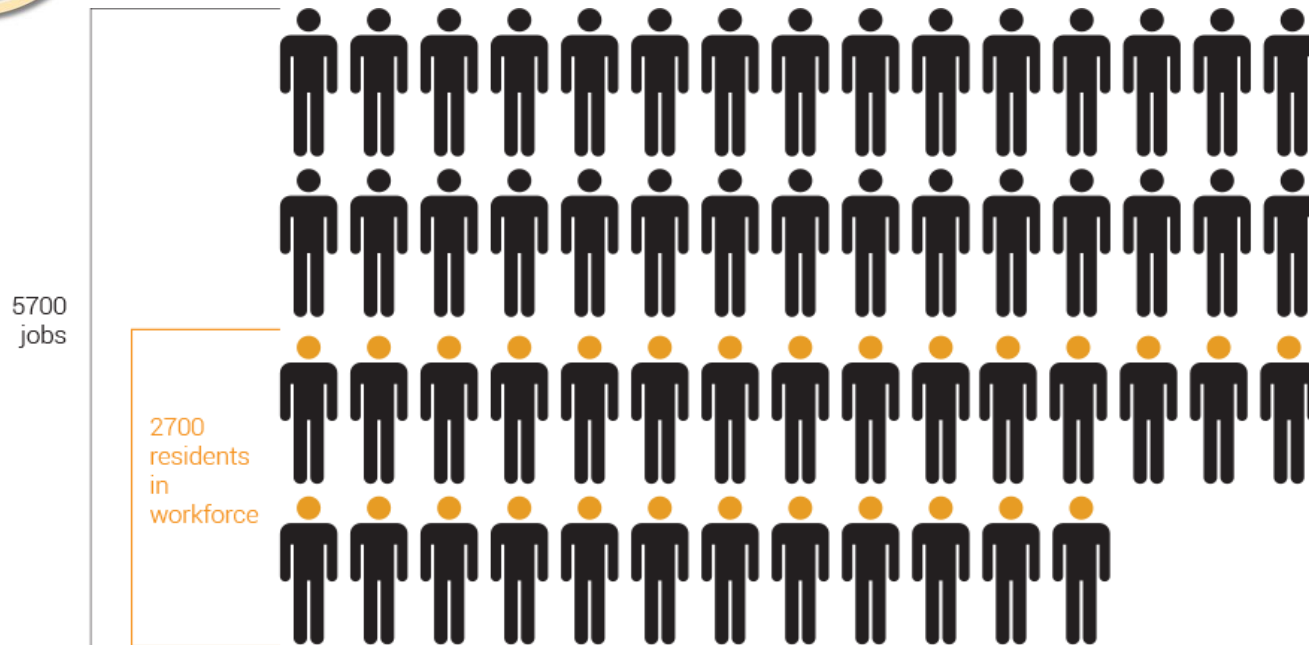


70% of Residents cannot afford to purchase

August 8 2018 City Council Meeting



3. Two Jobs for Every Worker

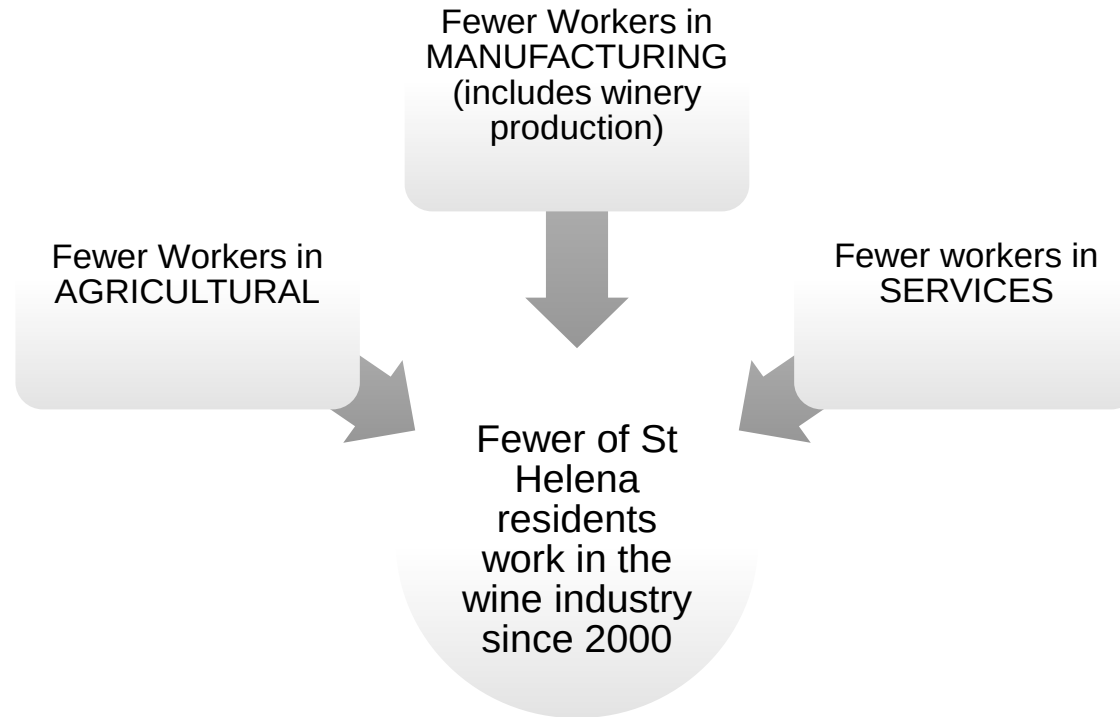


4% decline of
local residents
in workforce
since 2000

May 8, 2018 City Council Meeting



4. Type of Local Employment is Changing

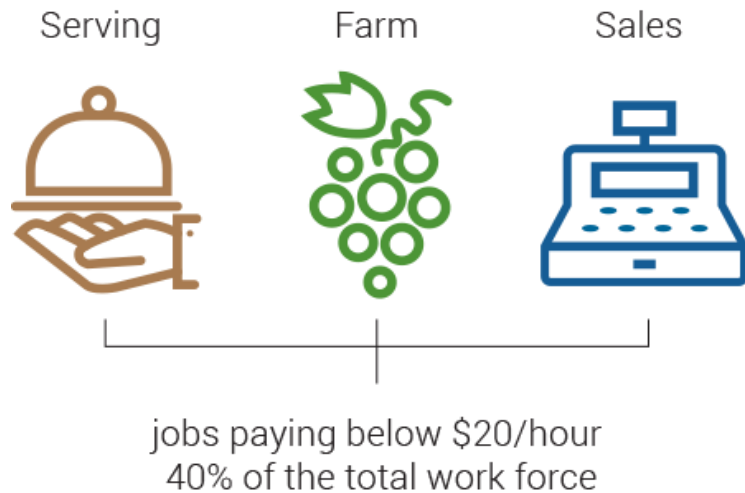


May 8, 2018 City Council Meeting

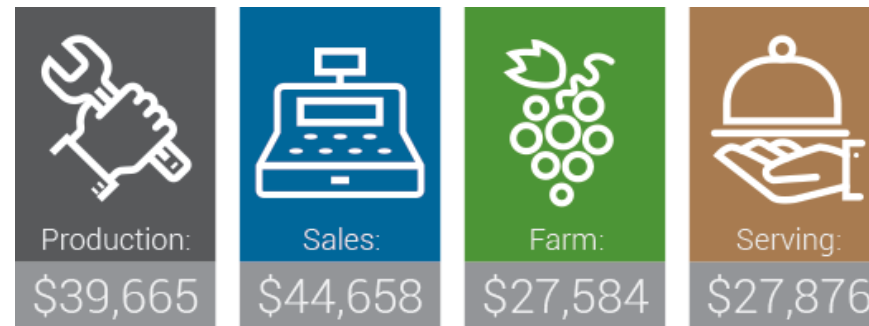


5. Most of job growth in Napa County is in lower income jobs

Most energetic job growth in Napa County over next 10 years



2015 Mean Annual Income for largest employment sectors in Napa County



May 8th, City Council Meeting



Challenges

Community

- Scarcity of Building Sites
- Low Density
- Limited Housing Options to Choose from
- Opposition
- Loss of Moderate Income Households

Economic

- Cost of Development
- Business Growth
- % of Low-Wage Jobs
- Growing Impact on Moderate Income Households
- Large Affordability Gap

Government

- Constraints on Infill Opportunities
- Approval Process Barriers
- Enforcement of Local Preference Laws
- Growth Controls
- Regional Constraints

Financial

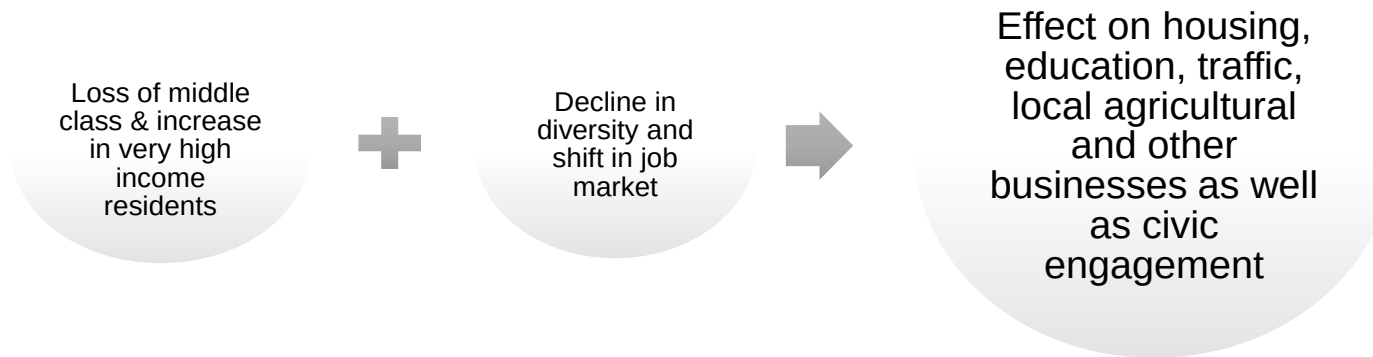
- Cost of Development
- Competitive and Complex State & Federal Subsidies
- Funding Uncertainties
- Lack of Funding for Diversity of Housing Types

May 8, 2018 City Council Meeting



Effects of Findings

After years of relative continuity, St Helena is experiencing significant changes that challenge its thriving community.



May 8th, 2018 City Council Meeting



Housing Strategies

Learn from other high cost areas

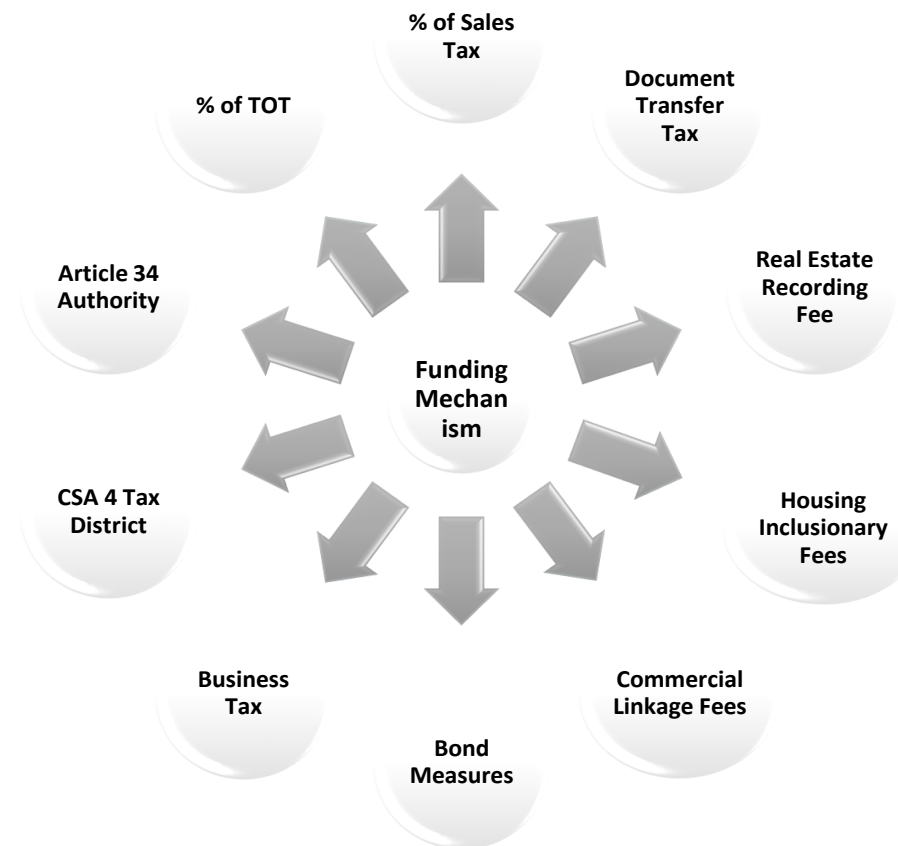
Develop sustainable and consistent revenue source

Evaluate regulatory changes needed to ensure housing supports a diverse set of life stages and income levels.

May 8th, 2018 City Council Meeting



Key Mechanisms for Raising Funds



May 8, 2018 City Council Meeting



Opportunities to Lower Housing Costs



May 8, 2018 City Council Meeting



Next Steps

- Publish and discuss draft White Paper findings and convene public engagement workshops for community feedback.
- Refine White Paper and present to City Council for action

May 8th, 2018 City Council Meeting



Report to the City Council
Council Meeting of May 8, 2018

Agenda Section: **New Business**

Subject: **Introduction of Conceptual Countywide Workforce Housing Funding Mechanism**

CEQA Determination: **Not a CEQA project**

Prepared By: Mark T. Prestwich, City Manager

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

Over the past year, Visit Napa Valley (VNV) has been exploring potential funding mechanisms to address challenges related to workforce housing. The region's lodging industry has participated in these conversations given they employ a significant portion of the workforce and desire to be part of a solution to the housing affordability challenge.

DISCUSSION

Based on outreach to lodging representatives, industry partners, local government officials and affordable housing advocates, VNV is recommending Napa County local governments work collectively to consider placement of a 1% transient occupancy tax (hotel tax), paid for by visitors, on the November 2018 ballot. Funds from the special tax would be designated for housing projects and programs serving the region's workforce. If all jurisdictions participated at this level, VNV estimates approximately \$5 million would be generated annually for these projects.

To facilitate development of the ballot measure, VNV is requesting each Napa county local government designate an elected official and staff member to participate in discussions related to ordinance language and how funds would be used. A summary of the timeline associated with placement of the measure on the November 2018 ballot is attached along with additional background on the issue.

FISCAL IMPACT

The amount of funding available via a 1% countywide transient occupancy tax depends on the measure's methodology, but would likely exceed \$250,000 annually for housing projects/programs within the City of St. Helena.

RECOMMENDED ACTION

Discuss and consider designating a Council Member to participate in discussions with VNV and other Napa county local government representatives to return with a draft ordinance for consideration.

ATTACHMENTS

[TOT Background & Rationale](#)

[Special TOT Tax for Housing Draft Tasks and Schedule](#)



NAPA COUNTY'S WORKFORCE

Napa County's top four workforce sectors constitute the majority of the total workforce. They are:

- 1) manufacturing, which is primarily wine or wine-related production, with over 12,000 workers
- 2) hospitality, which includes lodging, restaurants, tasting rooms, with roughly 11,700 workers
- 3) government and education, with close to 11,000 workers
- 4) health care and social services; with over 8,000 employees.

These four sectors are anticipated to add roughly 4,000 new jobs by 2022, primarily in the health care/social services and hospitality sectors. The two faster growing sectors fall on the lower end of the pay spectrum, with hospitality at \$37,994 average annual pay, and health care/social assistance at \$66,779 average annual pay.

DEFINING "WORKFORCE INCOME"

There is no single definition for "workforce income." The federal government provides definitions for very low (50 percent of median), low (80 percent of median) and median income, which for Napa is \$91,000 for a family of four, and these income definitions guide the distribution and expenditure of federal funds for affordable housing projects and programs in Napa county. Families or individuals must meet income qualifications to be eligible for "affordable housing" as defined, and much of Napa's workforce do meet the criteria. However, there is a broad category of workers who are overqualified for "affordable housing" but don't earn enough to afford rent or a home purchase in the Napa community. Across the country, the workforce is defined as earning 120 percent of median income, which in Napa would equate to \$109,200 for a family of four. It may be that in Napa and other parts of the Bay Area where land and building costs are higher than average, workforce income may be closer to 150 percent of median.

WORKFORCE HOUSING CHALLENGES

The rule of thumb is 30% of salary covers housing costs. For a family of four earning 120 percent of Napa's median, \$2,730 would be the upper limit to cover rent or a mortgage payment. Based on data provided by the Gasser Foundation, rents in the City of Napa range from \$1,700-\$3,000 for a two-bedroom apartment built before 2003; and post 2003, from \$2,500-\$2,900. Of course being able to pay these rents becomes more challenging for very low-, low- and median-income households whose housing budgets would be closer to \$1,100, \$1,800 and \$2,300 respectively. With vacancies below 2 percent in 2017, there is little inventory available to rent, and rents are not expected to soften.

Home ownership is even more challenging. With the January 2018 median sale price in the City of Napa at \$655,000, a buyer would have to save \$131,000 for a 20 percent down payment. A 30-year fixed loan earning 3.7 percent interest would result in a monthly mortgage payment of \$2,941, and including annual property tax and insurance, monthly cost grows to roughly \$3,200. While there are down payment assistance programs available, not many address the needs of the above moderate income workforce applicant.

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Many of Napa's employers are having a challenging time attracting and retaining employees, due in large part to the housing affordability and availability issues. Napa's jurisdictions have taken many positive steps toward expanding the supply of affordable housing, and new affordable units will likely free up housing stock for the workforce once they become available. But there is still much more to do. When redevelopment agencies were dissolved in 2012, the Low & Moderate Income Housing Fund lost a significant amount of annual revenue (\$1-2M) to fund affordable housing.

PROPOSED FUNDING MECHANISM

Background

Over the past year, Visit Napa Valley has been exploring potential funding mechanisms for workforce housing on behalf of the lodging community. In recognition that lodging properties employ a significant portion of Napa's workforce, they understand it is important to be part of the solution to the housing availability problem. Some lodging properties are struggling to find workers which is expected to become a greater concern when additional hotels open in the future. Lodging owners and managers are working collaboratively on intern programs, job fairs, and other initiatives to try to grow its workforce from within. Workforce housing availability would be a great benefit to this critical sector of Napa's economy.

During this time, the County Board of Supervisors voted to reallocate a portion of the County's Special Projects Fund, previously designated for destination management, to workforce housing for the hospitality sector. This reallocation was supported by Visit Napa Valley as it furthers the goal to fund workforce housing. The annual revenue from this source is approximately \$340,000. VNV's discussions with the County on this topic led to VNV's deeper exploration of two possible funding alternatives -- a 1% Tourism Occupancy Tax or a 1% "Workforce Housing Improvement District" self-assessment (WHID) -- for workforce housing. Conceptually, a WHID would function much like a Tourism Improvement District (described below) but the special benefit to the assesseees would be workforce housing rather than destination marketing and management.

Transient Occupancy Tax

Transient occupancy tax ("TOT") is levied on the privilege of using a hotel accommodation. The tax was originally designed to compensate local governments for the increased public service costs incurred by serving visitors. TOT is generally recognized as a stable source of funds for local governments. To date, there is no statutory cap on the tax rate under the state enabling legislation, however, any new or increased TOT now requires a vote of the electorate. Revenue and Taxation Code 7280 authorizes the levying of TOT on hotels, inns, tourist homes and houses, motels or other lodging businesses unless the occupancy is more than 30 days. TOT law requires each jurisdiction to levy its own TOT.

TOT can be levied as a general tax or a special tax. A general tax is used for general fund purposes and requires approval by the majority of the electorate voting in the election. A special tax is imposed for a specific purpose and requires a 2/3 vote of the electorate voting in the election.

It happens that in all Napa County jurisdictions, TOT is currently 12% of the room bill, which is not always common.

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Tourism Improvement District

In 2010 Napa lodging properties assessed themselves an additional 2% levy through a Tourism Improvement District (TID) for five years, and in 2015 extended the TID assessment for 10 years. The TID assessment is authorized by the Streets and Highway Code and the Property and Business Improvement District laws. The TID must be approved by a simple majority of business owners who will pay more than 50% of the proposed assessments. The purpose of the assessment is to provide a special and direct benefit to the businesses paying the assessment per an approved District Management Plan. The established purpose of the TID in Napa County is tourism and destination marketing.

The combined TOT and TID assessment result in a 14% levy on the bill of a guest staying in lodging accommodations.

TOT Versus WHID for Workforce Housing

VNV researched both the TOT and WHID option as potential mechanisms to fund workforce housing. A WHID would be formed and operated under the same laws and regulations as a TID. The law restricts the use of funds to be for the direct benefit of those businesses paying the assessment as defined in the approved District Management Plan. The law identifies eligible expenditures and while construction and capital improvements are included (the provided examples are sidewalks, benches and street lighting), capital items must relate to the location of the business' facilities. The law makes no mention of housing or the ability to provide a benefit to the employees of the businesses paying the assessment.

Further, fair housing law adds a complicating factor to utilizing a TID structure to fund workforce housing. TID law requires a direct benefit to those businesses paying the assessment. Housing law (and use of matching housing funds) does not allow preferences related to industry or place of employment. TID funding would not generate enough revenue to complete a housing development and staff would be limited in seeking matching funds subject to housing law.

It is likely that in order to pursue a WHID, a legislative change through the State process would be necessary. The soonest a change could be presented for consideration by the State would be in January 2019 and if supported, implementation could not be expected to begin until 2020.

While public funds cannot be restricted to a category of workers generally speaking, there is a greater opportunity to use TOT funds to seek housing opportunities for Napa County's collective workforce of which the lodging industry will be one beneficiary.

Regardless of the mechanism -- a 1% TOT special tax or a 1% TID -- the resulting levy on the lodging guest bill would be 15%, and the amount of funds generated would be roughly \$5 million annually if all jurisdictions participate. Napa Valley must remain competitive with other destinations, and while the leisure guest may not think twice about paying an additional percent, mid-week group business can be impacted because meeting planners seek competitive rates. Based on discussions with several local lodging operators, and by comparing total levies with other destinations competing with Napa for business throughout the country, a 1% levy seems reasonable and supportable by the industry and Visit Napa Valley (VNV).

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VNV Proposal

Taking all of the factors above into account, and upon extensive outreach with lodging partners, local government officials, industry partners, and affordable housing advocates, Visit Napa Valley is recommending the jurisdictions in Napa County work collectively to place a consolidated measure on the November 2018 ballot for a 1 percent TOT in the form of a special tax that is designated for housing projects and programs that serve Napa's workforce. If all jurisdictions participate at this level, approximately \$5 million annually would be generated to fund critical housing needs. The jurisdictions would work together on a cooperative agreement that would provide the details for how the funds are collected, banked, and disbursed for expenditure. To make the November 2018 ballot, the jurisdictions would have to move quickly to prepare the language for the ballot and adopt authorizing ordinances. A draft process and schedule for this effort is provided as Attachment ____.

Assuming the governing bodies direct staff to move forward and return with an ordinance for Council consideration at a future meeting (June 2018), VNV will coordinate with staff and the County to ensure the process goes smoothly and resources are available to assist. Further, VNV will undertake a public education campaign as part of the overall effort, pending approval of its board.

VNV would like to invite each jurisdiction to designate an elected official and staff member to be the point people going forward. Those individuals will be invited to attend a kick-off meeting on Wednesday, May 23rd, 12:30-2:30 pm. At this meeting we will discuss the ordinance language and fine tune some of the details, such as ensuring there is an agreed-upon definition of "workforce housing," how or whether ancillary programs like employee transportation solutions could be included as an eligible expenditure of the funds, inclusion of a modest amount for the jurisdictions' cost recovery for collecting the tax, ordinance effectiveness date, and so forth.

In addition, VNV will offer to facilitate a Blue Ribbon Committee comprised of city, town and county staff as well as local industry experts to generate a recommended expenditure plan or guidelines for the jurisdictions to utilize when they prepare a cooperative agreement.

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1% TOT SPECIAL TAX MEASURE FOR WORKFORCE & AFFORDABLE HOUSING

November 2018 Ballot -- Draft Process and Schedule

Task 1. Determine Political Support: Jurisdictions (with assistance from Visit Napa Valley as needed)

- Determine support for participation in consolidated ballot measure April-May
 - o One-on-one meetings with Councilmembers
 - o Informational presentations at Councils meetings; May
 - seek direction to move forward with a ballot measure
 - o Continued outreach to lodging properties

Task 2. Legislative Actions: Jurisdictions

- Draft ordinance language, prep staff reports, noticing May
- Introduce ordinances June, first meeting
- Second readings and adoption June, second meeting*
- County BOS adoption of ordinance July (3 meetings)**
- Submit ballot language to registrar August 9
- Establish "2x2x2" Committee to guide tasks below TBD

*No later than June 30

**No later than July 31

Public Education Campaign: Visit Napa Valley

- Retain political advisor to help with public education campaign June
- Coordinate and implement campaign July-November

Special Tax Expenditure Guidelines/Recommendations: Visit Napa Valley, Facilitator

- Convene Blue Ribbon Committee August-November
 - o Local governments staff (Lark Ferrell, Molly Rattigan, etc.) (Start sooner???)
 - o Housing non-profits reps (Larry Florin, Cass Walker)
 - o Workforce Alliance
 - o Lodging housing subcommittee
 - o Others?
 - o 2x2x2 Committee for guidance

Interjurisdictional Agreement Based on Recommendations: Jurisdictions

November-February

(assumes TOT will start flowing in March with 3-month lag)

Prepared by Visit Napa Valley



Report to the City Council
Council Meeting of May 8, 2018

Agenda Section: **New Business**

Subject: **Discussion and Consideration of City Position on June 2018
Ballot Measures**

**CEQA Exempt
Determination:**

Prepared By: Mark T. Prestwich, City Manager

Reviewed By:

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

The June 5, 2018 California Primary Election will include both state and local measures of possible interest to City of St. Helena residents. This report will provide information about State Proposition 68 and 69, Regional Measure 3 and Measures C and D in Napa County. The City Council may desire to support, oppose, remain neutral or take no position on the measures.

DISCUSSION

Each of the measures is summarized below. Additional informational materials are attached to this report, along with draft Resolutions of Support for the State propositions (the League of California Cities has requested California municipalities consider support positions on Propositions 68 and 69).

Proposition 68 – California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018, a.k.a. SB 5 (De Leon – 2017) or simply the 2018 Park/Water Bond.

Passed by the legislature on September 16, 2017, SB 5 – now known as Proposition 68 – was signed by the Governor to place a \$4 billion bond on the June 2018 ballot that would fund parks, water, climate and environmental programs. If the voters approve Proposition 68, local governments would receive funding for local park improvements

and will be eligible for grants to fund water, local parks, coastal and climate resiliency projects.

Proposition 69 – Motor Vehicle Fees and Taxes: Restrictions on expenditures: appropriations limit, a.k.a. ACA 5 (Frazier, 2017).

Passed by the legislature on April 6, 2017, ACA 5 (Frazier) – now known as Proposition 69 – was part of the agreement to secure passage of SB 1, the transportation funding proposal which is now law. Proposition 69 will prohibit the legislature from raiding any of these new transportation funds and ensures that these funds cannot be borrowed or diverted by the legislature and can only be used for transportation purposes.

Regional Measure 3 (RM3)

RM3 proposes to increase tolls by \$1 in 2019, an additional \$1 in 2022, and an additional \$1 in 2025 for a total increase of \$3 on Bay Area toll bridges. After 2025, tolls could be increased for inflation. The Bay Area Toll Authority would have to use 16% of the funds to pay for up to \$60 million in designated annual transportation operating programs. The remaining funds, estimated to total \$4.45 billion, would be used for designated transportation capital projects throughout the Bay Area, including Napa County.

RM3 will be on the ballot in all nine Bay Area counties. To pass, RM3 requires approval by a majority of votes cast on the measure in all nine counties combined.

Measure C

Measure C proposes to amend the Napa County General Plan and Zoning Ordinance to establish “water quality buffer zones” on parcels greater than one acre within the Agricultural Watershed (AW) zoning district and would limit tree removal, including both oak and non-oak species, within those zones. Measure C requires on-site replacement of lost oak trees or oak woodlands, or permanent preservation of comparable habitat. It also establishes an “Oak Removal Limit,” such that when a cumulative total of 795 acres of oak woodlands are removed in AW zones, as measured from September 1, 2017, further removal of oak woodland would be subject to a permitting process.

Measure D

Measure D, if approved by Napa County voters, would amend the Napa County Code to largely eliminate personal use airports and heliports in zones other than Airport (AV) districts. It would also require takeoffs in support of direct agricultural related activities away from public airports must only transport persons essential to that activity, and must be unavoidable. Measure D would also require that, within 48 hours of any takeoff or landing in support of direct agricultural related activities to file a report to the Director of the Napa County Planning, Building and Environmental Services containing specific information about the takeoff or landing. Measure D does not change the County Code's provisions allowing emergency medical services landing sites upon granting of a use permit.

FISCAL IMPACT

Fiscal impacts are discussed in attachments to the report.

RECOMMENDED ACTION

Consider positions of support, oppose, neutral or no position on each measure.

ATTACHMENTS

[Proposition 68](#)

[Proposition 69](#)

[Regional Measure 3](#)

[Measure C](#)

[Measure C Resolution](#)

[Measure D](#)

Proposition 68

PROPOSITION
68 **AUTHORIZES BONDS FUNDING PARKS, NATURAL RESOURCES PROTECTION, CLIMATE ADAPTATION, WATER QUALITY AND SUPPLY, AND FLOOD PROTECTION.**

OFFICIAL TITLE AND SUMMARY

PREPARED BY THE ATTORNEY GENERAL

The text of this measure can be found on the Secretary of State's website at <http://voterguide.sos.ca.gov/>.

- Authorizes \$4 billion in general obligation bonds for: creation and rehabilitation of state and local parks, natural resources protection projects, climate adaptation projects, water quality and supply projects, and flood protection projects.
- Reallocates \$100 million of unused bond authority from prior bond acts for the same purposes.
- Appropriates moneys from the General Fund to pay off bonds.
- Requires non-state matching funds for certain projects and favors disadvantaged communities for certain projects.
- Requires annual audits.

SUMMARY OF LEGISLATIVE ANALYST'S ESTIMATE OF NET STATE AND LOCAL GOVERNMENT FISCAL IMPACT:

- Increased state bond repayment costs averaging about \$200 million annually over the next 40 years.
- Savings to local governments, likely averaging several tens of millions of dollars annually over the next few decades.

State Bond Cost Estimates

Authorized new borrowing	\$4.0 billion
Average annual cost to pay off bonds	\$200 million
Likely repayment period	40 years
Source of repayment	General tax revenues

**FINAL VOTES CAST BY THE LEGISLATURE ON SB 5 (PROPOSITION 68)
(CHAPTER 852, STATUTES OF 2017)**

Senate:	Ayes 27	Noes 9
Assembly:	Ayes 56	Noes 21

ANALYSIS BY THE LEGISLATIVE ANALYST

BACKGROUND

State Spending on Natural Resources Programs. The state operates various programs to protect the environment, conserve natural resources, provide flood protection, improve water quality, and offer recreational opportunities for the public. The state also provides grants and loans to local governments, nonprofits, and

other organizations for similar purposes. In recent years, the state has spent about \$5 billion annually to support these types of programs. The state primarily relies on a combination of general obligation (GO) bonds, fee revenue, and the state's General Fund to support these programs. (The General Fund is the state's main operating account, which pays for education, prisons, health care, and other services.)

ANALYSIS BY THE LEGISLATIVE ANALYST

CONTINUED

State and local natural resources programs support a variety of purposes, including:

- **Natural Resource Conservation.** The state provides funds to purchase, protect, and improve natural areas—including wilderness and open-space areas; forests; wildlife habitats; rivers, lakes, and streams; and coastal habitats. State conservation programs often are administered by state conservancies and other departments. These programs often provide grants to local governments or other organizations that carry out projects.
- **State and Local Parks.** The state operates the state park system, which includes 280 parks. Additionally, the state provides funds to local governments to purchase and maintain local and regional parks, trails, and other recreation areas.
- **Flood Protection.** The state funds the construction and repair of flood protection projects as part of the state’s Central Valley flood management system. This includes the repair and strengthening of levees and projects designed to divert water away from populated areas during large storms. The state also provides funds to local governments to complete similar types of projects throughout the state.
- **Safe Drinking Water.** The state makes loans and grants for local projects designed to improve access to clean drinking water. This includes projects to install equipment that remove unhealthy pollutants from local water supplies.
- **Other Water-Related Projects.** The state provides funds for various other

projects throughout the state that improve water quality or the reliability of water supplies. For example, the state provides loans and grants to local agencies to construct water recycling and reuse projects, store more water underground (referred to as “groundwater recharge”), and clean up polluted groundwater.

Past Bond Funding for Natural Resources Programs. Since 2000, voters have authorized about \$27 billion in GO bonds in statewide elections to fund various natural resources projects. Of this amount, approximately \$9 billion remained available for new projects as of June 2017. (Most of the bond funds still available are for water-related purposes authorized by Proposition 1, which was approved in 2014.) The state repays GO bonds over time, with interest, using the state’s General Fund. (For more information on how bonds work and how this proposed bond would impact the state’s budget, see “Overview of State Bond Debt” later in this guide.)

PROPOSAL

\$4.1 Billion GO Bond for Natural Resources Programs. This proposition allows the state to sell a total of \$4.1 billion in GO bonds for various natural resources-related programs. This total includes \$4 billion in new bonds. It also includes a redirection of \$100 million in unsold bonds that voters previously approved for specific natural resources uses.

Bond Funds Specific Purposes. This proposition provides funding for various state departments and local governments to use for specific natural resources-related purposes, which are summarized

TEXT OF PROPOSED LAWS

PROPOSITION 68

This law proposed by Senate Bill 5 of the 2017–2018 Regular Session (Chapter 852, Statutes of 2017) is submitted to the people in accordance with the provisions of Article XVI of the California Constitution.

This proposed law adds sections to the Public Resources Code and the Water Code; therefore, new provisions proposed to be added are printed in *italic type* to indicate that they are new.

PROPOSED LAW

SECTION 1. Section 5096.611 is added to the Public Resources Code, to read:

5096.611. Notwithstanding any other law, two million five hundred fifty-seven thousand dollars (\$2,557,000) of the unissued bonds authorized for the purposes of subdivision (b) of Section 5096.610, and eight hundred thousand dollars (\$800,000) of the unissued bonds authorized for the purposes of subdivisions (b) and (c) of Section 5096.652 from the amount allocated pursuant to subdivision (d) of Section 5096.610 are reallocated to finance the purposes of, and shall be authorized, issued, and appropriated in accordance with, Division 45 (commencing with Section 80000).

SEC. 2. Section 75089.5 is added to the Public Resources Code, to read:

75089.5. Notwithstanding any other law, twelve million dollars (\$12,000,000) of the unissued bonds authorized for the purpose of subdivision (a) of Section 75063, three hundred fifteen thousand dollars (\$315,000) of the unissued bonds authorized for the purposes of subdivision (b) of Section 75063, and four million three hundred twenty-eight thousand dollars (\$4,328,000) of the unissued bonds authorized for the purposes of subdivision (b) of Section 75065 are reallocated to finance the purposes of, and shall be authorized, issued, and appropriated in accordance with, Division 45 (commencing with Section 80000).

SEC. 3. Division 45 (commencing with Section 80000) is added to the Public Resources Code, to read:

DIVISION 45. CALIFORNIA DROUGHT, WATER, PARKS, CLIMATE, COASTAL PROTECTION, AND OUTDOOR ACCESS FOR ALL ACT OF 2018

CHAPTER 1. GENERAL PROVISIONS

80000. This division shall be known, and may be cited, as the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018.

80001. (a) The people of California find and declare all of the following:

(1) From California's beautiful rivers, streams, coastal shorelines, and other waterways, to our federal, state, local, and regional parks and outdoor settings, to our vast network of trails connecting people with natural landscapes, Californians value the rich diversity of outdoor experiences afforded to this state and its citizens.

(2) Demand for local parks has exceeded available funding by a factor of 8 to 1, with particularly high demand in urban, disadvantaged communities.

(3) Many Californians across the state lack access to safe parks, wildlife, trails, and recreation areas, which limits their ability to experience the outdoors, improve their physical and emotional health, exercise, and connect with their communities.

(4) Investments to create and improve parks and recreation areas, and to create trail networks that provide access from neighborhoods to parks, wildlife, and recreational opportunities, will help ensure all Californians have access to safe places to exercise and enjoy recreational activities.

(5) The California Center for Public Health Advocacy estimates that inactivity and obesity cost California over forty billion dollars (\$40,000,000,000) annually, through increased health care costs and lost productivity due to obesity-related illnesses, and that even modest increases in physical activity would result in significant savings. Investments in infrastructure improvements such as biking and walking trails and pathways, whether in urban or natural areas, are cost-effective ways to promote physical activity.

(6) Continued investments in the state's parks, wildlife and ecological areas, trails, and natural resources, and greening urban areas will help mitigate the effects of climate change, making cities more livable, and will protect California's natural resources for future generations.

(7) California's outdoor recreation economy represents an eighty-seven-billion-dollar

TEXT OF PROPOSED LAWS

PROPOSITION 68 CONTINUED

(\$87,000,000,000) industry, providing over 700,000 jobs and billions of dollars in local and state revenues.

(8) California's state, local, and regional park system infrastructure and national park system infrastructure are aging, and a significant infusion of capital is required to protect this investment.

(9) There has been a historic underinvestment in parks, trails, and outdoor infrastructure in disadvantaged areas and many communities throughout California.

(10) Tourism is a growing industry in California and remains an economic driver for the more rural parts of the state.

(11) California's highly variable hydrology puts at risk the state's supply of clean and safe water. In recent years, California has experienced both the state's worst drought and also the wettest winter in recorded history.

(12) Extreme weather changes such as prolonged drought, intense heat events, and a changing snowpack are real climate impacts happening right now in California, and these changes increase the need to safeguard water supply for the quality of life for all Californians.

(13) Every Californian should have access to clean, safe, and reliable drinking water.

(14) California's water infrastructure continues to age and deteriorate.

(15) Encouraging water conservation and recycling are commonsense actions to improve California's water future.

(16) Successfully implementing the Sustainable Groundwater Management Act in collaboration with local government and communities is a key state priority.

(17) Flooding can devastate communities and infrastructure.

(18) Protecting and restoring lakes, rivers, streams, and the state's diverse ecosystems is a critical part of the state's water future and ensures the quality of life for all Californians.

(19) This division provides funding to implement the California Water Action Plan.

(20) Periodic investments are needed to protect, restore, and enhance our natural resources and parks to ensure all Californians have safe, clean,

and reliable drinking water, prevent pollution and disruption of our water supplies, prepare for future droughts and floods, and protect and restore our natural resources for the benefit and enjoyment of our children and future generations.

(b) It is the intent of the people of California that all of the following shall occur in the implementation of this division:

(1) The investment of public funds pursuant to this division will result in public benefits that address the most critical statewide needs and priorities for public funding.

(2) In the appropriation and expenditure of funding authorized by this division, priority will be given to projects that leverage private, federal, or local funding or produce the greatest public benefit.

(3) To the extent practicable, a project that receives moneys pursuant to this division will include signage informing the public that the project received funds from the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018.

(4) To the extent practicable, when developing program guidelines for urban recreation projects and habitat protection or restoration projects, administering entities are encouraged to give favorable consideration to projects that provide urban recreation and protect or restore natural resources. Additionally, the entities may pool funding for these projects.

(5) To the extent practicable, a project that receives moneys pursuant to this division will provide workforce education and training, contractor, and job opportunities for disadvantaged communities.

(6) To the extent practicable, priority for funding pursuant to this division will be given to local parks projects that have obtained all required permits and entitlements and a commitment of matching funds, if required.

(7) To the extent practicable, administering entities should measure or require measurement of greenhouse gas emissions reductions and carbon sequestrations associated with projects that receive moneys pursuant to this division.

(8) To the extent practicable, as identified in the "Presidential Memorandum--Promoting Diversity and Inclusion in Our National Parks, National

TEXT OF PROPOSED LAWS

PROPOSITION 68 CONTINUED

Forests, and Other Public Lands and Waters,” dated January 12, 2017, the public agencies that receive funds pursuant to this division will consider a range of actions that include, but are not limited to, the following:

(A) Conducting active outreach to diverse populations, particularly minority, low-income, and disabled populations and tribal communities, to increase awareness within those communities and the public generally about specific programs and opportunities.

(B) Mentoring new environmental, outdoor recreation, and conservation leaders to increase diverse representation across these areas.

(C) Creating new partnerships with state, local, tribal, private, and nonprofit organizations to expand access for diverse populations.

(D) Identifying and implementing improvements to existing programs to increase visitation and access by diverse populations, particularly minority, low-income, and disabled populations and tribal communities.

(E) Expanding the use of multilingual and culturally appropriate materials in public communications and educational strategies, including through social media strategies, as appropriate, that target diverse populations.

(F) Developing or expanding coordinated efforts to promote youth engagement and empowerment, including fostering new partnerships with diversity-serving and youth-serving organizations, urban areas, and programs.

(G) Identifying possible staff liaisons to diverse populations.

(9) To the extent practicable, priority for grant funding under this division will be given to a project that advances solutions to prevent displacement if a potential unintended consequence associated with park creation pursuant to the project is an increase in the cost of housing.

80002. As used in this division, the following terms have the following meanings:

(a) “Committee” means the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Finance Committee created by Section 80162.

(b) “Community access” means engagement programs, technical assistance, or facilities

that maximize safe and equitable physical admittance, especially for low-income communities, to natural or cultural resources, community education, or recreational amenities.

(c) “Conservation actions on private lands” means projects with willing landowners that involve the adaptive flexible management or protection of natural resources in response to changing conditions and threats to habitat and wildlife. The actions may include the acquisition of conservation interests or fee interests in the land. These projects result in habitat conditions on private lands that, when managed dynamically over time, contribute to the long-term health and resiliency of vital ecosystems and enhance wildlife populations.

(d) “Department” means the Department of Parks and Recreation.

(e) “Disadvantaged community” means a community with a median household income less than 80 percent of the statewide average.

(f) “Fund” means the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Fund, created by Section 80032.

(g) “Heavily urbanized city” means a city with a population of 300,000 or more.

(h) “Heavily urbanized county” means a county with a population of 3,000,000 or more.

(i) “Interpretation” includes, but is not limited to, a visitor-serving amenity that enhances the ability to understand and appreciate the significance and value of natural, historical, and cultural resources and that may utilize educational materials in multiple languages, digital information, and the expertise of a naturalist or other skilled specialist.

(j) “Nonprofit organization” means a nonprofit corporation qualified to do business in California and qualified under Section 501(c)(3) of the Internal Revenue Code.

(k) “Preservation” means rehabilitation, stabilization, restoration, conservation, development, and reconstruction, or any combination of those activities.

(l) “Protection” means those actions necessary to prevent harm or damage to persons, property, or natural, cultural, and historic resources, actions to improve access to public open-space areas, or actions to allow the continued use and

TEXT OF PROPOSED LAWS

PROPOSITION 68 CONTINUED

enjoyment of property or natural, cultural, and historic resources, and includes site monitoring, acquisition, development, restoration, preservation, and interpretation.

(m) "Restoration" means the improvement of physical structures or facilities and, in the case of natural systems and landscape features, includes, but is not limited to, projects for the control of erosion, stormwater capture and storage or to otherwise reduce stormwater pollution, the control and elimination of invasive species, the planting of native species, the removal of waste and debris, prescribed burning, fuel hazard reduction, fencing out threats to existing or restored natural resources, road elimination, improving instream, riparian, or managed wetland habitat conditions, and other plant and wildlife habitat improvement to increase the natural system value of the property or coastal or ocean resource. Restoration also includes activities described in subdivision (b) of Section 79737 of the Water Code. Restoration projects shall include the planning, monitoring, and reporting necessary to ensure successful implementation of the project objectives.

(n) "Severely disadvantaged community" means a community with a median household income less than 60 percent of the statewide average.

80004. An amount that equals not more than 5 percent of the funds allocated for a grant program pursuant to this division may be used to pay the administrative costs of that program.

80006. (a) Except as provided in subdivision (b), up to 10 percent of funds allocated for each program funded by this division may be expended, including, but not limited to, by grants, for planning and monitoring necessary for the successful design, selection, and implementation of the projects authorized under that program. This section shall not otherwise restrict funds ordinarily used by an agency for "preliminary plans," "working drawings," and "construction" as defined in the annual Budget Act for a capital outlay project or grant project. Planning may include feasibility studies for environmental site cleanup that would further the purpose of a project that is eligible for funding under this division. Monitoring may include measuring greenhouse gas emissions reductions and carbon sequestration associated with program expenditures under this division.

(b) Funds used for planning projects that benefit disadvantaged communities may exceed 10 percent of the funds allocated if the state agency administering the moneys determines that there is a need for the additional funding.

80008. (a) (1) Except as provided in paragraph (2), at least 20 percent of the funds available pursuant to each chapter of this division shall be allocated for projects serving severely disadvantaged communities.

(2) At least 15 percent of the funds available pursuant to Chapter 9 (commencing with Section 80120) and Chapter 10 (commencing with Section 80130) shall be allocated for projects serving severely disadvantaged communities.

(b) (1) Except as provided in subdivision (c), up to 10 percent of the funds available pursuant to each chapter of this division may be allocated for technical assistance to disadvantaged communities. The agency administering the moneys shall operate a multidisciplinary technical assistance program for disadvantaged communities.

(2) Funds used for providing technical assistance to disadvantaged communities may exceed 10 percent of the funds allocated if the state agency administering the moneys determines that there is a need for the additional funding.

(c) (1) Up to 5 percent of funds available pursuant to each chapter of this division shall, to the extent permissible under the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code) and with the concurrence of the Director of Finance, be allocated for community access projects that include, but are not limited to, the following:

- (A) Transportation.
- (B) Physical activity programming.
- (C) Resource interpretation.
- (D) Multilingual translation.
- (E) Natural science.
- (F) Workforce development and career pathways.
- (G) Education.
- (H) Communication related to water, parks, climate, coastal protection, and other outdoor pursuits.

TEXT OF PROPOSED LAWS

PROPOSITION 68 CONTINUED

(2) This subdivision does not apply to Chapter 11.1 (commencing with Section 80141) and Chapter 12 (commencing with Section 80150).

80010. Before disbursing grants pursuant to this division, each state agency that receives funding to administer a competitive grant program under this division shall do the following:

(a) (1) Develop and adopt project solicitation and evaluation guidelines. The guidelines shall include monitoring and reporting requirements and may include a limitation on the dollar amount of grants to be awarded. If the state agency has previously developed and adopted project solicitation and evaluation guidelines that comply with the requirements of this subdivision, it may use those guidelines.

(2) Guidelines adopted pursuant to this subdivision shall encourage, where feasible, inclusion of the following project components:

(A) Efficient use and conservation of water supplies.

(B) Use of recycled water.

(C) The capture of stormwater to reduce stormwater runoff, reduce water pollution, or recharge groundwater supplies, or a combination thereof.

(D) Provision of safe and reliable drinking water supplies to park and open-space visitors.

(b) Conduct three public meetings to consider public comments before finalizing the guidelines. The state agency shall publish the draft solicitation and evaluation guidelines on its Internet Web site at least 30 days before the public meetings. One meeting shall be conducted at a location in northern California, one meeting shall be conducted at a location in the central valley of California, and one meeting shall be conducted at a location in southern California.

(c) For statewide competitive grant programs, submit the guidelines to the Secretary of the Natural Resources Agency. The Secretary of the Natural Resources Agency shall verify that the guidelines are consistent with applicable statutes and for all the purposes enumerated in this division. The Secretary of the Natural Resources Agency shall post an electronic form of the guidelines submitted by state agencies and the subsequent verifications on the Natural Resources Agency's Internet Web site.

(d) Upon adoption, transmit copies of the guidelines to the fiscal committees and the appropriate policy committees of the Legislature.

(e) Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code does not apply to the development and adoption of program guidelines and selection criteria adopted pursuant to this division.

80012. (a) The Department of Finance shall provide for an independent audit of expenditures pursuant to this division. The Secretary of the Natural Resources Agency shall publish a list of all program and project expenditures pursuant to this division not less than annually, in written form, and shall post an electronic form of the list on the agency's Internet Web site in a downloadable spreadsheet format. The spreadsheet shall include information about the location and footprint of each funded project, the project's objectives, the status of the project, anticipated outcomes, any matching moneys provided for the project by the grant recipient, and the applicable chapter of this division pursuant to which the grant recipient received moneys.

(b) If an audit, required by statute, of any entity that receives funding authorized by this division is conducted pursuant to state law and reveals any impropriety, the California State Auditor or the Controller may conduct a full audit of any or all of the activities of that entity.

(c) The state agency issuing any grant with funding authorized by this division shall require adequate reporting of the expenditures of the funding from the grant.

(d) The costs associated with the publications, audits, statewide bond tracking, cash management, and related oversight activities provided for in this section shall be funded from this division. These costs shall be shared proportionally by each program through this division. Actual costs incurred to administer nongrant programs authorized by this division shall be paid from the funds authorized in this division.

80014. If any moneys allocated pursuant to this division are not encumbered or expended by the recipient entity within the time period specified by the administering agency, the unexpended moneys shall revert to the administering agency

TEXT OF PROPOSED LAWS

PROPOSITION 68 CONTINUED

for allocation consistent with the applicable chapter.

80016. To the extent feasible, a project whose application includes the use of services of the California Conservation Corps or certified community conservation corps, as defined in Section 14507.5, shall be given preference for receipt of a grant under this division.

80018. To the extent feasible, a project that includes water efficiencies, stormwater capture for infiltration or reuse, or carbon sequestration features in the project design may be given priority for grant funding under this division.

80020. Moneys allocated pursuant to this division shall not be used to fulfill any mitigation requirements imposed by law.

80022. (a) To the extent feasible in implementing this division and except as provided in subdivision (b), a state agency receiving funding under this division shall seek to achieve wildlife conservation objectives through projects on public lands or voluntary projects on private lands. Projects on private lands shall be evaluated based on the durability of the benefits created by the investment. Funds may be used for payments for the protection or creation of measurable habitat improvements or other improvements to the condition of endangered or threatened species, including through the development and implementation of habitat credit exchanges.

(b) This section shall not apply to Chapter 2 (commencing with Section 80050), Chapter 3 (commencing with Section 80060), Chapter 5 (commencing with Section 80080), Chapter 6 (commencing with Section 80090), Chapter 11 (commencing with Section 80140), Chapter 11.5 (commencing with Section 80145), or Chapter 12 (commencing with Section 80150).

80024. A state agency that receives funding to administer a grant program under this division shall report to the Legislature by January 1, 2027, on its expenditures pursuant to this division and the public benefits received from those expenditures.

80026. A state conservancy receiving funding pursuant to this division shall endeavor to allocate funds that are complementary, but not duplicative, of authorized expenditures made

pursuant to the Water Quality, Supply, and Infrastructure Improvement Act of 2014.

80028. Funds provided pursuant to this division, and any appropriation or transfer of those funds, shall not be deemed to be a transfer of funds for the purposes of Chapter 9 (commencing with Section 2780) of Division 3 of the Fish and Game Code.

80030. For grants awarded for projects that serve a disadvantaged community, the administering entity may provide advanced payments in the amount of 25 percent of the grant award to the recipient to initiate the project in a timely manner. The administering entity shall adopt additional requirements for the recipient of the grant regarding the use of the advanced payments to ensure that the moneys are used properly.

80032. (a) The proceeds of bonds issued and sold pursuant to this division, exclusive of refunding bonds issued and sold pursuant to Section 80172, shall be deposited in the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Fund, which is hereby created in the State Treasury.

(b) Proceeds of bonds issued and sold pursuant to this division shall be allocated according to the following schedule:

(1) Two billion eight hundred thirty million dollars (\$2,830,000,000) for purposes of Chapter 2 (commencing with Section 80050), Chapter 3 (commencing with Section 80060), Chapter 4 (commencing with Section 80070), Chapter 5 (commencing with Section 80080), Chapter 6 (commencing with Section 80090), Chapter 7 (commencing with Section 80100), Chapter 8 (commencing with Section 80110), Chapter 9 (commencing with Section 80120), and Chapter 10 (commencing with Section 80130).

(2) Two hundred fifty million dollars (\$250,000,000) for Chapter 11 (commencing with Section 80140).

(3) Eighty million dollars (\$80,000,000) for Chapter 11.1 (commencing with Section 80141).

(4) Five hundred fifty million dollars (\$550,000,000) for Chapter 11.5 (commencing with Section 80145).

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(5) Three hundred ninety million dollars (\$390,000,000) for Chapter 11.6 (commencing with Section 80146).

80034. The Legislature may enact legislation necessary to implement programs funded by this division.

CHAPTER 2. INVESTMENTS IN ENVIRONMENTAL AND SOCIAL EQUITY, ENHANCING CALIFORNIA'S DISADVANTAGED COMMUNITIES

80050. (a) The sum of seven hundred twenty-five million dollars (\$725,000,000) shall be available to the department, upon appropriation by the Legislature, for the creation and expansion of safe neighborhood parks in park-poor neighborhoods in accordance with the Statewide Park Development and Community Revitalization Act of 2008's competitive grant program described in Chapter 3.3 (commencing with Section 5640) of Division 5.

(b) When developing or revising criteria or guidelines for the grant program, the department may give additional consideration to projects that incorporate stormwater capture and storage or otherwise reduce stormwater pollution.

(c) The department shall perform its due diligence by conducting a rigorous prequalification process to determine the fiscal and operational capacity of a potential grant recipient to manage a project to do both of the following:

- (1) Maximize the project's public benefit.
- (2) Implement the project in a timely manner.

80051. Of the amount available pursuant to subdivision (a) of Section 80050, not less than 20 percent shall be available for the rehabilitation, repurposing, or substantial improvement of existing park infrastructure in communities of the state that will lead to increased use and enhanced user experiences.

80052. (a) Of the amount available pursuant to subdivision (a) of Section 80050, to correct historic underinvestments in the central valley, Inland Empire, gateway, rural, and desert communities, the sum of forty-eight million dollars (\$48,000,000) shall be available for local park creation and improvement grants to the communities identified by the department as park deficient within those areas for active recreational projects, including aquatic centers, to encourage youth health, fitness, and recreational pursuits.

Projects that include the partial or full donation of land, materials, or volunteer services and that demonstrate collaborations of multiple entities and the leveraging of scarce resources may be given consideration. Entities that receive a grant under this section may also be eligible to receive other grants under subdivision (a) of Section 80050.

(b) Of the amount subject to this section, twenty-two million dollars (\$22,000,000) shall be available to the department, upon appropriation by the Legislature, for grants to desert community towns in the County of San Bernardino, incorporated after 1990, with a population estimate of less than 22,000 according to the United States Census Bureau Population Estimates as of July 1, 2016, that have adopted a master plan as of 2008 that includes recommendations for the development of public facilities that will assist in achieving active recreational projects, including aquatic and fitness centers.

CHAPTER 3. INVESTMENTS IN PROTECTING, ENHANCING, AND ACCESSING CALIFORNIA'S LOCAL AND REGIONAL OUTDOOR SPACES

80060. For purposes of this chapter, "district" means any regional park district, regional park and open-space district, or regional open-space district formed pursuant to Article 3 (commencing with Section 5500) of Chapter 3 of Division 5, any recreation and park district formed pursuant to Chapter 4 (commencing with Section 5780) of Division 5, or any authority formed pursuant to Division 26 (commencing with Section 35100). With respect to any community or unincorporated region that is not included within a district, and in which no city or county provides parks or recreational areas or facilities, "district" also means any other entity, including, but not limited to, a district operating multiple-use parklands pursuant to Division 20 (commencing with Section 71000) of the Water Code.

80061. (a) The sum of two hundred million dollars (\$200,000,000) shall be available to the department, upon appropriation by the Legislature, for local park rehabilitation, creation, and improvement grants to local governments on a per capita basis. Grant recipients shall be encouraged to utilize awards to rehabilitate existing infrastructure and to address deficiencies in neighborhoods lacking access to the outdoors.

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(b) The sum of fifteen million dollars (\$15,000,000) shall be available to the department, upon appropriation by the Legislature, for grants to cities and districts in urbanized counties providing park and recreation services within jurisdictions of 200,000 or less in population. For purposes of this subdivision, "urbanized county" means a county with a population of 500,000 or more. An entity eligible to receive funds under this subdivision shall also be eligible to receive funds available under subdivision (a).

(c) Unless the project has been identified as serving a severely disadvantaged community, an entity that receives an award pursuant to this section shall be required to provide a match of 20 percent as a local share.

80062. (a) (1) The department shall allocate 60 percent of the funds available pursuant to subdivision (a) of Section 80061 to cities and districts, other than a regional park district, regional park and open-space district, open-space authority, or regional open-space district. Each city's and district's allocation shall be in the same ratio as the city's or district's population is to the combined total of the state's population that is included in incorporated and unincorporated areas within the county, except that each city or district shall be entitled to a minimum allocation of two hundred thousand dollars (\$200,000). If the boundary of a city overlaps the boundary of a district, the population in the overlapping area shall be attributed to each jurisdiction in proportion to the extent to which each operates and manages parks and recreational areas and facilities for that population. If the boundary of a city overlaps the boundary of a district, and in the area of overlap the city does not operate and manage parks and recreational areas and facilities, all grant funds for that area shall be allocated to the district.

(2) On or before April 1, 2020, a city and a district that are subject to paragraph (1), and whose boundaries overlap, shall collaboratively develop and submit to the department a specific plan for allocating the grant funds in accordance with the formula specified in paragraph (1). If, by that date, the plan has not been developed and submitted to the department, the director shall determine the allocation of the grant funds between the affected jurisdictions.

(b) (1) The department shall allocate 40 percent of the funds available pursuant to subdivision (a)

of Section 80061 to counties and regional park districts, regional park and open-space districts, open-space authorities formed pursuant to Division 26 (commencing with Section 35100), and regional open-space districts formed pursuant to Article 3 (commencing with Section 5500) of Chapter 3 of Division 5.

(2) Each county's allocation under paragraph (1) shall be in the same ratio that the county's population is to the total state population, except that each county shall be entitled to a minimum allocation of four hundred thousand dollars (\$400,000).

(3) In any county that embraces all or part of the territory of a regional park district, regional park and open-space district, open-space authority, or regional open-space district, and whose board of directors is not the county board of supervisors, the amount allocated to the county shall be apportioned between that district and the county in proportion to the population of the county that is included within the territory of the district and the population of the county that is outside the territory of the district.

(c) For the purpose of making the calculations required by this section, population shall be determined by the department, in cooperation with the Department of Finance, on the basis of the most recent verifiable census data and other verifiable population data that the department may require to be furnished by the applicant city, county, or district.

(d) The Legislature intends all recipients of funds pursuant to subdivision (a) of Section 80061 to use those funds to supplement local revenues in existence on the effective date of the act adding this division. To receive an allocation pursuant to subdivision (a) of Section 80061, the recipient shall not reduce the amount of funding otherwise available to be spent on parks or other projects eligible for funds under this division in its jurisdiction. A one-time allocation of other funding that has been expended for parks or other projects, but which is not available on an ongoing basis, shall not be considered when calculating a recipient's annual expenditures. For purposes of this subdivision, the Controller may request fiscal data from recipients for the preceding three fiscal years. Each recipient shall furnish the data to the Controller no later than 120 days after receiving the request from the Controller.

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80063. (a) The director of the department shall prepare and adopt criteria and procedures for evaluating applications for grants allocated pursuant to subdivision (a) of Section 80061. The application shall be accompanied by certification that the project is consistent with the park and recreation element of the applicable city or county general plan or the district park recreation plan, as the case may be.

(b) To utilize available grant funds as effectively as possible, overlapping and adjoining jurisdictions and applicants with similar objectives are encouraged to combine projects and submit a joint application. A recipient may allocate all or a portion of its per capita share for a regional or state project.

80065. (a) The sum of thirty million dollars (\$30,000,000) shall be available to the department, upon appropriation by the Legislature, for grants to regional park districts, counties, and regional open-space districts, open-space authorities formed pursuant to Division 26 (commencing with Section 35100), joint powers authorities, and eligible nonprofit organizations on a competitive grant basis to create, expand, improve, rehabilitate, or restore parks and park facilities, including, but not limited to, trails, regional trail networks, regional sports complexes, low-cost accommodations in park facilities, and visitor, outdoor, and interpretive facilities serving youth and communities of color.

(b) In awarding moneys, the department shall encourage applicants seeking funds for acquisition projects to perform projects in conjunction with new or enhanced public use and public access opportunities.

(c) Preference may be given to multiuse trail projects over single-use trail projects.

(d) Notwithstanding paragraph (a), of the amount subject to this section, the sum of five million dollars (\$5,000,000) shall be available for projects in units of the state parks system that are managed by nonprofit organizations that have entered into operating agreements with the department.

80066. The sum of forty million dollars (\$40,000,000) shall be available to the department, upon appropriation by the Legislature, for grants, awarded proportionally based on populations served, to local agencies

that have obtained voter approval between November 1, 2012, through November 30, 2018, inclusive, for revenue enhancement measures aimed at improving and enhancing local or regional park infrastructure. A recipient of a grant under this section shall receive at least two hundred fifty thousand dollars (\$250,000) for the purposes of the revenue enhancement measure.

CHAPTER 4. RESTORING CALIFORNIA'S NATURAL,
HISTORIC, AND CULTURAL LEGACY

80070. The sum of two hundred eighteen million dollars (\$218,000,000) shall be available to the department, upon appropriation by the Legislature, for restoration, preservation, and protection of existing state park facilities and units. Eligible project types include, but are not limited to, the following:

(a) Protection of natural resources to provide climate resilience, water supply, and water quality benefits.

(b) Enhancement of access to state park facilities and units, including protection and improvement of lands adjacent to state park facilities to improve access or management efficiency.

(c) The provision of low-cost overnight accommodations in ways that enhance access and recreational opportunities for disadvantaged community residents and low-income park visitors.

(d) Implementation of projects that address the department's backlog of deferred maintenance.

80071. The department, in expending the funding available under this chapter, shall endeavor, where practical, to partner with cities, counties, nonprofit organizations, and nongovernmental organizations to maximize leveraging opportunities to enhance tourism, visitation, and visitor experiences.

80072. Of the amount made available pursuant to Section 80070, ten million dollars (\$10,000,000) shall be available for enterprise projects that facilitate new or enhanced park use and user experiences and increase revenue generation to support operations of the department.

80073. (a) Of the amount made available pursuant to Section 80070, five million dollars (\$5,000,000) shall be available for grants to local agencies that operate a unit of the state

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park system to address urgent need for the restoration of aging infrastructure.

(b) For the purpose of awarding a grant under this section, a local cost share of not less than 25 percent of the total costs of the project shall be required. The cost-sharing requirement may be waived or reduced for a disadvantaged community.

80074. Of the amount made available pursuant to Section 80070, eighteen million dollars (\$18,000,000) shall be available to the Division of Fairs and Expositions of the Department of Food and Agriculture to provide for facility improvements for county fairs, district agricultural associations, including the Sixth District Agricultural Association, as described in Section 4101 of the Food and Agricultural Code, and the Forty-Fifth District Agricultural Association, citrus fruit fairs, and the California Exposition and State Fair.

80075. Of the amount made available pursuant to Section 80070, thirty million dollars (\$30,000,000) shall be available to the department to provide for lower cost coastal accommodation project development in units of the state park system.

80076. Of the amount made available pursuant to Section 80070, not less than twenty-five million dollars (\$25,000,000) shall be available to the department for the protection, restoration, and enhancement of the natural resource values of the state park system, which may include all of the following:

- (a) Protection and improvement of water quality and biological health in streams, aquifers, and estuarine ecosystems.
- (b) Protection and restoration of natural resources and ecosystems representative of California's diverse landscapes, including landform, habitat, and biological community restoration.
- (c) Acquisition, rehabilitation, restoration, protection, and expansion of wildlife corridors, including projects to improve connectivity and reduce barriers between habitat areas.
- (d) Improvements of native ecosystem resilience and adaptation to climate change.
- (e) Enhancement of the health of redwood forests in order to accelerate old growth characteristics, maximize carbon sequestration, improve water quality, and build climate resilience.

(f) Protection and enhancement of tribal cultural resources.

80077. (a) In expending funds made available pursuant to Section 80070, and giving first priority to the department's criteria for expenditure of funds for deferred maintenance including infrastructure needs to protect public safety, the department shall use best efforts to expend at least ten million dollars (\$10,000,000) in each of the following regions for state park units and properties deferred maintenance projects and projects that may increase tourism and visitor experiences in those regions:

- (1) Central Valley, from the City of Sacramento to the base of the Tehachapi Mountains.
- (2) Central Coast.
- (3) East Bay.
- (4) County of Imperial and the Coachella Valley.
- (5) Inland Empire.

(b) To the extent the department is unable to allocate funds for parks deferred maintenance in the regions identified in this section, it shall report to the appropriate policy and fiscal committees of the Legislature on the reasons it is unable to do so.

CHAPTER 5. TRAILS AND GREENWAY INVESTMENT

80080. (a) The sum of thirty million dollars (\$30,000,000) shall be available to the Natural Resources Agency, working in cooperation with the department, upon appropriation by the Legislature, for competitive grants to local agencies, state conservancies, federally recognized Native American tribes, nonfederally recognized California Native American tribes listed on the California Tribal Consultation List maintained by the Native American Heritage Commission, joint powers authorities, and nonprofit organizations to provide nonmotorized infrastructure development and enhancements that promote new or alternate access to parks, waterways, outdoor recreational pursuits, and forested or other natural environments to encourage health-related active transportation and opportunities for Californians to reconnect with nature.

(b) Of the amount made available pursuant to this section, up to 25 percent may be made available to communities for innovative

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transportation projects that provide new and expanded outdoor experiences to disadvantaged youth.

(c) Alignment, development, and improvement of nonmotorized infrastructure and trails that lead to safer interconnectivity among parks, waterways, and natural areas may be encouraged.

(d) The Natural Resources Agency is encouraged, when designing guidelines for grants awarded under this chapter, to utilize existing program guidelines, including, if applicable, guidelines that have been established for the California Recreational Trails Act (Article 6 (commencing with Section 5070) of Chapter 1 of Division 5) and, to the extent possible, to design guidelines that are consistent with the California Recreational Trails Plan, as described in Article 6 (commencing with Section 5070) of Chapter 1 of Division 5.

80081. Unless the project has been identified as serving a disadvantaged community, an entity that receives an award under this chapter shall be required to provide a match of 20 percent.

CHAPTER 6. RURAL RECREATION, TOURISM, AND ECONOMIC ENRICHMENT INVESTMENT

80090. (a) The sum of twenty-five million dollars (\$25,000,000) shall be available to the department, upon appropriation by the Legislature, to administer a competitive grant program for cities, counties, and districts in nonurbanized areas, that are eligible for a grant under the Roberti-Z'berg-Harris Urban Open-Space and Recreation Program Act (Chapter 3.2 (commencing with Section 5620) of Division 5). Notwithstanding subdivisions (c) and (e) of Section 5621 and for the purposes of this section, the definition of "nonurbanized area" shall be updated by the department to reflect current population levels. A nonurbanized area shall include counties with populations of less than 500,000 people and low population densities per square mile, as determined by the department. In awarding the grants, the department may consider the following factors:

(1) Whether the project would provide new recreational opportunities in rural communities that have demonstrated deficiencies and lack of outdoor infrastructure in support of economic and health-related goals.

(2) Whether the project proposes to acquire and develop lands to enhance residential recreation while promoting the quality of tourism experiences and the economic vitality of the community. These enhancements may include accessibility for individuals with disabilities, trails, bikeways, regional or destination-oriented recreational amenities, and visitor centers.

(3) Whether the project includes collaboration between public and nonprofit organizations, including, but not limited to, nonprofit land trusts, to facilitate public access to privately owned lands for regional trail development for wildlife viewing, recreation, or outdoor experiences for youth.

(b) Unless the project has been identified as serving a disadvantaged community, an entity that receives an award under this chapter shall be required to provide a match of 20 percent.

CHAPTER 7. CALIFORNIA RIVER RECREATION, CREEK, AND WATERWAY IMPROVEMENTS PROGRAM

80100. (a) The sum of one hundred sixty-two million dollars (\$162,000,000) shall be available, upon appropriation by the Legislature, for grants pursuant to the California River Parkways Act of 2004 (Chapter 3.8 (commencing with Section 5750) of Division 5) and the Urban Streams Restoration Program pursuant to Section 7048 of the Water Code. Eligible projects shall include, but are not limited to, projects that protect and enhance urban creeks.

(1) (A) Of the amount made available pursuant to this subdivision, thirty-seven million five hundred thousand dollars (\$37,500,000) shall be available to the Santa Monica Mountains Conservancy. Notwithstanding subdivision (c) of Section 5753, of that amount, fifteen million dollars (\$15,000,000) shall be available for projects within the San Fernando Valley that protect or enhance the Los Angeles River watershed and its tributaries or headwaters, pursuant to Division 23 (commencing with Section 33000).

(B) Of the amount made available pursuant to this subdivision, thirty-seven million five hundred thousand dollars (\$37,500,000) shall be available to the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy.

(C) Funds allocated pursuant to this paragraph shall be expended pursuant to Section 79508 of

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the Water Code and Division 22.8 (commencing with Section 32600) and Division 23 (commencing with Section 33000).

(2) Of the amount made available pursuant to this subdivision, sixteen million dollars (\$16,000,000) shall be available to the Santa Ana River Conservancy Program pursuant to Chapter 4.6 (commencing with Section 31170) of Division 21. To the extent possible, the conservancy shall distribute funds equitably geographically along the Santa Ana River.

(3) Of the amount made available pursuant to this subdivision, ten million dollars (\$10,000,000) shall be available to the Lower American River Conservancy Program pursuant to Chapter 10.5 (commencing with Section 5845) of Division 5.

(4) Of the amount made available pursuant to this subdivision, three million dollars (\$3,000,000) shall be available to the Natural Resources Agency for projects supporting the preservation of the Los Gatos Creek and Upper Guadalupe River Watersheds and the protection of associated redwoods.

(5) Of the amount made available pursuant to this subdivision, three million dollars (\$3,000,000) shall be available to the Natural Resources Agency for projects supporting a comprehensive regional use management plan for the Russian River to reduce conflict and promote water supply improvements, habitat restoration and protection, cooperative public recreation, and commercial activity.

(6) Of the amount made available pursuant to this subdivision, ten million dollars (\$10,000,000) shall be available to the State Coastal Conservancy for river parkway projects along the Santa Margarita River in San Diego County.

(7) Of the amount made available pursuant to this subdivision, five million dollars (\$5,000,000) shall be available to the Natural Resources Agency for improvements in and around Clear Lake and its watershed that demonstrate a comprehensive local and regional approach to restoration, public recreation, and management of the lake and its surrounding resources and recreation areas.

(8) Of the amount made available pursuant to this subdivision, ten million dollars

(\$10,000,000) shall be available for purposes of the California River Parkways Act of 2004 (Chapter 3.8 (commencing with Section 5750)).

(9) Of the amount made available pursuant to this subdivision, ten million dollars (\$10,000,000) shall be made available to the Department of Water Resources, upon appropriation by the Legislature, to implement the Urban Streams Restoration Program, established pursuant to Section 7048 of the Water Code.

(10) Of the amount made available pursuant to this subdivision, twenty million dollars (\$20,000,000) shall be available to the Natural Resources Agency for river parkway projects along the Los Angeles River in the City of Glendale that include connectivity to parks and open space in neighboring communities.

(b) Unless the project has been identified as serving a disadvantaged community, an entity that receives an award under this chapter shall be required to provide a match of 20 percent.

(c) To maximize cooperation and leverage resources, the Natural Resources Agency may give priority to projects that include partnerships among federal, state, and local agencies and to projects proposed by nonprofit organizations, including, but not limited to, nonprofit land trusts, and grants that may complement a natural community conservation plan.

80101. To the maximum extent feasible, the Natural Resources Agency is encouraged, when developing guidelines for grants awarded under this chapter, to utilize existing programs where communities enter into partnerships with state agencies for multibenefit projects to enhance and restore waterways, including, but not limited to, the Riverine Stewardship Technical Assistance program.

CHAPTER 8. STATE CONSERVANCY, WILDLIFE
CONSERVATION BOARD, AND AUTHORITY FUNDING

80110. The sum of seven hundred sixty-seven million dollars (\$767,000,000) shall be available, upon appropriation by the Legislature, as described in this chapter.

(a) Thirty million dollars (\$30,000,000) shall be available to the Salton Sea Authority for capital outlay projects that provide air quality and habitat benefits and that implement the Natural Resources Agency's Salton Sea

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Management Program. Of this amount, not less than ten million dollars (\$10,000,000) shall be available to the Salton Sea Authority for purposes consistent with the New River Water Quality, Public Health, and River Parkway Development Program, as described in Section 71103.6.

(b) One hundred eighty million dollars (\$180,000,000) shall be available to the following conservancies according to their governing statutes for their specified purposes in accordance with the following schedule:

(1) Baldwin Hills Conservancy, six million dollars (\$6,000,000).

(2) California Tahoe Conservancy, twenty-seven million dollars (\$27,000,000).

(3) Coachella Valley Mountains Conservancy, seven million dollars (\$7,000,000).

(4) Sacramento-San Joaquin Delta Conservancy, twelve million dollars (\$12,000,000).

(5) San Diego River Conservancy, twelve million dollars (\$12,000,000).

(6) San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, thirty million dollars (\$30,000,000).

(7) San Joaquin River Conservancy, six million dollars (\$6,000,000).

(8) Santa Monica Mountains Conservancy, thirty million dollars (\$30,000,000).

(9) Sierra Nevada Conservancy, thirty million dollars (\$30,000,000).

(10) State Coastal Conservancy, twenty million dollars (\$20,000,000) for grants pursuant to Section 66704.5 of the Government Code for the purpose of San Francisco Bay restoration in accordance with the San Francisco Bay Restoration Authority Act (Title 7.25 (commencing with Section 66700) of the Government Code). Notwithstanding subdivision (e) of Section 66704.5 of the Government Code, the State Coastal Conservancy shall establish a matching grant requirement for a grant awarded pursuant to this paragraph.

(c) One hundred thirty-seven million dollars (\$137,000,000) shall be available to the Wildlife Conservation Board.

80111. The amount available to the Wildlife Conservation Board pursuant to subdivision (c) of Section 80110 is allocated as follows:

(a) Five million dollars (\$5,000,000) shall be available for the development of regional conservation investment strategies that are not otherwise funded pursuant to Section 800 of the Streets and Highways Code or any other law.

(b) At least fifty-two million dollars (\$52,000,000) shall be available for the acquisition, development, rehabilitation, restoration, protection, and expansion of habitat that furthers the implementation of natural community conservation plans adopted pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code) to help resolve resource conflicts by balancing communitywide conservation, planning, and economic activities or other large-scale habitat conservation plans that resolve resource conflicts with provisions for conservation, planning, and economic activities. Funding pursuant to this paragraph shall not be used to offset mitigation obligations otherwise required, but may be used as part of a funding partnership to enhance, expand, or augment conservation efforts required by mitigation.

(c) Up to ten million dollars (\$10,000,000) may be granted to the University of California Natural Reserve System for matching grants for acquisition of land, construction and development of research facilities to improve the management of natural lands, for preservation of California's wildlife resources, and to further research related to climate change. The Wildlife Conservation Board shall establish a matching grant requirement for grants awarded pursuant to this subdivision.

(d) The remainder of the amount available shall be available to the Wildlife Conservation Board to provide funding for the following projects:

(1) Projects to protect and enhance national recreation areas serving heavily urbanized areas or, in coordination with the State Lands Commission, to acquire an interest in federal public lands that may be proposed for sale or disposal.

(2) Projects according to the Wildlife Conservation Board's governing statutes for its specified purposes.

80112. A receiving entity listed in subdivision (b) of Section 80110 shall develop and adopt a strategic master plan that identifies priorities and specific criteria for selecting projects for funding. The strategic plan shall include strategies for providing public access to conserved lands

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wherever feasible and be consistent with project goals and objectives.

80113. Entities, in expending the funding available under this chapter, shall endeavor, where practical, to partner with cities, counties, nonprofit organizations, joint powers authorities, and nongovernmental organizations to acquire open space and create urban greenway corridors.

80114. (a) Of the amount made available pursuant to Section 80110, two hundred million dollars (\$200,000,000) shall be available to the Natural Resources Agency for implementation of voluntary agreements that provide multibenefit water quality, water supply, and watershed protection and restoration for the watersheds of the state to achieve the objectives of integrating regulatory and voluntary efforts, implementing an updated State Water Resources Control Boards' San Francisco Bay/Sacramento-San Joaquin Delta Estuary Water Quality Control Plan, and ensuring ecological benefits. Expenditure of funds provided in this section shall be in accordance with the following:

(1) For the purposes of this section, watershed restoration includes activities to fund wetland habitat, salmon, steelhead, and fishery benefits, improve and restore river health, modernize stream crossings, culverts, and bridges, reconnect historical flood plains, install or improve fish screens, provide fish passages, restore river channels, restore or enhance riparian, aquatic, and terrestrial habitat, improve ecological functions, acquire from willing sellers conservation easements for riparian buffer strips, improve local watershed management, predation management, hatchery management, and remove sediment or trash.

(2) For purposes of this section, funds may be used for projects that measurably enhance streamflows at a time and location necessary to provide fisheries or ecosystem benefits or improvements that improve upon existing flow conditions. Project types that may be eligible include, but are not limited to, water transactions such as lease, purchase, or exchange, change of use petitions to benefit fish and wildlife, surface storage to be used to enhance streamflow, forbearance of water rights, changes in water management, groundwater storage and conjunctive use, habitat restoration projects that reshape the stream hydrograph, water efficiency

generally, irrigation efficiency and water infrastructure improvements that save water and enable reshaping of the stream hydrograph, reconnecting flood flows with restored flood plains, and reservoir reoperations both at existing and new storage sites.

(b) The funds authorized by this section shall be available for direct expenditures and local assistance grants by the Natural Resources Agency, in consultation with the Department of Fish and Wildlife, that satisfy all of the following:

(1) Implement voluntary agreements executed by the Department of Fish and Wildlife with federal and state agencies, local government, water districts and agencies, and nongovernmental organizations that improve ecological flows and habitat for species, create water supply and regulatory certainty for water users, and foster a collaborative approach to facilitate implementation of the State Water Resources Control Board's Bay-Delta Water Quality Control Plan.

(2) Implement a voluntary agreement submitted by the Department of Fish and Wildlife to the State Water Resources Control Board on or before June 1, 2018, for consideration.

(3) Implement a voluntary agreement that is of statewide significance, restores natural aquatic or riparian functions or wetlands habitat for birds and aquatic species, protects or promotes the restoration of endangered or threatened species, enhances the reliability of water supplies on a regional or interregional basis, and provides significant regional or statewide economic benefits.

(c) Funds provided by this section shall not be expended to pay the costs of the design, construction, operation, mitigation, or maintenance of Delta conveyance facilities.

(d) If the Department of Fish and Wildlife submits a voluntary agreement that satisfies paragraph (2) of subdivision (b), unencumbered funds available pursuant to this section to implement that voluntary agreement shall no longer be available 15 years after the date the State Water Resources Control Board approves the submitted agreement, at which point funds remaining available pursuant to this section shall become available to the Natural Resources Agency for the purposes of Sections 79732 and 79736 of the Water Code. If no voluntary

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agreements are submitted on or before June 1, 2018, any remaining funds shall be available to the Natural Resources Agency for the purposes of Sections 79732 and 79736 of the Water Code. The Secretary of the Natural Resources Agency shall ensure an annual reporting of the funds pursuant to Section 80012.

80115. Of the amount made available pursuant to Section 80110, fifty million dollars (\$50,000,000) shall be available to the Department of Fish and Wildlife for capital improvements that address the Department of Fish and Wildlife's backlog of deferred maintenance. Where practical, the Department of Fish and Wildlife shall partner with nonprofit organizations and nongovernmental organizations to inform the expenditure of these funds, enhance visitor experience, and where feasible, increase engagement with youth and disadvantaged communities.

80116. Of the amount made available pursuant to Section 80110, one hundred seventy million dollars (\$170,000,000) shall be available to the Natural Resources Agency for restoration activities identified in the Salton Sea Management Program Phase I: 10 Year Plan, dated March 2017, the final management plan report, and any subsequent revisions to this plan.

CHAPTER 9. OCEAN, BAY, AND COASTAL PROTECTION

80120. The sum of one hundred seventy-five million dollars (\$175,000,000) shall be available, upon appropriation by the Legislature, to fund projects that enhance and protect coastal and ocean resources, as follows:

(a) The sum of thirty-five million dollars (\$35,000,000) shall be available for deposit into the California Ocean Protection Trust Fund for grants consistent with Section 35650. Priority shall be given to projects that conserve, protect, and restore marine wildlife and healthy ocean and coastal ecosystems with a focus on the state's system of marine protected areas and sustainable fisheries.

(b) The sum of thirty million dollars (\$30,000,000) shall be available to the State Coastal Conservancy to provide for lower cost coastal accommodation grants and project development to public agencies and nonprofit organizations.

(c) The sum of eighty-five million dollars (\$85,000,000) shall be available to the State Coastal Conservancy for the protection of beaches, bays, wetlands, and coastal watershed resources pursuant to Division 21 (commencing with Section 31000). This shall include the acquisition of, or conservation easements on, land in or adjacent to the California coastal zone with open space, recreational, biological, cultural, scenic, or agricultural values, or lands adjacent to marine protected areas, including marine conservation areas, whose preservation will contribute to the ecological quality of those marine protected areas. This shall also include the protection of coastal agricultural resources pursuant to Section 31150 and projects to complete the California Coastal Trail pursuant to Section 31408.

(d) Twenty-five percent of the amount available pursuant to subdivision (c) shall be available to the San Francisco Bay Area Conservancy Program (Chapter 4.5 (commencing with Section 31160) of Division 21).

(e) The sum of twenty million dollars (\$20,000,000) shall be available to the State Coastal Conservancy for grants and expenditures for the protection, restoration, and improvement of coastal forest watersheds, including managed forest lands, forest reserve areas, redwood forests, and other forest types. Eligible project types shall include projects that improve water quality and supply, increase coastal watershed storage capacity, reduce fire risk, provide habitat for fish and wildlife, or improve coastal forest health.

(f) The sum of five million dollars (\$5,000,000) shall be available to the State Coastal Conservancy for acquisition of parcels that will allow for protection and restoration of coastal dune, wetland, upland, and forest habitat associated with estuarine lagoons and designated wildlife areas.

80121. In implementing Section 80120, the administering entity may give special consideration to the acquisition of lands that are in deferred certification areas of local coastal plans or that complement natural community conservation plans.

CHAPTER 10. CLIMATE PREPAREDNESS, HABITAT RESILIENCY, RESOURCE ENHANCEMENT, AND INNOVATION

TEXT OF PROPOSED LAWS

PROPOSITION 68 CONTINUED

80130. The sum of four hundred forty-three million dollars (\$443,000,000) shall be available, upon appropriation by the Legislature, as competitive grants for projects that plan, develop, and implement climate adaptation and resiliency projects. Eligible projects shall improve a community's ability to adapt to the unavoidable impacts of climate change, improve and protect coastal and rural economies, agricultural viability, wildlife corridors, or habitat, develop future recreational opportunities, or enhance drought tolerance, landscape resilience, and water retention.

80131. In implementing Section 80130, special consideration may be given to the acquisition of lands that are in deferred certification areas of local coastal plans.

80132. (a) Of the amount made available pursuant to Section 80130, eighteen million dollars (\$18,000,000) shall be available to the Wildlife Conservation Board for direct expenditures pursuant to the Wildlife Conservation Law of 1947 (Chapter 4 (commencing with Section 1300) of Division 2 of the Fish and Game Code) and for grants for any of the following:

(1) Projects for the acquisition, development, rehabilitation, restoration, protection, and expansion of wildlife corridors and open space, including projects to improve connectivity and reduce barriers between habitat areas. In awarding grants pursuant to this paragraph, the Wildlife Conservation Board shall give priority to projects that protect wildlife corridors, including wildlife corridors threatened by urban development.

(2) Projects for the acquisition, development, rehabilitation, restoration, protection, and expansion of habitat that promote the recovery of threatened and endangered species.

(3) Projects to improve climate adaptation and resilience of natural systems.

(4) Projects to protect and improve existing open-space corridors and trail linkages related to utility, transportation, or water infrastructure that provide habitat connectivity and public access or trails.

(5) Projects for wildlife rehabilitation facilities after consultation with the Department of Fish and Wildlife.

(6) Projects to control invasive plants or insects that degrade wildlife corridors or habitat linkages, inhibit the recovery of threatened or endangered species, or reduce the climate resilience of a natural system.

(7) Projects to enhance wildlife habitat, recognizing the highly variable habitat needs required by fish and wildlife. Eligible projects include acquisition of water or water rights from willing sellers, acquisition of land that includes water rights or contractual rights to water, short- or long-term water transfers and leases, projects that provide water for fish and wildlife, projects that improve aquatic or riparian habitat conditions, or projects to benefit salmon and steelhead.

(8) Implementation of conservation actions and habitat enhancement actions that measurably advance the conservation objectives of regional conservation investment strategies approved pursuant to Chapter 9 (commencing with Section 1850) of Division 2 of the Fish and Game Code.

(9) Provision of hunting and other wildlife-dependent recreational opportunities to the public through voluntary agreement with private landowners, including opportunities pursuant to Section 1572 of the Fish and Game Code.

(b) In implementing this section, the Wildlife Conservation Board may provide matching grants for incentives to landowners for conservation actions on private lands or use of voluntary habitat credit exchange mechanisms. A matching grant shall not exceed 50 percent of the total cost of the incentive program.

(c) Of the amount made available pursuant to Section 80130, thirty million dollars (\$30,000,000) shall be available for the acquisition, development, rehabilitation, restoration, protection, and expansion of wildlife corridors and open space to improve connectivity and reduce barriers between habitat areas and to protect and restore habitat associated with the Pacific Flyway. In awarding grants pursuant to this subdivision, priority may be given to projects that protect wildlife corridors. Of the amount described in this subdivision, ten million dollars (\$10,000,000) shall be available for the California Waterfowl Habitat Program.

(d) Of the amount made available pursuant to Section 80130, not less than twenty-five million dollars (\$25,000,000) shall be

TEXT OF PROPOSED LAWS

PROPOSITION 68 CONTINUED

available to the Department of Fish and Wildlife for projects to restore rivers and streams in support of fisheries and wildlife, including, but not limited to, reconnection of rivers with their flood plains, riparian and side-channel habitat restoration activities described in subdivision (b) of Section 79737 of the Water Code, and restoration and protection of upper watershed forests and meadow systems that are important for fish and wildlife resources. Subdivision (f) of Section 79738 of the Water Code applies to this subdivision. Of the amount available pursuant to this subdivision, at least five million dollars (\$5,000,000) shall be available for restoration projects in the Klamath-Trinity watershed for the benefit of salmon and steelhead. Priority shall be given to projects supported by multistakeholder public or private partnerships, or both, using a science-based approach and measurable objectives to guide identification, design, and implementation of regional actions to benefit salmon and steelhead.

(e) (1) Of the amount made available pursuant to Section 80130, not less than sixty million dollars (\$60,000,000) shall be available to the Wildlife Conservation Board for construction, repair, modification, or removal of transportation or water resources infrastructure to improve wildlife or fish passage.

(2) Of the amount subject to paragraph (1), at least thirty million dollars (\$30,000,000) shall be available to the Department of Fish and Wildlife for restoration of Southern California Steelhead habitat consistent with the Department of Fish and Wildlife's Steelhead Restoration and Management Plan and the National Marine Fisheries Service's Southern California Steelhead Recovery Plan. Projects that remove significant barriers to steelhead migration and include other habitat restoration and associated infrastructure improvements shall be the highest priority.

(f) Of the amount made available pursuant to Section 80130, not less than sixty million dollars (\$60,000,000) shall be available to the Wildlife Conservation Board for the protection, restoration, and improvement of upper watershed lands in the Sierra Nevada and Cascade Mountains, including forest lands, meadows, wetlands, chaparral, and riparian habitat, in order to protect and improve water supply and water quality, improve forest health, reduce wildfire danger, mitigate the effects of wildfires on water quality and supply,

increase flood protection, or to protect or restore riparian or aquatic resources.

(g) Of the amount made available pursuant to Section 80130, at least thirty million dollars (\$30,000,000) shall be available to the Department of Fish and Wildlife to improve conditions for fish and wildlife in streams, rivers, wildlife refuges, wetland habitat areas, and estuaries. Eligible projects include acquisition of water from willing sellers, acquisition of land that includes water rights or contractual rights to water, short- or long-term water transfers or leases, provision of water for fish and wildlife, or improvement of aquatic or riparian habitat conditions. In implementing this section, the Department of Fish and Wildlife may provide grants under the Fisheries Restoration Grant Program with priority given to coastal waters.

(h) The Wildlife Conservation Board shall update its strategic master plan that identifies priorities and specific criteria for selecting projects pursuant to subdivision (a).

(i) Activities funded pursuant to this section shall be consistent with the state's climate adaptation strategy, as provided in Section 71153, and the statewide objectives provided in Section 71154.

80133. (a) Of the amount made available pursuant to Section 80130, forty million dollars (\$40,000,000) shall be available for deposit into the California Ocean Protection Trust Fund, established pursuant to Section 35650, for projects that assist coastal communities, including those reliant on commercial fisheries, with adaptation to climate change, including projects that address ocean acidification, sea level rise, or habitat restoration and protection, including, but not limited to, the protection of coastal habitat associated with the Pacific Flyway.

(b) Thirty-five percent of the amount available pursuant to this section shall be available to the San Francisco Bay Area Conservancy Program (Chapter 4.5 (commencing with Section 31160) of Division 21).

(c) Twelve percent of the amount available pursuant to this section shall be available to the State Coastal Conservancy to fund a conservation program at West Coyote Hills.

TEXT OF PROPOSED LAWS

PROPOSITION 68 CONTINUED

(d) The remainder of the amount available pursuant to this section shall be available pursuant to Section 31113.

80134. (a) Of the amount made available pursuant to Section 80130, thirty million dollars (\$30,000,000) shall be available to plan, develop, and implement innovative farm and ranch management practices and protections that improve climate adaptation and resiliency by improving the soil health, carbon sequestration, and habitat of California's farm and ranch lands and affiliated habitat, including working lands, open space, or riparian corridors, and that increase water retention and absorption, habitat values, species protection, and economic viability to reduce development pressure.

(b) Of the amount subject to this section, the sum of ten million dollars (\$10,000,000) shall be available to the Department of Food and Agriculture for grants to promote practices on farms and ranches that improve agricultural and open-space soil health, carbon soil sequestration, erosion control, water quality, and water retention.

(c) (1) Of the amount subject to this section, the sum of twenty million dollars (\$20,000,000) shall be available to the Department of Conservation to protect, restore, or enhance working lands and riparian corridors through conservation easements or other conservation actions, including actions pursuant to Section 9084 and the California Farmland Conservancy Program (Division 10.2 (commencing with Section 10200)).

(2) Up to fifty percent of the funds available pursuant to this subdivision may be allocated to the Department of Conservation for watershed restoration and conservation projects on agricultural lands pursuant to Section 9084.

80135. (a) Of the amount made available pursuant to Section 80130, fifty million dollars (\$50,000,000) shall be available to the Department of Forestry and Fire Protection, except as provided in subdivision (c), for projects that provide ecological restoration of forests. Projects may include, but are not limited to, forest restoration activities that include hazardous fuel reduction, postfire watershed rehabilitation, prescribed or managed burns, acquisition of forest conservation easements or fee interests, and forest management practices

that promote forest resilience to severe wildfire, climate change, and other disturbances. The Department of Forestry and Fire Protection shall achieve geographic balance with the moneys allocated pursuant to this section and may, where appropriate, include activities on lands owned by the United States.

(b) Not less than 30 percent of the amount available pursuant to this section shall be allocated for urban forestry projects pursuant to Section 4799.12. The Department of Forestry and Fire Protection shall allocate no less than 50 percent of the moneys allocated pursuant to this subdivision for the expansion of the urban forestry program to previously underserved local entities in order to achieve geographic balance.

(c) Of the amount subject to this section, 50 percent shall be allocated directly to the Sierra Nevada Conservancy to administer projects pursuant to this section for purposes of implementing the Sierra Nevada Watershed Improvement Program. For purposes of this section, the Sierra Nevada Conservancy may allocate funds to the California Tahoe Conservancy for projects within the jurisdiction of the California Tahoe Conservancy.

80136. Of the amount made available pursuant to Section 80130, forty million dollars (\$40,000,000) shall be available to the California Conservation Corps for projects to rehabilitate or improve local and state parks, restore watersheds and riparian zones, regional and community-level fuel load reduction, compost application and food waste management, resources conservation and restoration projects, and for facility or equipment acquisition, development, restoration, and rehabilitation. Not less than 50 percent of the amount available pursuant to this section shall be allocated for grants to certified local community conservation corps, as defined in Section 14507.5.

80137. (a) Of the amount made available pursuant to Section 80130, sixty million dollars (\$60,000,000) shall be made available to the Natural Resources Agency for competitive grants to local agencies, nonprofit organizations, nongovernmental land conservation organizations, federally recognized Native American tribes, or nonfederally recognized California Native American tribes listed on the California Tribal Consultation List maintained by

TEXT OF PROPOSED LAWS

PROPOSITION 68 CONTINUED

the Native American Heritage Commission, to do any of the following:

(1) Restore, protect, and acquire Native American, natural, cultural, and historic resources within the state.

(2) Convert and repurpose properties or parts of properties that served as the site of a fossil fuel powerplant that had been retired on the effective date of this division, or were scheduled to be retired prior to January 1, 2021, to create permanently protected open space, tourism, and park opportunities through fee title or conservation easements.

(3) Enhance visitor experiences through development, expansion, and improvement of science centers operated by foundations or other nonprofit organizations in heavily urbanized areas.

(4) Enhance park, water, and natural resource values through improved recreation, tourism, and natural resource investments in those areas of the state not within the jurisdiction of a state conservancy.

(5) Promote, develop, and improve any of the following:

(A) Community, civic, or athletic venues.

(B) Cultural or visitor centers that recognize that contributions of California's ethnic communities or celebrate the unique traditions of these communities, including those of Asian and Hispanic descent.

(C) Visitor centers or nonprofit aquariums that educate the public about natural landscapes, aquatic species, or wildlife migratory patterns.

(b) Of the amount subject to this section, twenty million dollars (\$20,000,000) shall be available for multibenefit green infrastructure investments in or benefiting disadvantaged or severely disadvantaged communities.

CHAPTER 11. CLEAN DRINKING WATER AND DROUGHT
PREPAREDNESS

80140. (a) The sum of two hundred fifty million dollars (\$250,000,000) shall be available, upon appropriation by the Legislature, for the purposes described in Chapter 5 (commencing with Section 79720) of Division 26.7 of the Water Code.

(b) Of the funds authorized by subdivision (a), thirty million dollars (\$30,000,000) shall be

available for grants to regional water supply projects within the San Joaquin River hydrologic unit that diversify local water supplies by providing local surface water to communities that are dependent on contaminated groundwater, reduce municipal groundwater pumping, and benefit agricultural and municipal water supplies.

CHAPTER 11.1. GROUNDWATER SUSTAINABILITY

80141. (a) The sum of eighty million dollars (\$80,000,000) shall be available, upon appropriation by the Legislature, to the state board for competitive grants for projects for treatment and remediation activities that prevent or reduce the contamination of groundwater that serves as a source of drinking water.

(b) Projects shall be prioritized based upon the following criteria:

(1) The threat posed by groundwater contamination to the affected community's overall drinking water supplies, including an urgent need for treatment of alternative supplies or increased water imports if groundwater is not available due to contamination. For the purposes of this paragraph, treatment includes ongoing operation and maintenance of existing facilities.

(2) The potential for groundwater contamination to spread and impair drinking water supply and water storage for nearby population areas.

(3) The potential of the project, if fully implemented, to enhance local water supply reliability.

(4) The potential of the project to maximize opportunities to recharge vulnerable, high-use groundwater basins and optimize groundwater supplies.

(5) The project addresses contamination at a site for which the courts or the appropriate regulatory authority has not yet identified responsible parties, or where the identified responsible parties are unwilling or unable to pay for the total cost of cleanup, including water supply reliability improvement for critical urban water supplies in designated superfund areas with groundwater contamination listed on the National Priorities List established pursuant to Section 105(a)(8)(B) of the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. Sec. 9605(a)(8)(B)).

TEXT OF PROPOSED LAWS

PROPOSITION 68 CONTINUED

(c) Funding authorized by this chapter shall not be used to pay any share of the costs of remediation recovered from parties responsible for the contamination of a groundwater storage aquifer, but may be used to pay costs that cannot be recovered from responsible parties. Parties that receive funding for remediating groundwater storage aquifers shall exercise reasonable efforts to recover the costs of groundwater cleanup from the parties responsible for the contamination. Funds recovered from responsible parties may only be used to fund treatment and remediation activities including operations and maintenance.

(d) The contaminants that may be addressed with funding pursuant to this chapter may include, but shall not be limited to, nitrates, perchlorate, MTBE (methyl tertiary butyl ether), arsenic, selenium, hexavalent chromium, mercury, PCE (perchloroethylene), TCE (trichloroethylene), DCE (dichloroethene), DCA (dichloroethane), 1,2,3-TCP (trichloropropane), carbon tetrachloride, 1,4-dioxane, 1,4-dioxacyclohexane, nitrosodimethylamine, bromide, iron, manganese, and uranium.

(e) A project that receives funding pursuant to this chapter shall be selected by a competitive grant process with added consideration for those projects that leverage private, federal, or local funding.

(f) For the purposes of awarding funding under this chapter, a local cost share of not less than 50 percent of the total costs of the project shall be required. The cost-sharing requirement may be waived or reduced for projects that directly benefit a disadvantaged community or an economically distressed area.

(g) The state board may assess the capacity of a community to pay for the operation and maintenance of a facility to be funded by a grant awarded under this chapter.

(h) At least 10 percent of the funds available pursuant to this chapter shall be allocated for projects serving severely disadvantaged communities.

(i) Funding authorized by this chapter may include funding for technical assistance to disadvantaged communities. The agency administering this funding shall operate a multidisciplinary technical assistance program for small and disadvantaged communities.

(j) Subdivisions (a) and (b) of Section 16727 of the Government Code do not apply to this chapter.

CHAPTER 11.5. FLOOD PROTECTION AND REPAIR

80145. (a) The sum of five hundred fifty million dollars (\$550,000,000) shall be available, upon appropriation by the Legislature, for flood protection and repair.

(1) (A) Of the funds available pursuant to this subdivision, three hundred fifty million dollars (\$350,000,000) shall be available to the Department of Water Resources for flood protection facilities, levee improvements, and related investments that protect persons and property from flood damage in the Central Valley. The Department of Water Resources may require that moneys provided under this paragraph be matched by local and regional public agencies.

(B) Of the amount subject to this paragraph, fifty million dollars (\$50,000,000) shall be available for levee repairs and restoration within the Sacramento-San Joaquin Delta.

(C) Of the amount subject to this paragraph, three hundred million dollars (\$300,000,000) shall be available for multibenefit projects that achieve public safety improvements and measurable fish and wildlife enhancement. The Department of Water Resources shall coordinate the expenditure of multibenefit funds with the Central Valley Flood Protection Board and the Department of Fish and Wildlife. Eligible projects include, but are not limited to, levee setbacks, creation or enhancement of flood plains or bypasses, groundwater recharge projects in flood plains, and land acquisition and easements necessary for these projects.

(2) Of the funds available pursuant to this subdivision, one hundred million dollars (\$100,000,000) shall be available for the purposes of stormwater, mudslide, and other flash-flood-related protections.

(3) Of the amount made available pursuant to this subdivision, one hundred million dollars (\$100,000,000) shall be available to the Natural Resources Agency for competitive grants for the purposes of multibenefit projects in urbanized areas to address flooding. Eligible projects shall include, but are not limited to, stormwater capture and reuse, planning and implementation of low-impact development, restoration of

TEXT OF PROPOSED LAWS

PROPOSITION 68 CONTINUED

urban streams and watersheds, and increasing permeable surfaces to help reduce flooding.

(4) Funding made available pursuant to paragraphs (2) and (3) shall support projects that protect persons and property from flood damage. Unless the project has been identified as serving a disadvantaged community, an entity that receives an award pursuant to paragraphs (2) or (3) shall be required to provide a match of 25 percent as a local share.

(b) Funds provided by this chapter shall not be expended to pay the costs of the design, construction, operation, mitigation, or maintenance of Delta conveyance facilities. Those costs shall be the responsibility of the water agencies that benefit from the design, construction, operation, mitigation, or maintenance of those facilities.

CHAPTER 11.6. REGIONAL SUSTAINABILITY FOR DROUGHT AND GROUNDWATER, AND WATER RECYCLING

80146. (a) The sum of two hundred ninety million dollars (\$290,000,000) shall be available, upon appropriation by the Legislature, for drought and groundwater investments to achieve regional sustainability. Expenditure of these funds may include planning, design, and implementation projects through competitive grants and loans for investments in groundwater recharge with surface water, stormwater, recycled water, and other conjunctive use projects, and projects to prevent or clean up contamination of groundwater that serves as a source of drinking water.

(b) Of the funds made available pursuant to this section, fifty million dollars (\$50,000,000) shall be available pursuant to Chapter 10 (commencing with Section 79770) of Division 26.7 of the Water Code for the purposes described in Section 79775 of the Water Code.

80147. (a) The sum of one hundred million dollars (\$100,000,000) shall be available, upon appropriation by the Legislature, pursuant to Chapter 9 (commencing with Section 79765) of Division 26.7 of the Water Code, except that the provisions of Section 79143 of the Water Code shall not apply to a loan or grant awarded under this section.

(b) Of the funds made available pursuant to this section, up to twenty million dollars (\$20,000,000) shall be available for the State

Water Efficiency and Enhancement Program administered by the Department of Food and Agriculture.

CHAPTER 12. ADVANCE PAYMENT FOR WATER PROJECTS

80150. (a) Within 90 days of notice that a grant under this division for projects included and implemented in an integrated regional water management plan has been awarded, the regional water management group shall provide the administering agency with a list of projects to be funded with the grant funds where the project proponent is a nonprofit organization or a disadvantaged community, or the project benefits a disadvantaged community. The list shall specify how the projects are consistent with the adopted integrated regional water management plan and shall include all of the following information:

(1) Descriptive information concerning each project identified.

(2) The names of the entities that will receive the funding for each project, including, but not limited to, an identification as to whether the project proponent or proponents are nonprofit organizations or a disadvantaged community.

(3) The budget of each project.

(4) The anticipated schedule for each project.

(b) Within 60 days of receiving the project information pursuant to subdivision (a), the administering agency may provide advance payment of 50 percent of the grant award for those projects that satisfy both of the following criteria:

(1) The project proponent is a nonprofit organization or a disadvantaged community, or the project benefits a disadvantaged community.

(2) The grant award for the project is less than one million dollars (\$1,000,000).

(c) Funds advanced pursuant to subdivision (b) shall comply with the following requirements:

(1) The recipient shall place the funds in a noninterest-bearing account until expended.

(2) The funds shall be spent within six months of the date of receipt, unless the administering agency waives this requirement.

(3) The recipient shall, on a quarterly basis, provide an accountability report to the administering agency regarding the expenditure

TEXT OF PROPOSED LAWS

PROPOSITION 68 CONTINUED

and use of any advance grant funds that provides, at a minimum, the following information:

(A) An itemization as to how advance payment funds provided under this section have been expended.

(B) A project itemization as to how any remaining advance payment funds provided under this section will be expended over the period specified in paragraph (2).

(C) A description of whether the funds are placed in a noninterest-bearing account, and if so, the date that occurred and the dates of withdrawals of funds from that account, if applicable.

(4) If funds are not expended, the unused portion of the grant shall be returned to the administering agency within 60 days after project completion or the end of the grant performance period, whichever is earlier.

(5) The administering agency may adopt additional requirements for the recipient regarding the use of the advance payment to ensure that the funds are used properly.

CHAPTER 13. FISCAL PROVISIONS

80160. (a) Bonds in the total amount of four billion dollars (\$4,000,000,000), and any additional bonds authorized, issued, and appropriated in accordance with this division pursuant to other provisions of law, not including the amount of any refunding bonds issued in accordance with Section 80172, may be issued and sold to provide a fund to be used for carrying out the purposes expressed in this division and to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code. The bonds, when sold, issued, and delivered, shall be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both the principal of, and interest on, the bonds as the principal and interest become due and payable.

(b) The Treasurer shall sell the bonds authorized by the committee pursuant to this section. The bonds shall be sold upon the terms and conditions specified in a resolution to be adopted by the committee pursuant to Section 16731 of the Government Code.

80161. The bonds authorized by this division shall be prepared, executed, issued, sold, paid,

and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), as amended from time to time, and all of the provisions of that law apply to the bonds and to this division.

80162. (a) Solely for the purpose of authorizing the issuance and sale, pursuant to the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), of the bonds authorized by this division, the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Finance Committee is hereby created. For purposes of this division, the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Finance Committee is the "committee" as that term is used in the State General Obligation Bond Law.

(b) The committee consists of the Director of Finance, the Treasurer, and the Controller. Notwithstanding any other law, any member may designate a representative to act as that member in his or her place for all purposes, as though the member were personally present.

(c) The Treasurer shall serve as the chairperson of the committee.

(d) A majority of the committee may act for the committee.

80163. The committee shall determine whether or not it is necessary or desirable to issue bonds authorized by this division in order to carry out the actions specified in this division and, if so, the amount of bonds to be issued and sold. Successive issues of bonds may be authorized and sold to carry out those actions progressively, and it is not necessary that all of the bonds authorized to be issued be sold at any one time.

80164. For purposes of the State General Obligation Bond Law, "board," as defined in Section 16722 of the Government Code, means the Secretary of the Natural Resources Agency.

80165. There shall be collected each year and in the same manner and at the same time as other state revenue is collected, in addition to the ordinary revenues of the state, a sum in an amount required to pay the principal of, and interest on, the bonds each year. It is the duty

TEXT OF PROPOSED LAWS**PROPOSITION 68 CONTINUED**

of all officers charged by law with any duty in regard to the collection of the revenue to do and perform each and every act that is necessary to collect that additional sum.

80166. Notwithstanding Section 13340 of the Government Code, there is hereby appropriated from the General Fund in the State Treasury, for the purposes of this division, an amount that will equal the total of the following:

(a) The sum annually necessary to pay the principal of, and interest on, bonds issued and sold pursuant to this division, as the principal and interest become due and payable.

(b) The sum that is necessary to carry out the provisions of Section 80169, appropriated without regard to fiscal years.

80167. The board may request the Pooled Money Investment Board to make a loan from the Pooled Money Investment Account, including other authorized forms of interim financing that include, but are not limited to, commercial paper, in accordance with Section 16312 of the Government Code for the purpose of carrying out this division. The amount of the request shall not exceed the amount of the unsold bonds that the committee has, by resolution, authorized to be sold for the purpose of carrying out this division, excluding refunding bonds authorized pursuant to Section 80172, less any amount loaned and not yet repaid pursuant to this section and withdrawn from the General Fund pursuant to Section 80169 and not yet returned to the General Fund. The board shall execute those documents required by the Pooled Money Investment Board to obtain and repay the loan. Any amounts loaned shall be deposited in the fund to be allocated in accordance with this division.

80168. Notwithstanding any other provision of this division, or of the State General Obligation Bond Law, if the Treasurer sells bonds that include a bond counsel opinion to the effect that the interest on the bonds is excluded from gross income for federal tax purposes under designated conditions or is otherwise entitled to any federal tax advantage, the Treasurer may maintain separate accounts for the bond proceeds invested and for the investment earnings on those proceeds, and may use or direct the use of those proceeds or earnings to pay any rebate, penalty, or other payment required under federal

law or take any other action with respect to the investment and use of those bond proceeds, as may be required or desirable under federal law in order to maintain the tax-exempt status of those bonds and to obtain any other advantage under federal law on behalf of the funds of this state.

80169. For the purposes of carrying out this division, the Director of Finance may authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds that have been authorized by the committee to be sold for the purpose of carrying out this division, excluding refunding bonds authorized pursuant to Section 80172, less any amount loaned pursuant to Section 80167 and not yet repaid and any amount withdrawn from the General Fund pursuant to this section and not yet returned to the General Fund. Any amounts withdrawn shall be deposited in the fund to be allocated in accordance with this division. Any moneys made available under this section shall be returned to the General Fund, with interest at the rate earned by the moneys in the Pooled Money Investment Account, from proceeds received from the sale of bonds for the purpose of carrying out this division.

80170. All moneys deposited in the fund that are derived from premium and accrued interest on bonds sold pursuant to this division shall be reserved in the fund and shall be available for transfer to the General Fund as a credit to expenditures for bond interest, except that amounts derived from premiums may be reserved and used to pay the cost of bond issuance prior to any transfer to the General Fund.

80171. Pursuant to Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code, the cost of bond issuance shall be paid or reimbursed out of the bond proceeds, including premiums, if any. To the extent the cost of bond issuance is not paid from premiums received from the sale of bonds, these costs shall be allocated proportionally to each program funded through this division by the applicable bond sale.

80172. The bonds issued and sold pursuant to this division may be refunded in accordance with Article 6 (commencing with Section 16780) of Chapter 4 of Part 3 of Division 4 of Title 2 of the Government Code, which is a part of the

TEXT OF PROPOSED LAWS

PROPOSITION 68 CONTINUED

State General Obligation Bond Law. Approval by the voters of the state for the issuance of the bonds under this division shall include approval of the issuance of any bonds issued to refund any bonds originally issued under this division or any previously issued refunding bonds. Any bond refunded with the proceeds of a refunding bond as authorized by this section may be legally defeased to the extent permitted by law in the manner and to the extent set forth in the resolution, as amended from time to time, authorizing that refunded bond.

80173. The proceeds from the sale of bonds authorized by this division are not "proceeds of taxes" as that term is used in Article XIII B of the California Constitution, and the disbursement of these proceeds is not subject to the limitations imposed by that article.

SEC. 4. Section 79772.5 is added to the Water Code, to read:

79772.5. Notwithstanding any other law, eighty million dollars (\$80,000,000) of the unissued bonds authorized for the purposes of Section 79772 are reallocated to finance the purposes of, and shall be authorized, issued, and appropriated in accordance with, Division 45 (commencing with Section 80000) of the Public Resources Code.

PROPOSITION 69

This amendment proposed by Assembly Constitutional Amendment 5 of the 2017–2018 Regular Session (Resolution Chapter 30, Statutes of 2017) expressly amends the California Constitution by amending a section thereof, and adding an article and a section thereto; therefore, new provisions proposed to be added are printed in *italic type* to indicate that they are new.

PROPOSED AMENDMENTS TO ARTICLES XIII B, XIX A, AND XIX D

First—That Section 15 is added to Article XIII B thereof, to read:

SEC. 15. "Appropriations subject to limitation" of each entity of government shall not include appropriations of revenues from the Road Maintenance and Rehabilitation Account created by the Road Repair and Accountability Act of 2017, or any other revenues deposited into any other funds pursuant to the act. No adjustment

in the appropriations limit of any entity of government shall be required pursuant to Section 3 as a result of revenues being deposited in or appropriated from the Road Maintenance and Rehabilitation Account created by the Road Repair and Accountability Act of 2017 or any other account pursuant to the act.

Second—That Section 1 of Article XIX A thereof is amended to read:

SECTION 1. (a) The Legislature shall not borrow revenues from the Public Transportation Account, or any successor account, and shall not use these revenues for purposes, or in ways, other than those specifically permitted by this article.

(b) The Public Transportation Account in the State Transportation Fund, or any successor account, is a trust fund. The Legislature may not change the status of the Public Transportation Account as a trust fund. Funds in the Public Transportation Account may not be loaned or otherwise transferred to the General Fund or any other fund or account in the State Treasury.

(c) All revenues specified in paragraphs (1) through (3), inclusive, of subdivision (a) of Section 7102 of the Revenue and Taxation Code, as that section read on June 1, 2001, shall be deposited no less than quarterly into the Public Transportation Account (Section 99310 of the Public Utilities Code), or its successor. The Legislature may not take any action which temporarily or permanently diverts or appropriates these revenues for purposes other than those described in subdivision (d), or delays, defers, suspends, or otherwise interrupts the quarterly deposit of these funds into the Public Transportation Account.

(d) Funds in the Public Transportation Account may only be used for transportation planning and mass transportation purposes. The revenues described in subdivision (c) are hereby continuously appropriated to the Controller without regard to fiscal years for allocation as follows:

(1) Fifty percent pursuant to subdivisions (a) through (f), inclusive, of Section 99315 of the Public Utilities Code, as that section read on July 30, 2009.

(2) Twenty-five percent pursuant to subdivision (b) of Section 99312 of the Public Utilities Code, as that section read on July 30, 2009.

TEXT OF PROPOSED LAWS

PROPOSITION 69 CONTINUED

(3) Twenty-five percent pursuant to subdivision (c) of Section 99312 of the Public Utilities Code, as that section read on July 30, 2009.

(e) For purposes of paragraph (1) of subdivision (d), “transportation planning” means only the purposes described in subdivisions (c) through (f), inclusive, of Section 99315 of the Public Utilities Code, as that section read on July 30, 2009.

(f) For purposes of this article, “mass transportation,” “public transit,” and “mass transit” have the same meaning as “public transportation.” “Public transportation” means:

(1) (A) Surface transportation service provided to the general public, complementary paratransit service provided to persons with disabilities as required by 42 U.S.C. 12143, or similar transportation provided to people with disabilities or the elderly; (B) operated by bus, rail, ferry, or other conveyance on a fixed route, demand response, or otherwise regularly available basis; (C) generally for which a fare is charged; and (D) provided by any transit district, included transit district, municipal operator, included municipal operator, eligible municipal operator, or transit development board, as those terms were defined in Article 1 of Chapter 4 of Part 11 of Division 10 of the Public Utilities Code on January 1, 2009, a joint powers authority formed to provide mass transportation services, an agency described in subdivision (f) of Section 15975 of the Government Code, as that section read on January 1, 2009, any recipient of funds under Sections 99260, 99260.7, 99275, or subdivision (c) of Section 99400 of the Public Utilities Code, as those sections read on January 1, 2009, or a consolidated agency as defined in Section 132353.1 of the Public Utilities Code, as that section read on January 1, 2009.

(2) Surface transportation service provided by the Department of Transportation pursuant to subdivision (a) of Section 99315 of the Public Utilities Code, as that section read on July 30, 2009.

(3) Public transit capital improvement projects, including those identified in subdivision (b) of Section 99315 of the Public Utilities Code, as that section read on July 30, 2009.

(g) All revenues specified in Sections 6051.8 and 6201.8 of the Revenue and Taxation Code, as

those sections read on January 1, 2018, shall be deposited no less than quarterly into the Public Transportation Account, or its successor. Except as provided in Sections 16310 and 16381 of the Government Code, as those sections read on January 1, 2018, the Legislature may not take any action that temporarily or permanently diverts or appropriates these revenues for purposes other than those described in subdivision (d), or delays, defers, suspends, or otherwise interrupts the quarterly deposit of these revenues into the Public Transportation Account.

Third—That Article XIXD is added thereto, to read:

**ARTICLE XIXD
VEHICLE LICENSE FEE REVENUES FOR
TRANSPORTATION PURPOSES**

SECTION 1. (a) Notwithstanding Section 8 of Article XIX, revenues derived from vehicle fees imposed under the Vehicle License Fee Law pursuant to Chapter 6 (commencing with Section 11050) of Part 5 of Division 2 of the Revenue and Taxation Code, or its successor, over and above the costs of collection and any refunds authorized by law, shall be used solely for transportation purposes, as defined by Section 11050 of the Revenue and Taxation Code, as that section read upon enactment of the Road Repair and Accountability Act of 2017.

(b) The revenues described in subdivision (a) shall not be used for the payment of principal and interest on state transportation general obligation bonds that were authorized by the voters on or before November 8, 2016, nor shall those revenues be used for payment of principal and interest on state transportation general obligation bond acts approved by the voters after that date, unless the bond act expressly authorizes that use.

(c) Except as provided in Sections 16310 and 16381 of the Government Code, as those sections read on January 1, 2018, the Legislature shall not borrow the revenues described in subdivision (a), and shall not use these revenues for purposes, or in ways, other than as authorized in subdivisions (a) or (b).

PROPOSITION 70

This amendment proposed by Assembly Constitutional Amendment 1 of the 2017–2018 Regular Session (Resolution Chapter 105, Statutes of 2017) expressly amends the

TEXT OF PROPOSED LAWS

PROPOSITION 70 CONTINUED

California Constitution by adding a section thereto; therefore, new provisions proposed to be added are printed in *italic type* to indicate that they are new.

PROPOSED AMENDMENT TO ARTICLE XX

That Section 24 is added to Article XX thereof, to read:

SEC. 24. (a) The Greenhouse Gas Reduction Reserve Fund is hereby created as a special fund in the State Treasury.

(b) For the time period specified in subdivision (d) only, all moneys collected by the State Air Resources Board from the auction or sale of allowances pursuant to a market-based compliance mechanism established pursuant to the California Global Warming Solutions Act of 2006 (Division 25.5 (commencing with Section 38500) of the Health and Safety Code) shall be deposited in the Greenhouse Gas Reduction Reserve Fund.

(c) Notwithstanding any other provision of this Constitution, moneys in the Greenhouse Gas Reduction Reserve Fund shall be available upon appropriation by the Legislature by rollcall vote entered in the journal, two-thirds of the membership of each house concurring, for the same purposes applicable on January 1, 2024, to the Greenhouse Gas Reduction Fund, created pursuant to Section 16428.8 of the Government Code.

(d) Subdivision (b) shall apply beginning January 1, 2024, and until the effective date of legislation that contains an appropriation from the Greenhouse Gas Reduction Reserve Fund. After the effective date of that legislation, all new moneys collected pursuant to a market-based compliance mechanism shall be deposited in the Greenhouse Gas Reduction Fund, created pursuant to Section 16428.8 of the Government Code.

(e) Section 6377.1 of the Revenue and Taxation Code shall not apply to sales that occur while the moneys specified in subdivision (b) are being deposited in the Greenhouse Gas Reduction Reserve Fund, but shall resume on the effective date of legislation identified in subdivision (d).

PROPOSITION 71

This amendment proposed by Assembly Constitutional Amendment 17 of the 2017–2018 Regular Session (Resolution Chapter 190, Statutes of 2017) expressly amends the California Constitution by amending sections thereof; therefore, existing provisions proposed to be deleted are printed in ~~strikeout type~~ and new provisions proposed to be added are printed in *italic type* to indicate that they are new.

PROPOSED AMENDMENTS TO SECTION 10 OF ARTICLE II AND SECTION 4 OF ARTICLE XVIII

First—That Section 10 of Article II thereof is amended to read:

SEC. 10. (a) An initiative statute or referendum approved by a majority of votes cast thereon takes effect on the fifth day after the election unless the measure provides otherwise. Secretary of State files the statement of the vote for the election at which the measure is voted on, but the measure may provide that it becomes operative after its effective date. If a referendum petition is filed against a part of a ~~statute~~ *statute*, the remainder of the statute shall not be delayed from going into effect.

(b) If provisions of 2 two or more measures approved at the same election conflict, those the provisions of the measure receiving the highest number of affirmative vote votes shall prevail.

(c) The Legislature may amend or repeal a referendum statutes. It statute. The Legislature may amend or repeal an initiative statute by another statute that becomes effective only when approved by the electors unless the initiative statute permits amendment or repeal without their the electors' approval.

(d) Prior to Before circulation of an initiative or referendum petition for signatures, a copy shall be submitted to the Attorney General who shall prepare a title and summary of the measure as provided by law.

(e) The Legislature shall provide for the manner in which petitions a petition shall be circulated, presented, and certified, and measures the manner in which a measure shall be submitted to the electors.

Second—That Section 4 of Article XVIII thereof is amended to read:

TEXT OF PROPOSED LAWS

PROPOSITION 71 CONTINUED

SEC. 4. A proposed amendment or revision shall be submitted to the electors ~~and~~ *and*, if approved by a majority of votes ~~thereon~~ *cast thereon*, takes effect ~~on the fifth day after the election unless the measure provides otherwise.~~ *Secretary of State files the statement of the vote for the election at which the measure is voted on, but the measure may provide that it becomes operative after its effective date.* If provisions of ~~2~~ *two* or more measures approved at the same election conflict, ~~those~~ *the provisions* of the measure receiving the highest *number* of affirmative ~~vote~~ *votes* shall prevail.

construction, installation, removal, or modification is for the purpose of making the building more accessible to, or more usable by, a disabled person.

(5) The construction or addition, completed on or after January 1, 2019, of a rain water capture system, as defined by the Legislature.

PROPOSITION 72

This amendment proposed by Senate Constitutional Amendment 9 of the 2017–2018 Regular Session (Resolution Chapter 1, Statutes of 2018) expressly amends the California Constitution by amending a section thereof; therefore, new provisions proposed to be added are printed in *italic type* to indicate that they are new.

PROPOSED AMENDMENT TO SUBDIVISION (c) OF SECTION 2 OF ARTICLE XIII A

(c) For purposes of subdivision (a), the Legislature may provide that the term “newly constructed” does not include any of the following:

(1) The construction or addition of any active solar energy system.

(2) The construction or installation of any fire sprinkler system, other fire extinguishing system, fire detection system, or fire-related egress improvement, as defined by the Legislature, that is constructed or installed after the effective date of this paragraph.

(3) The construction, installation, or modification on or after the effective date of this paragraph of any portion or structural component of a single- or multiple-family dwelling that is eligible for the homeowner’s exemption if the construction, installation, or modification is for the purpose of making the dwelling more accessible to a severely disabled person.

(4) The construction, installation, removal, or modification on or after the effective date of this paragraph of any portion or structural component of an existing building or structure if the

Official Voter Information Guide

PROP 68 AUTHORIZES BONDS FUNDING PARKS, NATURAL RESOURCES PROTECTION, CLIMATE ADAPTATION, WATER QUALITY AND SUPPLY, AND FLOOD PROTECTION.

ARGUMENT IN FAVOR OF PROPOSITION 68**YES on 68—ENSURES SAFE DRINKING WATER & PROTECTS CALIFORNIA'S NATURAL RESOURCES IN UNCERTAIN TIMES**

California faces more frequent and severe droughts, wildfires, unhealthy air, unpredictable weather, and reduced federal funding and support for our land, coast, and water.

YES on 68 protects California's unique resources and helps ensure all Californians have access to clean, safe drinking water and parks.

PROTECTS DRINKING WATER QUALITY

YES on 68 protects and improves California's water quality by keeping toxic pollutants out of our water sources and cleans contaminated waters.

SAFEGUARDS WATER SUPPLIES. PREPARES US FOR DROUGHTS

Prop. 68 is a smart, efficient approach to ensuring future drinking water supplies: • Restores groundwater supplies, which were severely drained in the last drought • Recycles more water locally and helps farms conserve water • Captures more stormwater and prevents flooding

"YES on 68 is a smart investment in California's future by protecting our water supplies from pollution and helping local communities adapt in uncertain times. These investments are critical for today's residents and future generations," *Tim Quinn, Association of California Water Agencies.*

BRINGS CLEAN, SAFE DRINKING WATER AND PARKS TO COMMUNITIES IN NEED

Several California communities have water so contaminated that residents cannot turn on the tap and drink the water in their own homes. In many places, families lack access to safe local parks.

ARGUMENT AGAINST PROPOSITION 68

Don't be fooled by Proposition 68. The proposition promises to protect and improve California's parks. The truth is it doesn't.

First, of the \$4 billion dollar bond, only \$1.3 billion is actually dedicated to improving parks. A lot of the remaining money is given to politicians to spend on their pet projects.

Second, the money is not distributed fairly and equally across the state. Many of our residents in inland and rural California will not see any Prop. 68 park bond money spent to fix and improve their local state parks. This is wrong.

Every Californian should have their local park improved, not just the few who live near parks of powerful politicians.

Third, estimates are that state parks require \$1.2 billion dollars for deferred maintenance. Yet, Prop. 68 allocates only a small amount of money for this essential task.

Finally, the Department of Parks and Recreation can't be trusted with the money. In 2012, the department threatened to close 70 parks, saying it didn't have the money to keep them open. This was false. An audit discovered the department *did* have the money, but was hiding it from the public. Until the department is reformed, we can't trust it to spend the money wisely and fairly.

We need to protect and improve our state parks, but Prop. 68 is the wrong way to do that. Vote No and make the State Legislature really fix the parks for all Californians.

ANDREA SEASTRAND, President

Central Coast Taxpayers Association

JON COUPAL, President

Howard Jarvis Taxpayers Association

YES on 68 cleans up severely contaminated local water supplies and makes long-overdue investments in local parks where they are needed most.

"All children should have safe places to play and access to clean air and water. YES on 68." *Dr. Richard Jackson, M.D., Professor Emeritus, UCLA Fielding School of Public Health.*

SAFEGUARDS OUR RIVERS, LAKES, AND STREAMS

YES on 68 protects rivers, lakes, streams, and natural areas that are critical sources of our clean drinking water and beautiful places where families hike, camp, swim, and play.

PROTECTS OUR COAST, NATURAL RESOURCES AND PARKS

YES on 68 helps protect air quality and preserve California's most treasured resources for future generations: • Restores natural areas; implements critical wildfire prevention measures • Prevents toxic air pollution • Improves access to our coast; protects beaches, bays and coastal waters from pollution • Restores California's fish and wildlife habitats • Provides neighborhood parks, especially in communities where children currently lack access

STRICT ACCOUNTABILITY & OVERSIGHT

YES on 68 ensures funds will be efficiently used for intended purposes by requiring annual independent audits and by establishing a citizen advisory committee to review expenditures.

BROAD, BIPARTISAN SUPPORT

Prop. 68 was placed on the ballot with bipartisan support, and is endorsed by groups that understand the importance of a YES vote to improve public health and protect California's clean water for our health, economy, children and families.

Supporters include: • California Chamber of Commerce, California's most prominent business group • Association of California Water Agencies, representing local agencies that provide California's drinking water • League of California Cities, representing local governments • The Nature Conservancy, The Trust for Public Land, California State Parks Foundation, and several conservation groups
VOTE YES ON PROPOSITION 68

Isn't it wonderful how many great projects that California can build? I'm not here to tell you that addressing drought, water, parks, climate, coastal protection, and outdoor access is wrong.

What I want to tell you is that borrowing for them is wrong.

California has enough debt. In fact, it has the worst balance sheet of all 50 states. Its unrestricted net deficit is a quarter trillion dollars! The last thing the State of California needs is more debt!

Bond measures are deceptive. You think you're voting for something good. But, it will take approximately \$8 billion to pay off the \$4 billion of borrowed funds. That means you can expect a tax increase. And your children can expect a tax increase. And your grandchildren can expect a tax increase. Why? The \$225 million a year must be paid. With a tight annual budget, where else is this money supposed to come from?

The state's pension plan contributions are rising. The retiree medical unfunded liability has just gone up \$15 billion to \$91.5 billion. The state's borrowed debt for schools (\$500 million per year) and, possibly, veterans (\$225 million) and affordable housing (\$169 million) are squeezing out other programs. Minimum wage increases alone will add \$4 billion per year to the state's budget.

This will have to be paid for. And you will be asked to raise your taxes. California is not reducing its debt. Don't be a part of this problem. Vote "No" on Proposition 68. Very truly yours,

SENATOR JOHN M.W. MOORLACH

37th Senate District

REBUTTAL TO ARGUMENT AGAINST PROPOSITION 68

YES on 68 makes critical investments in California's natural resources, water and economy by tackling problems at the source before they become more expensive to address:

- *Preparing for drought*—by increasing local water supplies.
- *Creating a healthy future for our children and grandchildren*—by locating parks

Learn more at www.yes68ca.com
(<http://yes68ca.com/>)

SENATOR KEVIN DE LEÓN

California State Senate President Pro Tem

DR. MICHAEL ONG, M.D.

American Lung Association in California

DAN HOWELLS-SCHAFROTH, California
State Director

Clean Water Action

**REBUTTAL TO ARGUMENT IN FAVOR OF
PROPOSITION 68**

Can we share a rather sad fact with you?
California has the largest unrestricted net
deficit of all the 50 states in the nation!

Here are the rankings of the eleven worst
managed states and their unrestricted net
deficits for the year ending 2016 (California's
June 30, 2017 audited financial statements
were not completed before the preparation of
this report in mid-February):

1. California \$169 billion
2. Illinois 150 billion
3. New Jersey 137 billion
4. Massachusetts 59 billion
5. Connecticut 51 billion
6. New York 41 billion
7. Kentucky 38 billion
8. Maryland 26 billion
9. Texas 20 billion
10. Pennsylvania 19 billion
11. Louisiana 12 billion

Do you really want to add to the debt burden
of this state? Do you know that the annual
payments for principal and interest on this
bond will squeeze out other services that
Sacramento should be providing? Like
helping the homeless and assisting the
mentally ill?

When will Sacramento's legislature realize
that we have poor infrastructure because it
has not been a good steward of its financial
resources. Debt is an indication of improper
spending habits and inappropriate financial
decisions.

Stop this madness and vote "NO" on

where kids need safe places to play and
by purifying polluted local drinking water
supplies.

- *Safeguarding our water and coast*—by
protecting water sources, restoring
groundwater, and preventing toxic
runoff.
- *Preventing natural disasters*—by
investing in flood prevention and
restoring forests prone to wildfire.
- *Strengthening our economy*—which
relies on clean, reliable water supplies,
secure natural resources, and robust
tourism and recreation.

Opponents appear not to have read the
measure carefully. Prop. 68 specifically funds
parks in every California city and county. And
68 takes a comprehensive approach to
California's resources—protecting water
supplies, forests, and farmland.

Proposition 68 requires annual audits to make
sure funds are spent efficiently for intended
purposes, and it does NOT raise taxes.

Business leaders, conservation groups, public
health experts, and local leaders agree—Yes
on 68 is smart, cost effective, and
accountable.

*"Yes on 68 means safer drinking water for
California families,"* Wade Crowfoot, Chief
Executive Officer, Water Foundation

*"Yes on 68 will benefit every region of
California by helping local communities
improve their parks,"* Carolyn Coleman,
Executive Director, League of California Cities

*"Yes on 68 is critical to the health of our food
supply, land and water,"* Craig McNamara,
Past President, California Board of Food and
Agriculture

Yes68ca.com (<http://yes68ca.com/>)

HELEN HUTCHISON, President

League of Women Voters of California

MIKE SWEENEY, Executive Director of
California

The Nature Conservancy

ANDREA TUTTLE, Director (Retired)

California Department of Forestry and Fire
Protection

Proposition 68.

JOHN M.W. MOORLACH, State Senator

37th District

Arguments printed on this page are the opinions of the authors, and have not been checked for accuracy by any official agency.

CITY OF ST. HELENA

RESOLUTION NO. 2018-

Supporting the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018

RECITALS

Whereas, the Legislature adopted and governor signed SB 5, a \$4 Billion General Obligation Bond to be placed on the June 2018 ballot entitled the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018; and

Whereas, SB 5 represents the first legislatively authorized debt instrument for parks, resources and environmental improvements since 2002; and

Whereas, investments in California's urban, suburban and rural park and resources-related landscapes promote the notion of community and provide health, environmental and aesthetic benefits; and

Whereas, cities are eligible for at least \$1.69 billion in funding for parks, water, and climate and environmental programs; and

Whereas, SB 5 contains \$200 million in per capita funding to assist all of California's communities in underwriting priority park-related improvements; and

Whereas, SB 5 includes an additional \$15 million for grants to cities and districts in urbanized counties providing park and recreation services within jurisdictions of 200,000 or less in population; and

Whereas, SB 5 contains an additional \$40 million shall be available in block grant awards for communities that self-tax for park related improvements; and

Whereas, SB 5 invests \$725 million in grants for the creation and expansion of safe neighborhood parks in park-poor neighborhoods under the Statewide Park Development and Community Revitalization Act of 2008's; and

Whereas, SB 5 invests no less than \$1 billion in California's most economically challenged communities, eradicating blight and promoting greater access to the outdoors and health-related pursuits; and

Whereas, SB 5 expends \$200 million on California's State Park system, addressing a greater than \$1 billion backlog in deferred maintenance which will translate into greater tourism and visitorship opportunities in adjacent communities; and

Whereas, SB 5 invests \$30 million in trail network improvements promoting non-motorized recreational and commuter opportunities throughout the state; and

Whereas, SB 5 expends hundreds of millions on other important investments in resource-related infrastructure including California's rivers, coast, and other waterways; and

Whereas, SB 5 invests hundreds of millions toward combatting global warming through investments in urban greening projects, promoting healthy forests and carbon farming applications; and

Whereas, SB 5 underwrites \$250 million in investments in improving local water systems, and providing safe and reliable drinking water to all Californians; and

Whereas, SB 5 spends \$80 million in competitive grants for treatment and remediation to promote access to safe drinking water in some of California's most economically challenged communities; and

Whereas, SB 5 underwrites improvements in the state flood management systems, armoring against calamities that beset the state including Oroville and elsewhere.

RESOLUTION

Therefore, be it resolved, that the City of St. Helena does hereby support SB 5, the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018 and any subsequent iteration titled otherwise by the Secretary of State that is scheduled to appear on the June 2018 statewide ballot.

Approved at a Regular Meeting of the St. Helena City Council on May 8, 2018, by the following vote:

Mayor Galbraith:	_____
Vice Mayor White:	_____
Councilmember Koberstein:	_____
Councilmember Dohring:	_____
Councilmember Ellsworth:	_____

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Tzafopoulos, City Clerk

Proposition 69

PROPOSITION
69 **REQUIRES THAT CERTAIN NEW TRANSPORTATION REVENUES BE USED FOR TRANSPORTATION PURPOSES. LEGISLATIVE CONSTITUTIONAL AMENDMENT.**

OFFICIAL TITLE AND SUMMARY

PREPARED BY THE ATTORNEY GENERAL

The text of this measure can be found on the Secretary of State's website at <http://voterguide.sos.ca.gov/>.

- Requires that revenues generated by a 2017 transportation funding law, through a certain vehicle license fee and diesel sales tax, be used only for transportation purposes, including public transportation. Generally prohibits the Legislature from diverting those funds to other purposes.
- Prohibits revenue from new vehicle license fees from being used to repay general obligation bond debt.
- Exempts new revenues from state and local spending limits.

SUMMARY OF LEGISLATIVE ANALYST'S ESTIMATE OF NET STATE AND LOCAL GOVERNMENT FISCAL IMPACT:

- No direct effect on the amount of state and local revenues or costs, as the measure does not change existing tax and fee rates.
- The measure could affect how some monies are spent by ensuring that revenues from recently enacted taxes and fees continue to be spent on transportation purposes.
- The measure would put the state a little further below its constitutional spending limit.

FINAL VOTES CAST BY THE LEGISLATURE ON ACA 5 (PROPOSITION 69)
(RESOLUTION CHAPTER 30, STATUTES OF 2017)

Senate:	Ayes 28	Noes 10
Assembly:	Ayes 56	Noes 24

ANALYSIS BY THE LEGISLATIVE ANALYST**BACKGROUND****RECENT TRANSPORTATION FUNDING LEGISLATION**

In April 2017, the state enacted legislation, Senate Bill 1 (SB 1), to increase annual state funding for transportation in California. Senate Bill 1 (1) increases revenues from various taxes and fees, and (2) dedicates the revenues to transportation purposes, including repairing state highways and local streets, and improving mass transit.

Taxes and Fees. Senate Bill 1 increased gasoline and diesel excise taxes, which are set on a per-gallon basis. It also increased diesel sales taxes, which are set based on price. For zero-emission vehicles (such as electric cars) model year 2020 and later, it increased vehicle registration fees by a fixed dollar amount. Additionally, SB 1 created a

new transportation improvement fee, which vehicle owners pay based on the value of their vehicle. Most of the taxes and fees already are in effect, with all taking effect by 2020.

Restrictions on Revenues. Senate Bill 1 will raise \$5 billion annually when all its taxes and fees are in effect. Figure 1 shows the annual revenues raised from each tax and fee, as well as whether existing provisions of the State Constitution restrict them for transportation purposes. Though the Legislature chose to dedicate all the SB 1 revenues to transportation, the State Constitution does not require this for the revenues from the transportation improvement fees and diesel sales taxes. As such, the Legislature could choose in the future to use these two revenue sources for purposes other than transportation.

REQUIRES THAT CERTAIN NEW TRANSPORTATION REVENUES BE USED FOR TRANSPORTATION PURPOSES. LEGISLATIVE CONSTITUTIONAL AMENDMENT. **PROPOSITION 69**

ANALYSIS BY THE LEGISLATIVE ANALYST

CONTINUED

SPENDING LIMITS

The State Constitution requires the state and local governments to keep their annual spending at or below a certain level, based on a formula established by a voter proposition passed in 1979. The State Constitution exempts some spending from counting toward these limits, including spending from most gasoline and diesel excise tax revenues and spending on capital projects. Due to these exemptions, only a small portion (less than one-tenth) of spending from the new SB 1 revenues count toward the state limit. It is currently estimated that the state is several billion dollars below its limit.

PROPOSAL

Restricts Revenues for Transportation.

Proposition 69 amends the State Constitution to require that the Legislature spend revenues from the new diesel sales taxes and transportation improvement fees on transportation purposes. (This requirement also applies to existing diesel sales tax revenues—not just those imposed by SB 1.) Proposition 69 also prohibits the state from (1) loaning out these revenues (except for cash flow purposes), and (2) using transportation improvement fee revenues to repay state transportation bonds without voter approval. The only way to change these requirements would be for the voters to approve another constitutional amendment in the future.

Exempts Revenues From Spending Limits.

Proposition 69 exempts spending from all the revenues raised from SB 1 from counting toward state and local spending limits.

Figure 1

Existing State Constitutional Restrictions on Recently Enacted Senate Bill 1 Revenues

(In Billions)

Tax/Fee	Revenues ^a	Restricted for Transportation?
Gasoline Excise Tax	\$2.4	Yes
Transportation Improvement Fee	1.6	No
Diesel Excise Tax	0.7	Yes
Diesel Sales Tax	0.3	No
Zero-Emission Vehicle Fee	— ^b	Yes
Total	\$5.0	

^a In 2020–21, when all taxes and fees are in effect. Excludes revenues from taxes on fuel used in off-highway vehicles (totaling \$0.1 billion). The existing State Constitution and Senate Bill 1 both allow these revenues to be spent on purposes besides transportation.

^b About \$18 million a year.

FISCAL EFFECTS

No Direct Fiscal Effect but Could Affect How Some Monies Are Spent.

Proposition 69 would not directly affect the amount of state and local revenues or costs. (This is because it does not change the tax and fee rates established in SB 1.) The proposition could affect how some monies are spent in the future by requiring the Legislature to continue to spend revenues from diesel sales taxes and transportation improvement fees on transportation purposes, rather than other purposes. Additionally, the proposition puts the state a little further below its constitutional spending limit.

Visit <http://www.sos.ca.gov/campaign-lobbying/cal-access-resources/measure-contributions/2018-ballot-measure-contribution-totals/> for a list of committees primarily formed to support or oppose this measure. Visit <http://www.fppc.ca.gov/transparency/top-contributors/jun-18-primary.html> to access the committee's top 10 contributors.

If you desire a copy of the full text of the state measure, please call the Secretary of State at (800) 345-VOTE (8683) or you can email vigfeedback@sos.ca.gov and a copy will be mailed at no cost to you.

Official Voter Information Guide

PROP 69 REQUIRES THAT CERTAIN NEW TRANSPORTATION REVENUES BE USED FOR TRANSPORTATION PURPOSES. LEGISLATIVE CONSTITUTIONAL AMENDMENT.

ARGUMENT IN FAVOR OF PROPOSITION 69

YES ON 69: PREVENT THE LEGISLATURE FROM REDIRECTING TRANSPORTATION REVENUES AND ENSURE THEY CAN ONLY BE USED TO FUND TRANSPORTATION IMPROVEMENTS.

YES on 69 ensures existing transportation revenues we pay at the pump and when we register our vehicles can ONLY be used for road and transportation improvement projects. Proposition 69 constitutionally protects these funds by prohibiting the legislature from using these revenues for non-transportation purposes.

And YES on 69 won't raise taxes one cent.

YES ON 69 REQUIRES TRANSPORTATION FUNDS BE SPENT ON PRIORITIES LIKE FIXING LOCAL ROADS, HIGHWAYS, BRIDGES AND OTHER TRANSPORTATION PROJECTS.

Californians depend on a safe and reliable transportation network to support our quality of life and a strong economy. YES on 69 protects transportation taxes and fees we already pay for: • SAFETY IMPROVEMENTS to repair aging and deteriorating bridges, tunnels and overpasses, as well as highways, freeways and local streets and roads. • FILLING POTHOLES and PAVING OVER CRACKED AND CRUMBLING ROADS. • RELIEVING TRAFFIC CONGESTION by adding new lanes and making repairs to remove bottlenecks that cause congestion. • UPGRADING LIGHT-RAIL AND COMMUTER RAIL, buses and other public transportation services to reduce traffic congestion and improve air quality. • IMPROVING PEDESTRIAN SAFETY by building and upgrading crosswalks and sidewalks.

YES ON 69 PROTECTS TRANSPORTATION FUNDS AND BENEFITS EVERY CALIFORNIA COMMUNITY.

ARGUMENT AGAINST PROPOSITION 69

How insulting can a ballot proposition be?

Last year, a two-thirds majority of state legislators voted for a gas tax and vehicle fee increase for transportation improvements. And now they are asking you to tell them to only spend the money on that intended purpose? Do you see the lunacy of this request?

Is this measure supposed to make us feel better? Or is it an indictment that Sacramento can't help itself when it comes to spending your money? It's wasting billions of dollars for high speed rail, with massive cost overruns. And this proposition is supposed to prevent them from spending drift? Or is this an admission that, like an alcoholic, Sacramento is saying it won't siphon off some of your gas tax for other boondoggles, this time? And, once again, they really mean it. How sad can California's legislature get? Did you know that Caltrans wastes some \$500 million per year? Because it's overstaffed by nearly 3,300 architects and engineers and it is hiring more? That it only outsources ten percent of engineering work when most states outsource half? Did Sacramento streamline Caltrans before raising your gas taxes? No!

It embarrasses me, as a fiscal conservative, to have to ask you to tell Sacramento to spend a gas tax on highway repairs. It's disingenuous and duplicitous. How long will the voters of this state enable free-spending liberals to drive our Golden State into the ground? Accordingly, I'm voting "No" on this tripe called Proposition 69. You should too.

SENATOR JOHN M.W. MOORLACH

37th Senate District

PROPOSITION 69 FAILS TO PROTECT ALL TRANSPORTATION REVENUE.

All transportation related revenues must be protected from being diverted by the legislature for programs that don't fix our

Passing Proposition 69 protects revenues dedicated to every city, county and transportation agency in the state for repairing local roads and improving public transportation.

YES ON 69 PROTECTS EXISTING REVENUES AND DOES NOT INCREASE TAXES.

Proposition 69 protects existing taxes and fees we are already paying. It does not raise taxes.

YES ON 69 PROMOTES JOBS AND A STRONGER ECONOMY.

Ensuring transportation revenues are dedicated to transportation projects will support hundreds of thousands of good paying jobs and will boost our economy by improving the transportation network that gets employees to work and goods and services to the market.

YES ON 69 MEANS STRONG ACCOUNTABILITY TO PROTECT TAXPAYERS.

Proposition 69 ensures our transportation tax dollars can only be used to make road safety improvements, fill potholes, repair local streets, freeways and bridges, and to invest in public transit.

"Cracked, potholed roads in poor condition pose a major safety threat to California drivers," said Warren Stanley, commissioner, CALIFORNIA HIGHWAY PATROL. "We need Prop. 69 to protect revenues to fix the poor condition of our roads, to protect public safety and provide drivers with smoother, less congested roads and highways."

YES ON 69 IS SUPPORTED BY A BROAD COALITION.

YES on 69 is supported by a broad coalition representing business, labor, local governments, transportation advocates and taxpayers, including: • League of Women Voters of California • California Chamber of Commerce • California State Conference, NAACP • California Alliance for Jobs • California Business Roundtable • California State Association of Counties • League of California Cities • Southern California Partnership for Jobs • Transportation California • California Transit Association

roads. Fact: most transportation revenues, including gasoline, diesel excise taxes and vehicle registration fees, are constitutionally protected from being used for purposes other than transportation. Unfortunately, PROPOSITION 69 FAILS TO PROTECT OVER \$1 BILLION ANNUALLY FROM VEHICLE WEIGHT FEES THAT HAVE BEEN SIDETRACKED SINCE 2011. ALL transportation taxes must be protected from being diverted and misused by politicians, otherwise these games will continue.

PROPOSITION 69 ALLOWS UNCHECKED SPENDING.

In addition to Proposition 13 (1978) —California's landmark initiative that limited local property taxes—voters passed Proposition 4 (1979), which limited the spending of government operations. Proposition 69 exempts the recently enacted transportation taxes and fees from the state spending limit. This effectively RAISES THE CAP ON GENERAL FUND SPENDING BY APPROXIMATELY \$2 BILLION ANNUALLY. By exempting these expenditures, state spending would be allowed to grow to levels that otherwise could not be reached.

VOTE NO ON PROPOSITION 69

I am opposed to the new gas taxes and vehicle registration fees. Too many Californians struggle to pay for housing, food and other necessities in this high-cost state. Californians don't need more taxes. I don't support Proposition 69 because state spending will continue to spiral out of control, and it fails to fully protect transportation taxes from being diverted to programs that do nothing to fix our roads and highways.

ASSEMBLYMAN FRANK BIGELOW

5th Assembly District

REBUTTAL TO ARGUMENT AGAINST PROPOSITION 69

Proposition 69 prevents the legislature from diverting transportation dollars for non-transportation purposes. So it's not surprising that the arguments against Prop. 69 are signed by . . . legislators.

But their arguments are not accurate. Here are the facts.

VOTE YES ON PROP. 69 TO ENSURE OUR TRANSPORTATION REVENUES CAN ONLY BE SPENT ON TRANSPORTATION IMPROVEMENT PROJECTS.

www.YesProp69.com

(<https://yesprop69.com/>)

WARREN STANLEY, Commissioner

California Highway Patrol

HELEN HUTCHISON, President

League of Women Voters of California

ALLAN ZAREMBERG, President

California Chamber of Commerce

REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION 69

NO ON 69: BROKEN PROMISES HAVE LED TO A RUNDOWN, OUTDATED, AND CONGESTED TRANSPORTATION SYSTEM

Prior to the recent gas tax increases, Sacramento had plenty of your money through transportation-related fees and taxes to fix our crumbling roads, upgrade transportation infrastructure, and repair aging bridges. However, time and time again, the state spent YOUR money on everything BUT transportation. Now our roads are in complete decay, they promise that this time, they'll spend it as intended. While protecting your money is commendable, Californians are already unnecessarily taxed at the pump. If Sacramento were judicious in the handling of your money, California's transportation system would not be facing such crisis.

PROP. 69 PROTECTS TRANSPORTATION MONEY THAT WILL NOT FIX OUR ROADS

While the proponents argue protecting these dollars ensures traffic congestion relief, filling potholes, and safety improvements, it's not quite the case. A portion of money protected by Proposition 69 is for transit, which is NOT fixing our roads; no new infrastructure, no updates to California's crumbling roads, and no traffic relief. Other dollars can go to projects like high speed rail, bike lanes, and protecting habitat.

PROPOSITION 69 FAILS TO PROTECT OVER \$1 BILLION

Proposition 69 fails to protect ALL transportation dollars. Sacramento will collect \$1 billion annually in vehicle weight fees,

FACT: When voters approve Proposition 69, recently enacted transportation revenues will be protected and required by our state constitution to go to transportation improvement projects.

FACT: Prop. 69 does not increase taxes. It protects the transportation taxes and fees we already pay.

FACT: Prop. 69 does not increase the state spending limit. It ensures that transportation revenues are completely dedicated to transportation improvements and not state debt.

Passing Prop. 69 will ensure our transportation dollars are spent on transportation improvement projects including:

- FIXING POTHOLES and paving crumbling roads.
- MAKING SAFETY IMPROVEMENTS to bridges, overpasses, streets and highways.
- RELIEVING TRAFFIC CONGESTION by making repairs to improve traffic flow.
- INVESTING IN PUBLIC TRANSPORTATION like buses and commuter rail to help relieve traffic and improve air quality.

YES ON 69 MEANS STRONG ACCOUNTABILITY TO PROTECT TAXPAYERS.

Proposition 69 is supported by a broad coalition of public safety officials, business, local government, labor, environmentalists, seniors, taxpayers, Democrats, Republicans and independents.

Vote YES on Prop. 69 to prevent the legislature from diverting our transportation dollars and to guarantee that transportation funding is spent fixing our roads.

www.YesProp69.com

(<https://yesprop69.com/>)

GARY PASSMORE, President

Congress of California Seniors

ROBERT C. LAPSLEY, President

California Business Roundtable

ALICE A. HUFFMAN, President

California State Conference NAACP

which will go unprotected and backfill the State's General Fund. Proposition 69 fails to fully protect transportation taxes from being diverted to programs that do nothing to fix our roads and highways. VOTE NO ON PROPOSITION 69.

ASSEMBLYMAN FRANK BIGELOW

5th Assembly District

SENATOR JOHN MOORLACH

37th Senate District

Arguments printed on this page are the opinions of the authors, and have not been checked for accuracy by any official agency.

CITY OF ST. HELENA

RESOLUTION NO. 2018-

Supporting Proposition 69

RECITALS

WHEREAS, cities and counties own and operate more than 81 percent of streets and roads in California, and from the moment we open our front door to drive to work, bike to school, or walk to the bus station, people are dependent upon a safe, reliable local transportation network; and

WHEREAS, the 2016 California Statewide Local Streets and Roads Needs Assessment, which provides critical analysis and information on the local transportation network's condition and funding needs, indicates that the condition of the local transportation network is deteriorating at an increasing rate; and

WHEREAS, cities and counties are facing a funding shortfall of \$73 billion over the next 10-years to repair and maintain in a good condition the local streets and roads system and the State Highway System has \$57 million worth of deferred maintenance; and

WHEREAS, SB 1 – the Road Repair and Accountability Act of 2017 – will raise approximately \$5.4 billion annually in long-term, dedicated transportation funding to rehabilitate and maintain local streets, roads, and highways, make critical, life-saving safety improvements, repair and replace aging bridges and culverts, reduce congestion and increase mobility options including bicycle and pedestrian facilities with the revenues split equally between state and local projects; and

WHEREAS, these transportation revenues should be constitutionally protected to ensure funds are used only for transportation purposes; and

WHEREAS, Proposition 69 on the June 2018 ballot would add another layer of accountability by preventing the State Legislature from diverting or raiding any new transportation revenues for non-transportation improvement purposes.

RESOLUTION

THEREFORE BE IT RESOLVED, that the City of St. Helena hereby supports Proposition 69 on the June 2018 ballot to prevent new transportation funds from being diverted for non-transportation purposes; and

THEREFORE BE IT FURTHER RESOLVED, that the City of St. Helena supports and can be listed as a member of the Coalition to Protect Local Transportation Improvements, a diverse coalition of local government, business, labor, transportation and other organizations throughout the state, in support of Proposition 69.

Approved at a Regular Meeting of the St. Helena City Council on May 8, 2018, by the following vote:

Mayor Galbraith:	_____
Vice Mayor White:	_____
Councilmember Koberstein:	_____
Councilmember Dohring:	_____
Councilmember Ellsworth:	_____

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Tzaopoulos, City Clerk

Regional Measure 3 (RM3)

REGIONAL MEASURE 3

IMPARTIAL ANALYSIS BY THE NAPA COUNTY COUNSEL

The tolls would increase by \$1 in 2019, an additional \$1 in 2022, and an additional \$1 in 2025, for a total increase of \$3. After 2025, tolls could be increased for inflation.

By law, the Bay Area Toll Authority (Authority) would have to use 16% of the funds from these toll increases to pay for up to \$60 million in designated annual transportation operating programs. The Authority would have to use the remaining available funds, which the Authority estimates will total \$4.45 billion, for designated transportation capital projects throughout the Bay Area. The largest projects include:

- purchasing new BART cars;
- extending BART from the planned Berryessa/North San José Station to San José and Santa Clara;
- widening U.S. 101 through the Marin-Sonoma Narrows to accommodate new carpool vehicle lanes;
- improving State Route 37, which serves Solano, Marin, Napa, and Sonoma counties;
- expanding the ferry service and increasing its frequency;
- improving Interstate 680/State Route 4 and Interstate 80/680/State Route 12 interchanges; and
- extending Caltrains to downtown San Francisco.

The Authority would be allowed to provide discounts to high-occupancy vehicles or vehicles that pay tolls without using cash. The Authority would be required to provide a discount for certain commuters who cross two bridges.

RM3 will be on the ballot in all nine Bay Area counties, including the City and County of San Francisco and the counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano, and Sonoma. To pass, RM3 requires approval by a majority of votes cast on the measure in all nine counties combined.

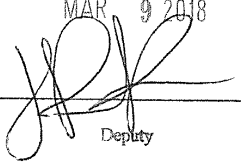
An independent oversight committee would monitor how funds from the toll increases are spent. This committee and the Authority would be required to submit annual reports on use of the funds to the State Legislature.

A YES VOTE MEANS you want to increase the toll on all Bay Area toll bridges except the Golden Gate Bridge by \$1 in 2019, an additional \$1 in 2022, and an additional \$1 in 2025.

A NO VOTE MEANS you do not want to approve the proposed toll increase.

Jeffrey M. Richard
Acting County Counsel

FILED
Napa County
Assessor-Recorder-County Clerk
Election Division

MAR 9 2018
By: 
Deputy

NOTICE OF ELECTION AND FIXING TIME FOR SUBMISSION OF ARGUMENTS ON REGIONAL MEASURE 3, THE BAY AREA TRAFFIC RELIEF PLAN, TO BE VOTED ON AT THE CONSOLIDATED PRIMARY ELECTION TO BE HELD ON JUNE 5, 2018.

NOTICE IS HEREBY GIVEN to the qualified voters of Napa County that in accordance with provisions of the Streets and Highways Code and the California Elections Code, an election to consider implementing the Bay Area Traffic Relief Plan by raising bridge tolls on the Bay Area's seven state-owned toll bridges (Antioch Bridge, the Benicia-Martinez Bridge, the Carquinez Bridge, the Dumbarton Bridge, the Richmond-San Rafael Bridge, the San Francisco-Oakland Bay Bridge and the San Mateo-Hayward Bridge) will be consolidated with the Tuesday, June 5, 2018 Statewide Direct Primary Election for the Measure shown below. Polling hours will be from 7 A.M. to 8 P.M. on June 5, 2018.

Regional Measure 3 (RM 3)

BAY AREA TRAFFIC RELIEF PLAN. Shall voters authorize a plan to reduce auto and truck traffic, relieve crowding on BART, unclog freeway bottlenecks, and improve bus, ferry, BART and commuter rail service as specified in the plan in this voter pamphlet, with a \$1 toll increase effective in 2019, a \$1 increase in 2022, and a \$1 increase in 2025, on all Bay Area toll bridges except the Golden Gate Bridge, with independent oversight of all funds?

NOTICE is further given that the Governing Body of the Authority, or any members thereof authorized by such body, or any individual voter, or bona fide association of citizens, or any combination of such voters and associations, may file a written argument for or against said measure, not to exceed 300 words in length. If arguments are submitted both for and against Regional Measure 3, the authors may prepare and submit rebuttal arguments not to exceed 250 words.

NOTICE is further given that based upon the time reasonably necessary to prepare and print the arguments and sample ballots for said election, the Registrar of Voters has fixed the following deadlines for submittal of arguments and rebuttals:

The last day to file arguments for or against Regional Measure 3 is Friday March 16, 2018 at 4:30 p.m. Arguments for or against the measure shall be filed in the Election Division at 1127 1st St. STE E Napa, CA 94559. In accordance with Section 9600 of the California Elections Code, all arguments shall be accompanied by a statement that the argument is true and correct signed by each author.

The last day to file rebuttal arguments for or against Regional Measure 3 is Friday March 23, 2018 at 5:00 p.m. Rebuttals shall be filed in the Election Division at 1127 1st St. STE E Napa, CA 94559.

Further information about filing arguments and rebuttals and required forms are available on the Registrar of Voters website at <https://www.countyofnapa.org/396/Elections>

Date: March 3, 2018

John Tuteur, Registrar of Voters

Measure C

ORDINANCE NO. 2018-01

**AN ORDINANCE OF THE PEOPLE OF NAPA COUNTY ENACTING
THE NAPA COUNTY WATERSHED AND OAK WOODLAND
PROTECTION INITIATIVE OF 2018, AMENDING THE NAPA COUNTY
GENERAL PLAN AND COUNTY CODE BY (1) CREATING WATER
QUALITY BUFFER ZONES WITHIN THE AGRICULTURAL
WATERSHED ZONING DISTRICT AND RESTRICTING TREE
REMOVAL WITHIN THOSE ZONES; (2) STRENGTHENING OAK
REMOVAL REMEDIATION STANDARDS; AND (3) ESTABLISHING A
PERMIT PROGRAM FOR OAK TREE REMOVAL ONCE 795 ACRES
OF OAK WOODLAND HAVE BEEN REMOVED**

The people of the County of Napa do hereby ordain as follows:

SECTION 1: TITLE

This Initiative shall be known and may be cited as the “Napa County Watershed and Oak Woodland Protection Initiative of 2018” (hereinafter “Initiative”).

SECTION 2: PURPOSE AND FINDINGS

- A. **Purpose:** Water affects the quality of life of every Napa County resident. The purpose of this Initiative is to protect the water quality, biological productivity, and economic and environmental value of Napa County’s streams, watersheds, wetlands and forests, and to safeguard the public health, safety and welfare of the County’s residents. The people of Napa County desire that this Initiative be enforced to the fullest extent possible to achieve these goals.
- B. **Effect of this Initiative:** This Initiative adopts policies and zoning requirements for the Agricultural Watershed zoning district that protect forests and tree canopy near streams and wetlands and ensure the long-term preservation of Napa’s oak woodlands. This Initiative is intended to complement the protections the County wisely established decades ago for agricultural and open space lands in the Agricultural Preserve.
- C. **Water Quality Protection:** Natural areas along streams and wetlands play a critical role in protecting County water resources by reducing erosion, alleviating flooding, and improving water quality. The County’s oak trees and oak woodlands also play a key role in sustaining healthy watersheds and water quality by reducing soil erosion, slowing runoff, capturing rainfall, improving the water holding capacity of soil, increasing nutrient retention, and mitigating flooding. Preserving Napa County’s water resources is critical to the long-term health of its residents and their environment.
- D. **Protection of Streams and Wetlands:** Trees and vegetation along streams and wetlands filter water for municipal, rural and agricultural use, reduce water pollution, and provide important habitat for fish and wildlife. This Initiative provides enhanced protection for

these areas by preserving forest and riparian habitat along stream corridors and wetlands within the Agricultural Watershed zoning district.

- E. **Importance of Oak Woodlands:** Napa County's oak woodlands are one of its defining scenic features and most biologically diverse natural resources, providing habitat for over 300 wildlife species and over 1,000 plant species. Napa's oak woodlands provide numerous recreational, ecological, and economic benefits by enhancing the natural scenic beauty for residents and visitors, protecting property values, improving water quality, and moderating temperature extremes and climate change, all of which improve the health, safety, and general welfare of County residents. The County's oak populations, however, are threatened by development, deforestation, fire and pathogens such as Sudden Oak Death and infestations of the Goldspotted Oak Borer parasite. The combination of human impacts and other hazards will cumulatively fragment oak ecosystem continuity and damage watersheds throughout the County unless appropriate conservation steps are taken. A program to ensure the long-term conservation of oak trees and oak woodlands within the Agricultural Watershed zoning district is a necessary part of the County's environmental and water quality protection policies.

- F. **Protection of Oak Woodlands:** This Initiative will protect oak woodlands within the Agricultural Watershed zoning district by requiring the replacement of lost oaks or preservation of comparable habitat at a 3:1 ratio and by establishing an Oak Removal Limit. The Oak Removal Limit takes effect when 795 additional acres of oak woodlands have been removed. This acreage limit takes into consideration the historic rate of oak woodland removal associated with new vineyard development, the General Plan's projection that a maximum of 10,000 acres of new vineyards would be developed by 2030, the planning horizon of the current General Plan, and other projected growth and constraints on growth under the General Plan.

- G. **Building on the Legacy of Measure J:** Just as Measure J in 1990 reaffirmed and locked in place the General Plan land use designations and minimum parcel sizes for agricultural lands, this Initiative reaffirms the extent of oak woodland removal reasonably necessary for the vineyard and other development envisioned under the current General Plan. The 2008 General Plan recognized that removal of some oak woodlands was necessary to allow the future growth, including vineyard development, envisioned under that plan. As County leaders recognized at the time they adopted the General Plan in 2008, however, oak woodlands play a critical role in protecting the County's watersheds, water supply, and habitat. By adopting this Initiative, the voters have determined that the Oak Removal Limit respects expectations under the 2008 General Plan and the growth it anticipated. The voters have further determined that unrestricted removal of oak woodlands beyond this Oak Removal Limit is unsustainable and would be detrimental to the health, well-being, and general welfare of the County. Therefore, once the Oak Removal Limit is reached, any removal of oak trees would, with limited exceptions, require a permit which the County could issue only after making specified findings.

SECTION 3: GENERAL PLAN AMENDMENTS

This Initiative hereby amends the Napa County General Plan (“General Plan”), adopted June 3, 2008, as amended through October 5, 2017 (“submittal date”), as shown below. Text to be inserted in the General Plan is indicated in **bold** type. Text to be deleted from the General Plan is indicated in ~~striketrough~~ type. Text in standard type currently appears in the General Plan and is readopted by this Initiative. The language adopted and readopted in the following amendments may be changed only by a vote of the people.

A. *The General Plan’s Agricultural Preservation and Land Use Element is hereby amended as follows:*

- (i) The following new Goal AG/LU-8 is added to the list of “Agricultural Preservation and Land Use Goals,” currently on page AG/LU-12 of the General Plan:

Goal AG/LU-8: To help ensure the long-term sustainability of agriculture in Napa County, preserve watersheds, water quality and wildlife habitat within the Agricultural Watershed zoning district by protecting forests and trees along streams and wetlands and by protecting oak woodlands. To implement this goal, the Napa County Watershed and Oak Woodland Protection Initiative of 2018 amended the County Code to establish water quality buffer zones and an Oak Removal Limit that limits oak removal after 795 acres of oak woodlands are removed, as measured from September 1, 2017.

- (ii) The following new heading and new Policies AG/LU-0.5 and AG/LU-0.6 are added immediately before the section entitled Agricultural Preservation Policies, currently on page AG/LU-13 of the General Plan:

AGRICULTURAL WATERSHED DISTRICT POLICIES

Policy AG/LU-0.5: Pursuant to the Napa County Watershed and Oak Woodland Protection Initiative of 2018, implement water quality buffer zones along streams and wetlands within the Agricultural Watershed zoning district.

Policy AG/LU-0.6: Ensure the long-term health and protection of oak woodlands within the Agricultural Watershed zoning district and sustainable build-out of the 2008 General Plan by establishing an Oak Removal Limit of 795 acres as set forth in the Napa County Watershed and Oak Woodland Protection Initiative of 2018. After the Oak Removal Limit is reached, additional oak removal shall, with limited exceptions, require a permit subject to the findings required by that Initiative.

B. *The General Plan’s Conservation Element is hereby amended as follows:*

- (i) Policy CON-24 of the Conservation Element’s “Natural Resources Policies,” currently on page CON-30 of the General Plan, is hereby amended as follows:

Pursuant to the Napa County Watershed and Oak Woodland Protection Initiative of 2018, require a permit for any oak removal within the Agricultural Watershed

zoning district after the Oak Removal Limit is reached unless specified exceptions apply. Continue to maintain and improve oak woodland habitat to provide for slope stabilization, soil protection, species diversity, and wildlife habitat through appropriate measures including one or more of the following:

- a) Preserve, to the extent feasible, oak trees and other significant vegetation that occur near the heads of drainages or depressions to maintain diversity of vegetation type and wildlife habitat as part of agricultural projects.
- b) Comply with the Oak Woodlands Preservation Act (PRC Section 21083.4) regarding oak woodland preservation to conserve the integrity and diversity of oak woodlands, and retain, to the maximum extent feasible, existing oak woodland and chaparral communities and other significant vegetation as part of residential, commercial, and industrial approvals.
- c) Provide replacement of lost oak woodlands or preservation of like habitat at a **minimum 2:1 ratio** when retention of existing vegetation is found to be infeasible. Removal of oak species limited in distribution shall be avoided to the maximum extent feasible. **Within the Agricultural Watershed zoning district, require replacement of lost oak woodlands or permanent preservation of like habitat at a minimum 3:1 ratio when retention of existing vegetation is found to be infeasible, except where the Napa County Watershed and Oak Woodland Protection Initiative of 2018 provides for an exception to this requirement.**
- d) Support hardwood cutting criteria that require retention of adequate stands of oak trees sufficient for wildlife, slope stabilization, soil protection, and soil production be left standing.
- e) Maintain, to the extent feasible, a mixture of oak species which is needed to ensure acorn production. Black, canyon, live, and brewer oaks as well as blue, white, scrub, and live oaks are common associations.
- f) Encourage and support the County Agricultural Commission's enforcement of state and federal regulations concerning Sudden Oak Death and similar future threats to woodlands.

[Implemented by Action Item CON NR-7]

SECTION 4: NAPA COUNTY CODE AMENDMENTS

This Initiative hereby amends the Napa County Code Title 18, also known as the Napa County Zoning Code, as amended through the submittal date, as shown below. Text to be inserted in the Zoning Code is indicated in **bold** type. The language adopted in the following amendments may be changed only by a vote of the people.

To Chapter 18.20, "AW Agricultural Watershed District," commencing with

section 18.20.010, after the text of section 18.20.040, add the following:

18.20.050 Water Quality Buffer Zones.

- A. In all AW districts, on parcels greater than one acre, the following areas shall constitute water quality buffer zones:
1. Within one hundred and twenty-five feet, as measured horizontally from the top of the bank, on both sides of any Class I stream;
 2. Within seventy-five feet, as measured horizontally from the top of the bank, on both sides of any Class II stream;
 3. Within twenty-five feet, as measured horizontally from the top of the bank, on both sides of any Class III stream; and
 4. Within one hundred and fifty feet of any wetland, as measured horizontally from the point at which the area no longer meets the definition of wetland.
- B. Except as provided in subsection (C) of this section, no tree removal, as defined in subsection (D), shall be allowed or undertaken within the water quality buffer zones established by this section.
- C. Tree removal is allowed within water quality buffer zones under any of the following circumstances:
1. To remove downed and dead trees or dying or diseased trees;
 2. Where necessary to comply with written county or state recommendations or requirements for fuel or firebreaks;
 3. Where necessary to avert an imminent threat to public health and safety;
 4. Where required for the development or maintenance of any of the following, provided that the development or maintenance occurs pursuant to all applicable laws: access roads; septic or wastewater systems or other facilities necessary for the protection of public health; water wells; water resources and storage facilities; public works facilities; solar energy systems; electric vehicle charging stations; telecommunications or cellular towers; pedestrian, bicycle, or equestrian trails; flood control projects; or stream crossings;
 5. Within a recorded utility right-of-way;
 6. On land owned by any public agency;
 7. Where undertaken by or at the direction or order of a federal, state or local agency as part of a project or program to preserve, restore or improve habitat, alleviate an existing hazardous condition, or abate a public nuisance;
 8. Where undertaken or authorized by a federal or state agency;
 9. Within eleven feet of the centerline of any driveway that serves an existing or proposed structure for which all legally required permits have been issued; or
 10. Within one hundred fifty feet from any point of a residence or any other structure that is subject to the requirements of the California Building Code or from any point of any proposed such residence or structure for which the owner has obtained all legally required permits.
- This subsection (C) is not intended to, and shall not, relieve any person of the obligation to obtain a permit where required by Section 18.20.060 or to comply with any other policy or law.
- D. For purposes of this section, the following terms have the following meanings:
1. "Class I stream" means a perennial watercourse that serves as a domestic water

supply, or that provides habitat to sustain fish for all or part of the year.

2. “Class II stream” means a perennial or intermittent watercourse that provides aquatic habitat for non-fish aquatic species, including invertebrates.

3. “Class III stream” means an intermittent or ephemeral watercourse showing evidence of a defined bed and banks, annual scour and capacity to transport sediment to a Class I or Class II stream.

4. “Dying or diseased trees” means trees that have been designated in writing by a certified forester, forest pathologist or arborist as: having tested positive for Sudden Oak Death; necessary to remove to control the spread of disease or insect pests to healthy trees; or posing an imminent threat to public health and safety.

5. “Tree removal” means causing the death or removal of any living tree of any species that is five inches or more in diameter, measured at four feet six inches above mean natural grade, by cutting, dislodging, poisoning, burning, topping or damaging of roots, but does not include removal or harvest of incidental vegetation such as berries, ferns, greenery, mistletoe, herbs, shrubs, or poison oak. This section applies to all county approvals relating to any conversion of timberland pursuant to Public Resources Code section 4621, including but not limited to County Erosion Control Plans, but does not otherwise apply to timber operations undertaken pursuant to state timber harvest plans.

6. “Watercourse” means any well-defined channel with distinguishable bed and bank showing evidence of having contained flowing water indicated by deposit of rock, sand, gravel, or soil, including, but not limited to, a “Stream” as defined in Section 18.108.030.

7. “Wetlands” means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas.

E. This section does not apply to replanting within the footprint of existing vineyards or within the footprint of vineyards having obtained all legally required discretionary permits from the county where the initial vineyard planting or final discretionary permit approval occurred prior to the effective date of the Napa County Watershed and Oak Woodland Protection Initiative of 2018.

F. Nothing in this section shall preclude the county from requiring larger stream or wetland setbacks pursuant to any other policy or regulation.

G. This section does not apply:

1. To property within an Affordable Housing Combination District (AHCD) or other combination or overlay district whose primary purpose is to provide affordable housing or to residential housing projects whose approval is necessary to comply with state law; or

2. Where application of this section would be inconsistent with state or federal law.

18.20.060 Oak Removal Requirements.

A. Oak Removal Remediation. In issuing any discretionary approval for activities or projects on privately owned parcels of land within the AW district that are greater than one acre, the county shall require replacement of lost oak trees or oak woodlands, or permanent preservation of comparable habitat, at a minimum 3:1 ratio as follows:

1. On-site replacement of removed oak trees or oak woodlands at a 3:1 ratio or permanent preservation of comparable oak trees or oak woodlands at a 3:1 ratio by:

- a. Permanently preserving comparable oak trees or oak woodlands on-site through dedications, conservation easements, or similar measures; or
- b. Replanting and monitoring of replacement oak trees on-site pursuant to a plan that ensures replacement of failed plantings. The plan shall include a provision requiring a registered professional forester or certified arborist to file with the county, in the fifth year after the completion of replanting, a report that evaluates the survival rate of replanted oaks. If the survival rate is below eighty percent, the property owner or applicant shall implement additional remediation to ensure 3:1 replacement of the original oak trees removed.

2. Where on-site remediation pursuant to subsection (A)(1) of this section is infeasible, purchase of a conservation easement or payment of in-lieu fees sufficient to provide permanent preservation of comparable oak trees or oak woodlands at a 3:1 ratio shall be required. All such in-lieu fees shall be deposited into a separate fund that shall be used exclusively for the purposes of oak woodland preservation.

3. For the purposes of this subsection (A), “comparable” oak trees or oak woodlands preserved as remediation must be on land in Napa County as close as feasible to the site to be remediated and on land that is otherwise capable of being developed under existing county laws and regulations. Areas that are not subject to development or conversion to agricultural use due to existing legal restrictions, such as zoning regulations protecting slopes or stream corridors or existing easements, shall not constitute comparable oak trees or oak woodlands.

4. Remediation is not required under this subsection (A) where oak removal is undertaken in any of the circumstances set forth in subsection (C)(1-9) of Section 18.20.050. This exception is not intended to, and does not, excuse compliance with any other oak remediation policy or law.

B. Mapping. Whenever the county issues an approval for an activity that includes removal, replanting, or preservation of any oak woodlands, the county shall incorporate any relevant oak mapping information into a vegetation classification and mapping program maintained by the county.

C. Annual Report. Within one year of the effective date of the Napa County Watershed and Oak Woodland Protection Initiative of 2018, and annually thereafter, county staff shall prepare and submit to the Board of Supervisors a report setting forth the following information for all lands within the AW district: the total acreage of oak woodlands removed, replanted, and permanently preserved, in the previous year and from September 1, 2017 to the present; the cumulative total acreage of all oak woodlands removed since September 1, 2017; the total acreage of oak woodlands approved for removal, but not yet removed, pursuant to any county approval; and any other information the county determines is necessary to determine the Oak Removal Limit pursuant to subsection (D) of Section 18.20.060. Where feasible, the Annual Report shall include maps showing the acreage of oak woodlands lost in each vegetation classification.

D. Oak Removal Limit.

1. The “Oak Removal Limit” is reached when the cumulative total acreage of all oak woodlands removed plus all oak woodlands approved for future removal by the county within the AW district since September 1, 2017, equals seven hundred ninety-five acres. All oak woodlands removed within the AW district since September 1, 2017 shall be included in the cumulative total acreage, regardless of whether that removal was authorized or unauthorized. However, oak woodlands approved for removal by the county prior to September 1, 2017, shall

not be included within the Oak Removal Limit, regardless of when they are removed.

2. After the Oak Removal Limit is reached, the county shall not allow any additional oak tree or oak woodland removal within the AW district except pursuant to subsection (E). The county planning director shall immediately notify the board when the Oak Removal Limit established pursuant to the Napa County Watershed and Oak Woodland Protection Initiative of 2018 has been reached and that no further oak removal is permitted except pursuant to subsection (E) of Section 18.20.060.

E. Oak Removal after the Oak Removal Limit Is Reached.

1. Once the Oak Removal Limit is reached, removal of any oak woodland or any oak tree of at least five inches in diameter, measured at four feet six inches feet above mean natural grade, on private land within the AW district is permitted only pursuant to a county oak removal permit. An oak removal permit for removal of more than ten oak trees on a single parcel within a twelve month period shall be in the form of a county use permit and be subject to all applicable State and county use permit requirements in addition to the requirements set forth in this section.

2. An oak removal permit may be issued only if the county determines or, for a use permit, the planning commission or board of supervisors finds, that the oak removal complies with the applicable provisions of this code, is consistent with the policies and standards of the general plan and any applicable specific plan, and is necessary either to: (a) ensure the economically viable agricultural use of a parcel, provided that (i) the parcel is a minimum of one hundred sixty acres; and (ii) the permit allows removal of no more than five oak trees from that parcel during any ten year period; or (b) address one or more of the circumstances set forth in subsection (C)(1)-(10) of Section 18.20.050. These determination or findings shall be in addition to any other determinations or findings required by county or state law.

3. An oak removal permit may also be issued, or the requirement for a permit waived, if, after a public hearing, the board finds, based on substantial evidence, that oak removal or waiver of the oak removal permit requirement is necessary to avoid a violation of the constitution or laws of the United States or of the State of California.

4. An oak removal permit shall do all of the following:

a. require compliance with the Oak Removal Remediation requirements set forth in subsection (A), where applicable;

b. allow oak tree removal only to the minimum extent necessary to address the circumstances set forth in subsection (E)(2) and (E)(3); and

c. ensure retention of at least ninety (90) percent of the oak canopy cover on the parcel unless the county makes specific findings explaining why this would be infeasible.

5. The county shall post on the county website notice of all oak removal permits within seven days of their issuance.

F. Definitions. For the purposes of this section and Section 18.20.070, the following terms have the following meanings:

1. "Oak tree" means any live tree in the genus Quercus that is not growing on timberland.

2. "Oak woodland" means an oak stand with a greater than ten percent canopy cover. An oak stand consists of at least two oak trees of at least five inches in diameter, measured at four feet six inches feet above mean natural grade. A parcel may contain one or more oak woodlands. "Oak woodland" does not include timberland.

3. “Remove” or “removal” means causing a tree to die or be removed as a result of human activity by cutting, dislodging, poisoning, intentional burning, topping or damaging of roots, but does not include removal or harvest of incidental vegetation such as berries, ferns, greenery, mistletoe, herbs, shrubs, or poison oak.

4. “Timberland” means “timberland” as defined in Public Resources Code section 4526.

G. This section does not apply:

1. to property within an Affordable Housing Combination District (AHCD) or other combination or overlay whose primary purpose is to provide affordable housing or to residential housing projects whose approval is necessary to comply with state law;

2. to projects or activities that are not subject to local permit requirements under state or federal law or where application of this section is otherwise inconsistent with state or federal law; or

3. to oak removal undertaken by or at the direction or order of a federal or state agency.

18.20.070 Enforcement of Section 18.20.050 and Section 18.20.060.

A. The county shall promptly investigate complaints of violations of Section 18.20.050 or Section 18.20.060 and make a determination within thirty days of receipt of the initial complaint whether a violation has occurred. Whenever the county determines that a violation of either of these sections has occurred, the county shall notify the violator in writing of the violation and require that appropriate remedial conditions be implemented or adhered to by a date specified. All notices of violation shall be published on the county website within fourteen days of their issuance. Each violation of Section 18.20.050 or Section 18.20.060 and each failure to comply with the county’s notice or meet the deadlines specified therein shall constitute a separate and distinct violation, punishable as set forth in this section.

B. Conditions in the notice of violation shall include actions sufficient to fully remediate the environmental damage caused by the violation. These conditions may include, but are not limited to: removal of vegetation, crops, infrastructure, or structures put in place or constructed in violation of Section 18.20.050 or Section 18.20.060 and on-site replacement or replanting of cut or damaged trees at a 3:1 ratio. If full remediation of the area damaged by the violation is infeasible or insufficient, the full remediation requirement may be satisfied by permanent protection of an area with comparable ecological values as close to the damaged site as feasible at a minimum of a 3:1 ratio to the area damaged by the violation.

C. Penalties. It is unlawful and a public nuisance for any person to violate any of the provisions of Section 18.20.050 or Section 18.20.060 for any purpose or to cause any other person to do so. Such a violation shall be enforceable as a misdemeanor and subject to any and all available judicial and administrative enforcement actions, including, but not limited to, the provisions addressing civil and administrative penalties, stop orders, and public nuisance abatement procedures set forth in the county code. The amount of the administrative penalty for violations of Section 18.20.050 or Section 18.20.060 shall be the maximum administrative penalty that the county has established for violations of this code.

D. Within one year of the effective date of the Napa County Watershed and Oak Woodland Protection Initiative of 2018, and annually thereafter, the county shall prepare and submit to the board a report setting forth the following information for the previous year: the

number of formal complaints received concerning violations of Section 18.20.050 and Section 18.20.060; the status of investigations into such complaints; copies of all notices of violation issued pursuant to these sections; and a summary of all actions taken to remediate such violations, including a map showing areas damaged by such violations and areas on which remediation has occurred.

E. In addition to the penalties set forth in subsection (C) of this section, the county may require any person who removes an oak tree in violation of the provisions of Section 18.20.060 to pay a sum of money equal to:

1. The cumulative value of the individual oak trees removed as measured by a standard tree appraisal system designated by the county; or
2. The full cost of remediating any damage caused by the violation in accordance with the provisions of subsection (A) of Section 18.20.060.

18.20.080 Applicability.

Section 18.20.050 through Section 18.20.070 do not apply to projects or activities for which the owner or applicant has obtained a vested right, pursuant to state law, or has obtained all legally required discretionary permits from the county necessary for it to proceed, prior to the effective date of the Napa County Watershed and Oak Woodland Protection Initiative of 2018.

SECTION 5: CONFORMING AMENDMENTS

In light of the General Plan amendments set forth above in Section 3 of this Initiative, the General Plan is hereby further amended as set forth below in order to promote internal consistency among the various sections of the General Plan. Text to be inserted in the General Plan is indicated in **bold** type. Text to be deleted from the General Plan is indicated in ~~striktthrough~~ type. Text in standard type currently appears in the General Plan and is not changed by this Initiative. The language in the following amendments may be further amended without a vote of the people in the course of future updates and revisions to the General Plan, provided that any such amendments do not conflict with any provisions of Sections 3 and 4 of this Initiative.

A. In the Summary and Vision Element:

- (i) Insert the following new paragraph following the last indented bullet in the existing text currently on page SV-4 of the General Plan:

In 2018, the voters adopted the Napa County Watershed and Oak Woodland Protection Initiative of 2018 to provide additional protections for County streams, wetlands and oak woodlands within the Agricultural Watershed zoning district. These changes included an increase in the habitat replacement ratio required to mitigate potential losses of oak woodlands.

B. In the Agricultural Preservation and Land Use Element:

- (i) Policy AG/LU-17, currently on page AG/LU-15 of the General Plan, is amended to read:

Consistent with the Napa County Watershed and Oak Woodland Protection

Initiative of 2018, The County encourages active, sustainable forest management practices, including timely harvesting to preserve existing forests, retaining their health, product, and value. The County also encourages timber plantations for fuel wood and lumber production. (For more policies related to the managed production of resources and forest management practices, please see the Conservation Element.)

C. **In the Conservation Element:**

- (i) Insert the following new paragraph following the fourth paragraph of the existing text currently on page CON-10 of the General Plan:

In 2018, the voters adopted the Napa County Watershed and Oak Woodland Protection Initiative of 2018 to provide additional protections for County streams and wetlands within the Agricultural Watershed zoning district.

- (ii) Insert the following new paragraph prior to the first full paragraph of the existing text currently on page CON-22 of the General Plan:

In 2018, the voters adopted the Napa County Watershed and Oak Woodland Protection Initiative of 2018 to provide additional protections for County watersheds and oak woodlands within the Agricultural Watershed zoning district. This Initiative recognized that preserving watersheds and oak woodlands are important to the long-term sustainability of County vineyards and other agriculture.

- (iii) Policy CON-19, currently on page CON-29 of the General Plan, is amended to read:

The County shall encourage the preservation of critical habitat areas and habitat connectivity through the use of conservation easements or other methods as well as through continued implementation of the Napa County Conservation Regulations associated with vegetation retention and setbacks from waterways **and the Napa County Watershed and Oak Woodland Protection Initiative of 2018.**

- (iv) Policy CON-26, currently on pages CON-30 to CON-31 of the General Plan, is amended to read:

Consistent with Napa County's Conservation Regulations **and the requirements of the Napa County Watershed and Oak Woodland Protection Initiative of 2018,** natural vegetation retention areas along perennial and intermittent streams ~~shall~~ **may** vary in width with steepness of the terrain, the nature of the undercover, ~~and~~ type of soil, **and the underlying zoning district.** The design and management of natural vegetation areas shall consider habitat and water quality needs, including the needs of native fish and special status species and flood protection where appropriate. Site-specific setbacks shall be established **pursuant to Napa County's Conservation Regulations and the requirements of the Napa County Watershed and Oak Woodland Protection Initiative of 2018,** and in coordination with Regional Water Quality Control Boards,

California Department of Fish and Game, U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration National Marine Fisheries Service, and other coordinating resource agencies that identify essential stream and stream reaches necessary for the health of populations of native fisheries and other sensitive aquatic organisms within the County's watersheds.

Where avoidance of impacts to riparian habitat is infeasible along stream reaches, appropriate measures will be undertaken to ensure that protection, restoration, and enhancement activities will occur within these identified stream reaches that support or could support native fisheries and other sensitive aquatic organisms to ensure a no net loss of aquatic habitat functions and values within the county's watersheds.

- (v) Action Item CON NR-7, currently on page CON-35 of the General Plan, is amended to read:

The County ~~has shall adopted a the~~ **Napa County V**oluntary Oak Woodland Management Plan **(2010)** to identify and mitigate significant direct and indirect impacts to oak woodlands. **Where oak removal is permitted under the Napa County Watershed and Oak Woodland Protection Initiative of 2018, M**itigation may be accomplished **in accordance with the Initiative** through a combination of the following measures:

- a) Conservation easement and land dedication for habitat preservation;
- b) Payment of in-lieu fees; and/or
- c) Replacement planting of appropriate size, species, area, and ratio.

[Implements Policy 24]

- (vi) Policy CON-35, currently on page CON-32 of the General Plan, is amended to read:

Consistent with the Napa County Watershed and Oak Woodland Protection Initiative of 2018, tThe County shall encourage active forest management practices to preserve and maintain existing forests and timberland, allowing for their economic and beneficial use.

- (vii) Policy CON-45, currently on page CON-38 of the General Plan, is amended to read:

Protect the County's domestic supply drainages through vegetation preservation and protective buffers to ensure clean and reliable drinking water consistent with state regulations and guidelines. Continue implementation of current Conservation Regulations **and zoning regulations** relevant to these areas, such as vegetation retention requirements, consultation with water purveyors/system owners, implementation of erosion controls to minimize water pollution, and prohibition of detrimental recreational uses. [Implemented by Action Item CON WR-3]

- (viii) Policy CON-50(a), currently on page CON-39 of the General Plan, is amended to read:

Preserve riparian areas through adequate buffering and pursue retention, maintenance, and enhancement of existing native vegetation along all intermittent and perennial streams through existing stream setbacks in the County's Conservation Regulations **and the Napa County Watershed and Oak Woodland Protection Initiative of 2018** (also see Policy CON-27 which retains existing stream setback requirements).

D. In the Implementation Element:

- (i) Action Item CON NR-7, currently on page IP-7 of the General Plan, is amended to read:

The County ~~has shall~~ adopted ~~a the Napa County V~~oluntary Oak Woodland Management Plan **(2010)** to identify and mitigate significant direct and indirect impacts to oak woodlands. **Where oak removal is permitted under the Napa County Watershed and Oak Woodland Protection Initiative of 2018, M**itigation may be accomplished **in accordance with the Initiative** through a combination of the following measures:

- a) Conservation easement and land dedication for habitat preservation;
- b) Payment of in-lieu fees;
- c) Replacement planting of appropriate size, species, area, and ratio.

(B; CDPD)

SECTION 6: EXEMPTIONS FOR CERTAIN PROJECTS

- A. The provisions of this Initiative shall not be applicable to the extent, but only to the extent, that they would violate the constitution or laws of the United States or of the State of California.
- B. In the event a property owner contends that application of this Initiative effects an unconstitutional taking of property, the property owner may request, and the Board of Supervisors may grant, an exception to application of any provision of this Initiative if the Board of Supervisors finds, based on substantial evidence, that both: (1) the application of any aspect of this Initiative would constitute an unconstitutional taking of property; and (2) the exception will allow the cutting or removal of trees only to the minimum extent necessary to avoid such a taking.
- C. The provisions of this Initiative shall not be applicable to any person or entity that has obtained, as of the effective date of this Initiative, a vested right, pursuant to State law, to undertake any activities that would be prohibited by this Initiative.

SECTION 7: IMPLEMENTATION

- A. Effective Date:** This Initiative shall take effect as provided in the California Elections Code. Upon the effective date of this Initiative: (1) the provisions of Sections 3 and 5 of the Initiative are hereby inserted into the Napa County General Plan, as an amendment thereof; except that if the four amendments of the mandatory elements of the General Plan permitted by State law for any given calendar year have already been utilized in the year in which the Initiative becomes effective, this General Plan amendment shall be the first amendment inserted into the Napa County General Plan on January 1 of the next year; and (2) the provisions of Section 4 of the Initiative are hereby inserted into the Napa County Code as an amendment thereof. Upon the effective date of this Initiative, any provisions of the County Code or of any other County of Napa ordinance or resolution that are inconsistent with the General Plan amendments and County Code amendments adopted by this Initiative shall not be enforced in a manner inconsistent with this Initiative.
- B. Interim Amendments:** The date that the notice of intention to circulate this Initiative was submitted to the elections official of the County of Napa is referenced herein as the “submittal date.” The Napa County General Plan in effect on the submittal date as amended by this Initiative comprises an integrated, internally consistent, and compatible statement of policies for the County of Napa. In order to ensure that nothing in this Initiative measure would prevent the General Plan from being an integrated, internally consistent, and compatible statement of the policies of the County, as required by State law, and to ensure that the actions of the voters in enacting this Initiative are given effect, any amendment or update to the General Plan that is adopted between the submittal date and the date that the General Plan is amended by this Initiative measure shall, to the extent that such interim-enacted provision is inconsistent with the General Plan provisions adopted by this Initiative, be amended as soon as possible to ensure consistency between the provisions adopted by this Initiative and other provisions of the General Plan. Likewise, any amendment to the County Code that is adopted between the submittal date and the date that the County Code is amended by this Initiative shall, to the extent that such interim-enacted provision is inconsistent with the County Code provisions adopted by this Initiative, be amended as soon as possible to ensure consistency between the provisions adopted by this Initiative and other provisions of the County Code.
- C. Other County Ordinances and Policies:** The County of Napa is hereby authorized to amend the County of Napa General Plan, all specific or community plans, the County Code, including the Zoning Code, and other ordinances, policies and plans, including climate action plans, affected by this Initiative as soon as possible as necessary to ensure consistency between the provisions adopted in this Initiative and other sections of the General Plan, specific or community plans, the County Code, including the Zoning Code, and other County ordinances, policies, and plans.
- D. Reorganization:** The General Plan and County Code may be reorganized or readopted in different format, and individual provisions may be renumbered or reordered, in the

course of ongoing updates of the General Plan and County Code, provided that the provisions of Section 3 of this Initiative shall remain in the General Plan, and the provisions of Section 4 of this Initiative shall remain in the County Code, unless earlier repealed or amended by vote of the people of the County.

- E. Implementing Ordinances:** The Board of Supervisors is authorized, after a duly noticed public hearing, to adopt implementing ordinances, guidelines, rules, and/or regulations, as necessary, to further the purposes of this Initiative.
- F. Enforcement and Defense of Initiative:** The Board of Supervisors shall take all steps reasonably necessary to enforce this Initiative and to defend it against any challenge to its validity.
- G. Project Approvals:** Upon the effective date of this Initiative, the County and its departments, boards, commissions, officers, and employees shall not take any action which is inconsistent with this Initiative.

SECTION 8: SEVERABILITY AND INTERPRETATION

This Initiative shall be interpreted so as to be consistent with all applicable federal, State, and County laws, rules, and regulations. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, part, or portion of this Initiative is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Initiative. The voters hereby declare that this Initiative, and each section, subsection, paragraph, subparagraph, sentence, clause, phrase, part, or portion thereof would have been adopted or passed even if one or more sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, parts, or portions are declared invalid or unconstitutional. If any provision of this Initiative is held invalid as applied to any person or circumstance, such invalidity shall not affect any application of this Initiative that can be given effect without the invalid application. Any singular term shall include the plural and any plural term shall include the singular. All references to County and State code sections shall mean those code sections, including any amendments, in effect at the time of their application. The title and captions of the various sections in this Initiative are for convenience and organization only, and are not intended to be referred to in construing the provisions of this Initiative. The provisions of this Initiative shall be liberally interpreted in order to give effect to its purposes.

SECTION 9: CONFLICTING LAW

- A.** In the event that this measure and another measure or measures relating to tree removal in specified locations in the County of Napa near streams and wetlands or to oak removal or remediation shall appear on the same County election ballot, the provisions of these other measures shall be deemed to be in conflict with this measure. In the event that more than one such measure passes and this measure shall receive a greater number of affirmative votes, the provisions of this measure shall prevail in their entirety, and the provisions of the other measure or measures shall be null and void in their entirety. In the event that more than one such measure passes and the other measure or measures shall receive a

greater number of affirmative votes than this measure, the following rules shall apply: if more than one such measure passes, then both measures shall go into effect except to the extent that particular provisions of one measure are in direct, irreconcilable conflict with particular provisions of another measure. In that event, as to those conflicting provisions only, the provisions of the measure which received the most votes shall prevail.

- B. If this measure is approved by the voters but superseded by any other conflicting ballot measure approved by more voters at the same election, and the conflicting ballot measure is later held invalid, it is the intent of the voters that this measure shall be self-executing and shall be given the full force of law.

SECTION 10: AMENDMENT OR REPEAL

Except as otherwise provided herein, this Initiative may be amended or repealed only by the voters of Napa County.

The foregoing ordinance was passed by a vote of the people of Napa County, on _____, 2018 by the following vote:

AYES: _____

NOES: _____

The vote on this ordinance was declared by the Board of Supervisors on _____, 2018.

BRAD WAGENKNECHT
Chair, Napa County Board of Supervisors

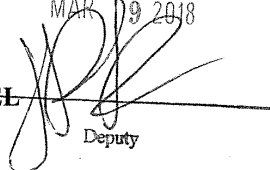
ATTEST:
Clerk of the Board of Supervisors

By: _____

FILED
 Napa County
 Assessor-Recorder-County Clerk
 Election Division

MEASURE C

IMPARTIAL ANALYSIS BY THE NAPA COUNTY COUNSEL

MAR 19 2018

 Deputy

Measure “C” amends the Napa County General Plan and Zoning Ordinance to establish “water qualify buffer zones” on parcels greater than one acre within the Agricultural Watershed (AW) zoning district and would limit tree removal, including both oak and non-oak species, within those zones. The buffer zones would extend between 25 to 125 feet from the top-of-the-bank of any Class I, II, or III stream, as defined, and within 150 feet of any wetland. Tree removal associated with replanting grape vines within the footprint of vineyards approved before the Measure’s effective date would be permitted.

Measure C requires on-site replacement of lost oak trees or oak woodlands, or permanent preservation of comparable habitat, at a minimum 3:1 ratio for activities on AW zoned lands greater than one acre, with limited exceptions. Where infeasible, purchase of a conservation easement or payment of in-lieu fees sufficient to provide permanent preservation of comparable oaks at a 3:1 ratio would be required.

Measure C establishes an “Oak Removal Limit,” such that when a cumulative total of 795 acres of oak woodlands are removed in AW zones, as measured from September 1, 2017, further removal of oak woodland would be subject to a permitting process. Oak tree removal is defined to include “intentional burning” that would count toward the Limit. Oaks destroyed by fires caused by natural phenomena, by backfires set by state or federal agencies, or removed at the direction of CalFire would not count towards this Limit. It is unclear whether trees removed due to fires resulting from other causes would count toward the Limit.

Once the Limit is reached, permits are required for removal of oak trees five inches or greater in diameter. Permits may be issued in the circumstances set forth in the next paragraph or where removal is necessary to ensure that agricultural use of parcels greater than 160 acres remain economically viable.

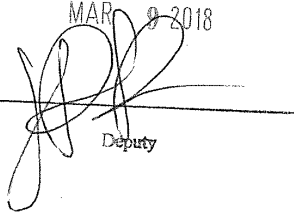
Measure C establishes exceptions to the rules on tree removal in the buffer zones that include , but are not limited to, removing downed and dead trees, adhering to State and County requirements for firebreaks, averting imminent threat to health and safety, for development or maintenance of access roads, septic or wastewater systems, water wells, water resources and storage facilities; on land owned by a public agency; within 11 feet of the centerline of driveways ; and within 150 feet of a lawful residence or other structure. These exceptions also apply to oak removal after the Limit is reached. Oak removal permits must ensure retention of at least 90% of the affected oak canopy unless infeasible and, for agricultural uses or new structures, must include remediation measures.

Effect on Existing Law: Napa County’s existing conservation regulations provide stream setback requirements which differ from the buffer zone setbacks of Measure C in their definition of streams and in the types of uses allowed within the setbacks. Where there is a conflict with respect to tree removal, Measure C contemplates that the more restrictive regime would control.

A YES VOTE MEANS you want to amend the General Plan/zoning regulations to establish the above described buffer zones and to establish the regulatory framework with respect to the removal of oak trees and oak woodlands.

A NO VOTE MEANS you do not want to amend the General Plan/zoning regulations to establish the above described buffer zones and to establish the regulatory framework with respect to the removal of oak trees and oak woodlands.

Jeffrey M. Richard
Acting County Counsel

FILED
Napa County
Assessor-Recorder-County Clerk
Election Division
MAR 9 2018
By: 
Deputy

**NOTICE OF CONSOLIDATED ELECTIONS AND
DEADLINES FOR SUBMITTING IMPARTIAL ANALYSES,
ARGUMENTS AND REBUTTALS FOR INITIATIVE MEASURES C AND D**

NOTICE IS HEREBY GIVEN BY THE NAPA COUNTY REGISTRAR OF VOTERS that consolidated elections will be held on June 5, 2018 for registered voters of Napa County to decide Initiative Measures C and D.

NOTICE is further given that Measure C shall appear on the ballot at said election:

Shall Napa County Ordinance No. 2018-01 be adopted? (Amending the Napa County General Plan and zoning code creating water quality buffer zones within the Agricultural Watershed (AW) zoning district and restricting tree removal within those zones; strengthening oak removal remediation standards and establishing a permit program for oak tree removal once 795 acres of oak woodland have been removed.)	Yes
	No

NOTICE is further given that Measure D shall appear on the ballot at said election:

Shall Napa County Ordinance No. 2018-02 be adopted? (Amending Napa County Code Section 18.120.010 to disallow the use of personal airports and helipads and to limit the circumstances under which helicopter takeoffs and landings in support of direct agricultural activities may take place.)	Yes
	No

NOTICE is further given that the impartial analyses by the County Counsel, in the form required by section 9160(b) of the Elections Code, shall be prepared and filed with the Registrar of Voters on or before 5:00 p.m., March 9, 2018.

NOTICE is further given that the final date for submission to the Registrar of Voters of arguments not to exceed 300 words in length for or against the measures shall be March 16, 2018, and that such arguments shall be submitted to the Registrar at 1127 1st St Ste E, Napa, California 94559, no later than 4:30 p.m. on said day. Arguments must be accompanied by a statement that the argument is true and correct pursuant to Elections Code section 9600.

NOTICE is further given that if arguments are submitted both for and against the proposed measures, the authors may prepare and submit rebuttal arguments not to exceed 250 words. The final date for submission to the Registrar of Voters of rebuttal arguments for or against the measures to the extent rebuttal arguments are permitted by section 9167 of the Elections Code shall be March 23, 2018, no later than 5:00 p.m. on said day. Rebuttal arguments must be accompanied by a statement that the rebuttal to the argument is true and correct pursuant to Elections Code section 9600.

DATED: March 3, 2018

John Tuteur Registrar of Voters

CITY OF ST. HELENA

RESOLUTION NO. 2018-

RESOLUTION ENDORSING MEASURE C ON JUNE 5, 2018 BALLOT

RECITALS

A. The City of St. Helena owns and operates Bell Canyon Reservoir. The Bell Canyon watershed is approximately 3,647 acres. The City owns just 140.7 watershed acres, including the Reservoir.

B. Bell Canyon Reservoir is the primary source of drinking water for the City of Saint Helena. In consequence, it is essential that the Bell Canyon watershed be managed to protect the health and life safety of the residents of St. Helena.

C. As elected leaders of St. Helena, we have a fiduciary duty to ensure the health and life safety of our City's residents. This duty includes doing our best to protect both the quality and quantity of water flowing into the Reservoir from its watershed.

D. Measure C establishes enhanced buffer zones around the watershed's creeks and small streams. At a time of increasingly stringent drinking water quality standards and customer expectations, these enhanced zones provide much needed protection from chemical and sediment loading of the Reservoir that adversely affect both the quality and quantity of stored water.

RESOLUTION

NOW, THEREFORE, the City Council of the City of St. Helena resolves to endorse Measure C.

I HEREBY CERTIFY that this Resolution was adopted at a regular meeting of the City Council on May 8, 2018 by the following roll call vote:

Mayor Galbraith: _____

Vice Mayor White: _____

Councilmember Koberstein: _____

Councilmember Dohring: _____

Councilmember Ellsworth: _____

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Tzaferopoulos, City Clerk

Measure D

MEASURE D

IMPARTIAL ANALYSIS BY THE NAPA COUNTY COUNSEL

The Napa County Code currently allows personal use airports and heliports in most of the zoning districts in the County, upon grant of a use permit. The County Code defines personal use airport and heliport as an airport or heliport limited to noncommercial activities of an individual owner of family and occasional guest. It does not include airports and heliports that support commercial activities.

Measure D, if approved by the voters, would amend the Napa County Code to largely eliminate personal use airports and heliports in zones other than Airport (AV) districts.

The County Code additionally allows helicopter landings in support of direct agricultural production activities such as aerial spraying and frost protection in most zoning districts, without use permit approval. Measure D would require that, where helicopter takeoffs and landings occur at locations other than a public airport, such takeoffs and landings must be in support of direct aerial agricultural activities, must only transport persons essential to that activity, and must be unavoidable. Measure D would also require that, within forty eight (48) hours of any takeoff or landing in support of direct agricultural activities, the helicopter operator must submit a written report to the director of Napa County Planning, Building and Environmental Services containing specified information about the takeoff or landing.

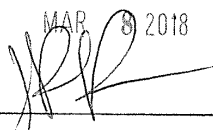
The County Code currently allows emergency medical services landing sites upon grant of a use permit. Measure D does not change or affect this provision.

A YES VOTE MEANS you want to amend the Napa County Code to prohibit personal use airports and heliports and place restrictions on when helicopter takeoffs and landings in support of aerial agricultural activities may occur.

A NO VOTE MEANS you do not want to amend the Napa County Code to prohibit personal use airports and heliports and place restrictions on when helicopter takeoffs and landings in support of aerial agricultural activities may occur.

FILED
Napa County
Assessor-Recorder-County Clerk
Election Division

Jeffrey M. Richard
Acting County Counsel

By:  MAR 8 2018

ORDINANCE NO. 2018-02

AN ORDINANCE OF THE PEOPLE OF NAPA COUNTY ENACTING AN ORDINANCE, AMENDING SECTION 18.120.010 (EXCEPTIONS TO USE LIMITATIONS) OF THE NAPA COUNTY CODE TO PROHIBIT PERSONAL USE AIRPORTS AND HELIPORTS AND TO LIMIT SITES FOR HELICOPTER LANDINGS IN SUPPORT OF DIRECT AGRICULTURAL PRODUCTION ACTIVITIES SUCH AS AERIAL SPRAYING AND FROST PROTECTION.

The people of the County of Napa ordain as follows:

Section 1. Purpose.

The people find that any proliferation of personal use airports or heliports would be inconsistent with and detrimental to the rural, agricultural and peaceful character of Napa County. This Ordinance is intended to prohibit any new personal use airports or heliports. Also, the Ordinance makes no changes to existing law that permits the landing of aircraft and helicopters for emergency uses. Finally, the Ordinance clarifies the limited circumstances under which helicopters may take-off and land in the County for agricultural purposes.

Section 2. Title 18, Chapter 18.120, Section 18.120.010 of the Napa County Code is hereby amended to read as follows:

18.120.010 Exceptions to use limitations.

- A. The following uses, in addition to those hereinbefore set forth, shall be allowed without a use permit in any zoning district:
1. Category 1 and 1A temporary events, as defined in Section 5.36.015;
 2. Category 2A, 2B, 3, 4, and 5 and Subsequent Category 2A, 2B, 3, 4 and 5 temporary events as defined in Section 5.36.015 and conducted in accordance with Chapter 5.36; and special events as defined in Section 10.24.010 and conducted in accordance with a special events permit obtained in accordance with Chapter 10.24;
 3. Surface mining as defined in Chapter 16.12 so long as a surface mining permit has been issued as prescribed by that chapter;
 4. Distribution lines installed to convey gas and/or electricity locally to individual services or to another such line;
 5. Cable television lines, and telephone lines other than long distance cables;
 6. Cultivation of gardens;
 7. Temporary sheds for the retail sale of agricultural products lawfully produced on the premises;
 8. Hand-held, vehicular, or other portable transmitters or transceivers, including, but not limited to cellular phones, CB radios, emergency services radio, and other similar devices;
 9. Helicopter emergency use facility landing sites; and
 10. Helicopter takeoffs and landings ~~solely in support of direct agricultural production activities such as aerial spraying and frost protection at locations other than public airports, in support of direct agricultural activities, but only if the takeoffs and landings comply with all of the following conditions: (a) they are solely in support of direct aerial agricultural activities and~~

applications such as aerial spraying, aerial frost protection, or aerial mapping; (b) they do not transport persons other than those essential to the conduct of such aerial activities; and (c) they are unavoidable.

Within forty-eight hours of any takeoff or landing in support of direct agricultural activities as described herein, the helicopter operator shall submit to the director of the department a written report containing the helicopter's registration number; date, time, duration and aerial activity of the operation; the persons engaged in the conduct of such activity; and the reason why the takeoff or landing was unavoidable.

B. The following uses may be permitted in any zoning district (or where restricted to certain zoning districts, in accordance with such restrictions) upon the grant of a use permit in each case:

1. (Reserved);
2. ~~Personal use airports and heliports,~~ and Emergency medical services landing sites, provided, that such use permit is not effective unless and until any required permits, licenses, or other approvals from other federal, state, and local agencies (including the airport land use commission) have been obtained;
3. Commercial excavation or extraction of natural materials including, without limitation, geothermal, oil and gas resources;
4. Timber harvesting;
5. Sanitation treatment plants and oxidation ponds;
6. Electric transmission lines designed to carry large blocks of electric energy at a voltage of thirty-three kv or above from generating stations, between points of interchange, between transmission substations, to distribution stations or to large individual customers;
7. Gas transmission lines installed for the purpose of transmitting gas from a source or sources of supply to one or more distribution centers or to one or more large volume customers or to interconnect sources of supply;
8. Other public utility uses including, without limitation, warehouses, storage yards, gas holders, substations, electric generating plants, reservoirs, storage tanks, pumping stations and communication equipment buildings;
9. Other public and quasi-public uses not included elsewhere in this section other than telecommunication facilities;
10. Other provisions of this section to the contrary notwithstanding, the undergrounding of any electric, gas or telephone line shall require a use permit except:
 - a. Where the entire length of the line to be underground is covered by an encroachment permit, or
 - b. The entire length of the line to be undergrounded lies between a distribution line on a street and an individual service connection;
11. Churches;
12. Cemeteries;
13. Child day care center in existing structures developed for public assembly (i.e., churches, meeting halls, public and private schools) and in existing nonconforming commercial buildings;
14. Temporary real estate offices for the sale of properties developed pursuant to a development plan for the site;
15. Provided that the property to be developed is located within a railroad right-of-

way in existence as of January 1, 1988, and notwithstanding any other provision of this code, tourist and excursion transportation facilities may be permitted, subject to the issuance of a conditional use permit pursuant to Sections 18.124.010 through 18.124.080; and

16. Hot air balloon launching sites so long as the approving agency can make all of the findings contained in Section 18.104.400.

C. Minimum lot area regulations applicable to any zoning district may be waived by the commission in connection with issuance by it of a use permit for any use set forth in subsections (B)(7) and (8) of this section.

D. The following uses shall be allowed in any zoning district upon issuance of an administrative permit in accordance with Chapter 18.126:

1. A home occupation; provided, however, that notwithstanding Section 18.08.310, a bed and breakfast shall not be considered a home occupation;

2. Signs allowed without permits per Section 18.116.020 and signs allowed upon grant of an administrative permit per Section 18.116.030;

3. A temporary trailer;

4. An application for an extension of time for a previously issued administrative permit for a temporary trailer; and

5. Hot air balloon launching sites involving fifty or fewer days of launches or attempted launches at the same site per year and in accordance with the standards contained in subsection (O) of Section 18.126.060.

Section 3. Conflicting Law. If this initiative measure and another measure addressing personal use airports and heliports appear on the same ballot, and a majority of the voters vote in favor of both measures but this measure receives more votes than the other measure, this measure alone shall become valid, binding, and adopted in its entirety, and the other measure shall be null and void in its entirety.

Section 4. Amendment. This ordinance may not be repealed or amended except by a vote of the people.

Section 5. Effective Date. This ordinance shall be considered as adopted upon the date the vote is declared by the board of supervisors, and shall go into effect 10 days after that date.

The foregoing ordinance was passed by a vote of the people of Napa County, on _____, 2018 by the following vote:

AYES: _____

NOES: _____

The vote on this ordinance was declared by the Board of Supervisors on _____, 2018.

BRAD WAGENKNECHT

Chair, Napa County Board of Supervisors

ATTEST:
Clerk of the Board of Supervisors

By:_____

**NOTICE OF CONSOLIDATED ELECTIONS AND
DEADLINES FOR SUBMITTING IMPARTIAL ANALYSES,
ARGUMENTS AND REBUTTALS FOR INITIATIVE MEASURES C AND D**

NOTICE IS HEREBY GIVEN BY THE NAPA COUNTY REGISTRAR OF VOTERS that consolidated elections will be held on June 5, 2018 for registered voters of Napa County to decide Initiative Measures C and D.

NOTICE is further given that Measure C shall appear on the ballot at said election:

Shall Napa County Ordinance No. 2018-01 be adopted? (Amending the Napa County General Plan and zoning code creating water quality buffer zones within the Agricultural Watershed (AW) zoning district and restricting tree removal within those zones; strengthening oak removal remediation standards and establishing a permit program for oak tree removal once 795 acres of oak woodland have been removed.)	Yes
	No

NOTICE is further given that Measure D shall appear on the ballot at said election:

Shall Napa County Ordinance No. 2018-02 be adopted? (Amending Napa County Code Section 18.120.010 to disallow the use of personal airports and helipads and to limit the circumstances under which helicopter takeoffs and landings in support of direct agricultural activities may take place.)	Yes
	No

NOTICE is further given that the impartial analyses by the County Counsel, in the form required by section 9160(b) of the Elections Code, shall be prepared and filed with the Registrar of Voters on or before 5:00 p.m., March 9, 2018.

NOTICE is further given that the final date for submission to the Registrar of Voters of arguments not to exceed 300 words in length for or against the measures shall be March 16, 2018, and that such arguments shall be submitted to the Registrar at 1127 1st St Ste E, Napa, California 94559, no later than 4:30 p.m. on said day. Arguments must be accompanied by a statement that the argument is true and correct pursuant to Elections Code section 9600.

NOTICE is further given that if arguments are submitted both for and against the proposed measures, the authors may prepare and submit rebuttal arguments not to exceed 250 words. The final date for submission to the Registrar of Voters of rebuttal arguments for or against the measures to the extent rebuttal arguments are permitted by section 9167 of the Elections Code shall be March 23, 2018, no later than 5:00 p.m. on said day. Rebuttal arguments must be accompanied by a statement that the rebuttal to the argument is true and correct pursuant to Elections Code section 9600.

DATED: March 3, 2018

John Tuteur Registrar of Voters

Cindy Tzaopoulos

From: Tittel/Caloyannidis <calti@comcast.net>
Sent: Friday, April 27, 2018 6:14 PM
To: Cindy Tzaopoulos
Cc: Alan Galbraith; Geoff Ellsworth; Mary Koberstein; Paul Dohring; Peter White
Subject: FW: E-Agenda Notification: Regular City Council - 08 May 2018
Attachments: INITIATIVE - TEXT.pdf; INITIATIVE - ARGUMENT FOR & AGAINST.pdf; INITIATIVE - REBUTTAL FOR & AGAINST.pdf; INITIATIVE - IMPARTIAL ANALYSIS.pdf; INITIATIVE - PERPETUATING CONFUSION.doc

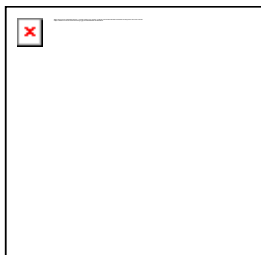
From: City of St. Helena [mailto:cwnotification@icompasstech.com]
Sent: Friday, April 27, 2018 3:45 PM
To: calti@comcast.net
Subject: E-Agenda Notification: Regular City Council - 08 May 2018

This is an E-Agenda for the meeting: Regular City Council - 08 May 2018

Please visit the following link to view the document:

[Regular City Council - 08 May 2018](#)

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To verify the accuracy of this information please contact the City Clerk's office at (707) 967-2792 or email cityclerk@cityofsthelena.org.

www.cityofsthelena.org

[Contact Us](#)

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The County Counsel for the County of Napa has prepared the following title and summary of the chief purpose and points of the proposed measure:

TITLE: AN INITIATIVE AMENDING SECTION 18.120.010 OF THE NAPA COUNTY CODE (1) TO DISALLOW THE USE OF PERSONAL AIRPORTS AND HELIPADS AND (2) TO LIMIT THE CIRCUMSTANCES UNDER WHICH HELICOPTER TAKEOFFS AND LANDINGS IN SUPPORT OF DIRECT AGRICULTURAL ACTIVITIES MAY TAKE PLACE

SUMMARY: Personal use airports and heliports are currently allowed upon grant of a use permit under Section 18.120.010(B)(2) of Chapter 18.120 of Title 18 of the Napa County Code. This initiative, if enacted, would amend this Section to prohibit personal use airports and heliports.

This initiative would also amend Section 18.120.010(A) of Chapter 18.120 of the County Code to limit the circumstances under which helicopter takeoffs and landings in support of direct agricultural activities may take place without a use permit. Such takeoffs and landings could occur only if all of the following conditions are satisfied:

- (a) the takeoffs and landing are solely in support of direct aerial agricultural activities and applications such as aerial spraying, aerial frost protection, or aerial mapping;
- (b) the takeoffs and landings do not transport persons other than those essential to the conduct of such aerial activities; and
- (c) the takeoffs and landings are unavoidable.

The initiative would require that, within forty eight (48) hours of any takeoff or landing in support of direct agricultural activities, the helicopter operator must submit a written report to the director of Napa County Planning, Building and Environmental services. The report must contain the helicopter's registration number: date, time, duration and aerial activity of the operation; persons engaged in the conduct of such activity; and the reason why the takeoff or landing was unavoidable.

To the Board of Supervisors of the County of Napa

We, the undersigned, registered, qualified voters and residents of Napa County California, hereby propose amendments to Napa County Code Section 18.120.010, relating to the use of personal airports and helipads, and petition the Board of Supervisors to adopt or otherwise submit the same to the voters of Napa County for their adoption or rejection at the next statewide election or at a special election held prior to that general election or as otherwise provided by law. The proposed statutory amendments are set forth below and on the subsequent page and read as follows:

Ordinance amending the Napa County Code to prohibit personal use airports and heliports and to limit sites for helicopter landings in support of direct agricultural production activities such as aerial spraying and frost protection.

The people of the County of Napa ordain as follows:

Section 1. Purpose.

The people find that any proliferation of personal use airports or heliports would be inconsistent with and detrimental to the rural, agricultural and peaceful character of Napa County. This Ordinance is intended to prohibit any new personal use airports or heliports. Also, the Ordinance makes no changes to existing law that permits the landing of aircraft and helicopters for emergency uses. Finally, the Ordinance clarifies the limited circumstances under which helicopters may take-off and land in the County for agricultural purposes.

Section 2. Title 18, Chapter 18.120, Section 18.120.010 of the Napa County Code is hereby amended to read as follows:

18.120.010 - Exceptions to use limitations.

A. The following uses, in addition to those hereinbefore set forth, shall be allowed without a use permit in any zoning district:

1. Category 1 and 1A temporary events, as defined in Section 5.36.015;
2. Category 2A, 2B, 3, 4, and 5 and Subsequent Category 2A, 2B, 3, 4 and temporary events as defined in Section 5.36.015 and conducted in accordance with Chapter 5.36; and special events as defined in Section 10.24.010 and conducted in accordance with a special events permit obtained in accordance with Chapter 10.24;
3. Surface mining as defined in Chapter 16.12 so long as a surface mining permit has been issued as prescribed by that chapter;
4. Distribution lines installed to convey gas and/or electricity locally to individual services or to another such line;
5. Cable television lines, and telephone lines other than long distance cables;
6. Cultivation of gardens;
7. Temporary sheds for the retail sale of agricultural products lawfully produced on the premises;
8. Hand-held, vehicular, or other portable transmitters or transceivers, including, but not limited to cellular phones, CB radios, emergency services radio, and other similar devices;

9. Helicopter emergency use facility landing sites; and
10. Helicopter takeoffs and landings ~~solely in support of direct agricultural production activities such as aerial spraying and frost protection at locations other than public airports, in support of direct agricultural activities, but only if the takeoffs and landings comply with all of the following conditions: (a) they are solely in support of direct aerial agricultural activities and applications such as aerial spraying, aerial frost protection, or aerial mapping; (b) they do not transport persons other than those essential to the conduct of such aerial activities; and (c) they are unavoidable.~~

Within forty-eight (48) hours of any takeoff or landing in support of direct agricultural activities as described herein, the helicopter operator shall submit to the director of the County's Planning, Building and Environmental Services Department a written report containing the helicopter's registration number; date, time, duration and aerial activity of the operation; the persons engaged in the conduct of such activity; and the reason why the takeoff or landing was unavoidable.

B. The following uses may be permitted in any zoning district (or where restricted to certain zoning districts, in accordance with such restrictions) upon the grant of a use permit in each case:

1. (Reserved);
2. Personal use airports and heliports, and emergency medical services landing sites, provided, that such use permit is not effective unless and until any required permits, licenses, or other approvals from other federal, state, and local agencies (including the airport land use commission) have been obtained;
3. Commercial excavation or extraction of natural materials including, without limitation, geothermal, oil and gas resources;
4. Timber harvesting;
5. Sanitation treatment plants and oxidation ponds;

6. Electric transmission lines designed to carry large blocks of electric energy at a voltage of thirty-three kv or above from generating stations, between points of interchange, between transmission substations, to distribution stations or to large individual customers;
7. Gas transmission lines installed for the purpose of transmitting gas from a source or sources of supply to one or more distribution centers or to one or more large volume customers or to interconnect sources of supply;
8. Other public utility uses including, without limitation, warehouses, storage yards, gas holders, substations, electric generating plants, reservoirs, storage tanks, pumping stations and communication equipment buildings;
9. Other public and quasi-public uses not included elsewhere in this section other than telecommunication facilities;
10. Other provisions of this section to the contrary notwithstanding, the undergrounding of any electric, gas or telephone line shall require a use permit except:
 - a. Where the entire length of the line to be underground is covered by an encroachment permit, or
 - b. The entire length of the line to be undergrounded lies between a distribution line on a street and an individual service connection;
11. Churches;
12. Cemeteries;
13. Child day care center in existing structures developed for public assembly (i.e., churches, meeting halls, public and private schools) and in existing nonconforming commercial buildings;
14. Temporary real estate offices for the sale of properties developed pursuant to a development plan for the site;
15. Provided that the property to be developed is located within a railroad right-of-way in existence as of January 1, 1988, and notwithstanding any other provision of this code, tourist and excursion transportation facilities may be permitted, subject to the issuance of a conditional use permit pursuant to Sections 18.124.010 through 18.124.080; and

16. Hot air balloon launching sites so long as the approving agency can make all of the findings contained in Section 18.104.400.

C. Minimum lot area regulations applicable to any zoning district may be waived by the commission in connection with issuance by it of a use permit for any use set forth in subsections (B)(7) and (8) of this section.

D. The following uses shall be allowed in any zoning district upon issuance of an administrative permit in accordance with Chapter 18.126:

1. A home occupation; provided, however, that notwithstanding Section 18.08.310, a bed and breakfast shall not be considered a home occupation;
2. Signs allowed without permits per Section 18.116.020 and signs allowed upon grant of an administrative permit per Section 18.116.030;
3. A temporary trailer;
4. An application for an extension of time for a previously issued administrative permit for a temporary trailer; and
5. Hot air balloon launching sites involving fifty or fewer days of launches or attempted launches at the same site per year and in accordance with the standards contained in subsection (O) of Section 18.126.060.

Section 3. Conflicting Law. If this initiative measure and another measure addressing personal use airports and heliports appear on the same ballot, and a majority of the voters vote in favor of both measures but this measure receives more votes than the other measure, this measure alone shall become valid, binding, and adopted in its entirety, and the other measure shall be null and void in its entirety.

Section 4. Amendment. This ordinance may not be repealed or amended except by a vote of the people.

Section 5. Effective Date. This ordinance shall be considered as adopted upon the date the vote is declared by the board of supervisors, and shall go into effect 10 days after that date.

MEASURE D

IMPARTIAL ANALYSIS BY THE NAPA COUNTY COUNSEL

The Napa County Code currently allows personal use airports and heliports in most of the zoning districts in the County, upon grant of a use permit. The County Code defines personal use airport and heliport as an airport or heliport limited to noncommercial activities of an individual owner of family and occasional guest. It does not include airports and heliports that support commercial activities.

Measure D, if approved by the voters, would amend the Napa County Code to largely eliminate personal use airports and heliports in zones other than Airport (AV) districts.

The County Code additionally allows helicopter landings in support of direct agricultural production activities such as aerial spraying and frost protection in most zoning districts, without use permit approval. Measure D would require that, where helicopter takeoffs and landings occur at locations other than a public airport, such takeoffs and landings must be in support of direct aerial agricultural activities, must only transport persons essential to that activity, and must be unavoidable. Measure D would also require that, within forty eight (48) hours of any takeoff or landing in support of direct agricultural activities, the helicopter operator must submit a written report to the director of Napa County Planning, Building and Environmental Services containing specified information about the takeoff or landing.

The County Code currently allows emergency medical services landing sites upon grant of a use permit. Measure D does not change or affect this provision.

A YES VOTE MEANS you want to amend the Napa County Code to prohibit personal use airports and heliports and place restrictions on when helicopter takeoffs and landings in support of aerial agricultural activities may occur.

A NO VOTE MEANS you do not want to amend the Napa County Code to prohibit personal use airports and heliports and place restrictions on when helicopter takeoffs and landings in support of aerial agricultural activities may occur.

Jeffrey Richard
Acting County Counsel

NAPA COUNTY - MEASURE "D"

ARGUMENT IN SUPPORT OF MEASURE "D"

Measure "D" prevents private helicopter and helicopter taxi service takeoffs and landings in Napa county as they have established themselves in other parts of the country which failed to prevent them in time.

Measure "D" eliminates noisy, accident-prone helicopter takeoffs and landings in our neighborhoods. Per FAA statistics, 37% of crashes occur within 1 mile from a heliport. From January 2017 to March 11, 2018 there were at least 24 U.S. civilian crashes with 50 fatalities. Many more caused injuries, fires and property damage below.

Sacrificing accident risk at neighborhoods for the convenience of the wealthy is unwise when airports in Napa and Angwin are available and equipped to respond to nearby crashes. With no heliports in residential neighborhoods, there will be no need to disclose their proximity when selling a home.

Measure "D" does not regulate helicopter traffic anywhere but will prohibit the transport of consultants, executives, tourists and others to vineyards unless they are essential to the conduct of an aerial agricultural production operation or a landing is otherwise unavoidable.

Law enforcement and emergency services may land anytime, anywhere.

A single private helipad application has consumed over 1,031 hours of staff time, nearly 20% of the 2017 Planning Commission's hearings and thousands of hours of neighbors defending their peace and quiet. There are much more important community issues for the County's time and resources.

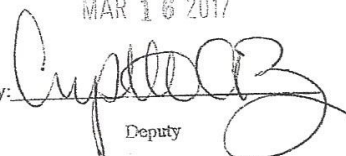
As precious individual property rights are, they must also respect the right of neighbors to their peaceful enjoyment of their properties. This is what our valley has always been about and worth keeping that way.

Quiet, safe neighborhoods preserve the unique ambience of our valley, our property values and our collective quality of life.

Let's preserve the treasure while we can: Vote YES on "D".

FILED
Napa County
Assessor-Recorder-County Clerk
Election Division

MAR 16 2017

By: 
Deputy

Vote NO on Measure D.

Measure D is a poorly written solution in search of a non-existent problem that puts public safety and finances at substantial risk in Napa County.

Measure D is flawed, misleading, and creates liability for Napa County citizens.

An analysis conducted by the Napa County Board of Supervisors concluded that “there is a significant risk that, if enacted, the proposed Initiative, or portions of it, would be vulnerable to being **legally challenged and invalidated**.” An independent report determined that Measure D “would create ambiguities that are potentially vulnerable to a constitutional vagueness challenge.” Napa County taxpayers could be on the hook to pay hundreds of thousands of dollars if the County is forced to defend against lawsuits, resulting in less money for our schools, libraries, police and fire.

Measure D limits helicopter landing sites. Due to Measure D’s ambiguity, helicopter operators providing essential services may be restricted from landing on private property in Napa County if Measure D is approved. When emergencies occur operators need flexibility to conduct their mission effectively.

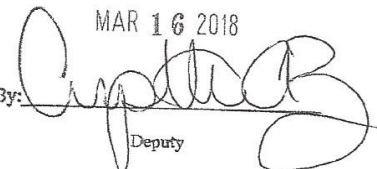
Measure D is unnecessary. Measure D’s proponents falsely claim that there are too many helicopters and airplanes in Napa County. Napa County **does not** have a helicopter or an airplane problem. The County has processed only one application for a private helipad in the last 33 years.

Measure D negatively impacts everyone in Napa County. If Measure D is approved, utility contractors, like those working for PG&E, won’t be able to use helicopters to replace power poles or service lines just as they successfully did after the October fires.

Measure D attacks agriculture. Napa County is an agricultural community. Measure D unfairly places additional burdens on Napa County’s farmers and ranchers.

Reject this unnecessary and risky use of the local initiative process.

Vote NO on Measure D.

FILED
Napa County
Assessor-Recorder-County Clerk
Election Division
MAR 16 2018
By: 
Deputy

STATEMENT THAT ARGUMENT IS TRUE AND CORRECT

All arguments/rebuttal arguments concerning measures shall be accompanied by this form to be signed by each author(s). Author(s) names and titles listed will be listed and printed in the Voter's Information Pamphlet in the order provided below and will appear as indicated below.

The undersigned author (s) of the:

☐ Argument in Favor of (300 words)

☐ Rebuttal to the Argument in Favor of (250 Words)

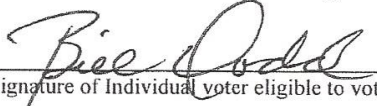
☒ Argument Against (300 words)

☐ Rebuttal to the Argument Against (250 words)

Ballot Measure letter D at the Statewide Direct Primary- June 2018
Name of Election

Election for Napa County
Jurisdiction (name of district)

to be held on June 5, 2018, hereby state that such argument is true and correct to the best of his/her/their knowledge and belief.

1. 
Signature of Individual voter eligible to vote
Bill Dodd
Print Name to Appear in Voter's Information Pamphlet
State Senator
(Optional) Print title to appear under name

4. _____
Signature of Individual voter eligible to vote

Print Name to Appear in Voter's Information Pamphlet

(Optional) Print title to appear under name

2. _____
Signature of Individual voter eligible to vote

Print Name to Appear in Voter's Information Pamphlet

(Optional) Print title to appear under name

5. _____
Signature of Individual voter eligible to vote

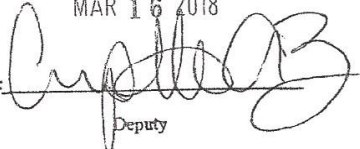
Print Name to Appear in Voter's Information Pamphlet

(Optional) Print title to appear under name

3. _____
Signature of Individual voter eligible to vote

Print Name to Appear in Voter's Information Pamphlet

(Optional) Print title to appear under name

FILED 8:30 AM
Napa County
Assessor-Recorder-County Clerk
Election Division
MAR 16 2018
By: 
Deputy

STATEMENT THAT ARGUMENT IS TRUE AND CORRECT

All arguments/rebuttal arguments concerning measures shall be accompanied by this form to be signed by each author(s). Author(s) names and titles listed will be listed and printed in the Voter's Information Pamphlet in the order provided below and will appear as indicated below.

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☐ Argument in Favor of (300 words)

☐ Rebuttal to the Argument in Favor of (250 Words)

☒ Argument Against (300 words)

☐ Rebuttal to the Argument Against (250 words)

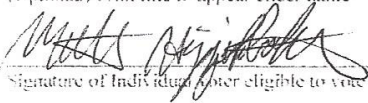
Ballot Measure letter D at the Statewide Direct Primary- June 2018
Name of Election

Election for Napa County
Jurisdiction (name of district)
June 5 2018 hereby state that such argument is true and correct
to the best of his/her/their knowledge and belief.

1. _____
Signature of Individual voter eligible to vote

Print Name to Appear in Voter's Information Pamphlet

(Optional) Print title to appear under name

2. 
Signature of Individual voter eligible to vote
Matthew Higginbotham

Print Name to Appear in Voter's Information Pamphlet

Assistant Chief Pilot REACH Air Medical Services

(Optional) Print title to appear under name

3. _____
Signature of Individual voter eligible to vote

Print Name to Appear in Voter's Information Pamphlet

(Optional) Print title to appear under name

4. _____
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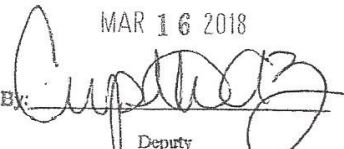
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(Optional) Print title to appear under name

FILED

Napa County
Assessor-Recorder-County Clerk
Election Division

MAR 16 2018

By: 
Deputy

FILED @ 8:30

Napa County
Assessor-Recorder-County Clerk
Election Division

STATEMENT THAT ARGUMENT IS TRUE AND CORRECT

MAR 13 2018

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☒ Argument Against (300 words)

☐ Rebuttal to the Argument Against (250 words)

Ballot Measure letter D at the Statewide Direct Primary for June 2018
Name of Election

Election for Napa County
Jurisdiction (name of district)

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4. _____
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Print Name to Appear in Voter's Information Pamphlet

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(Optional) Print title to appear under name

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(Optional) Print title to appear under name

3. Peter White
Signature of Individual voter eligible to vote

Peter White
Print Name to Appear in Voter's Information Pamphlet

Vice Mayor of the City of St. Helena, Chair of the Napa Valley Transportation Authority
(Optional) Print title to appear under name

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4. B. Bottari
Signature of Individual voter eligible to vote

Brian Bottari

Print Name to Appear in Voter's Information Pamphlet
Pacific Gas and Electric Company

(Optional) Print title to appear under name

5. _____
Signature of Individual voter eligible to vote

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FILED
Napa County
Assessor-Recorder-County Clerk
Election Division

MAR 16 2018
By: [Signature]
Deputy

REBUTTAL TO THE ARGUMENT AGAINST MEASURE "D"

In 2004, Supervisor Dodd supported tourist helicopter tours at our wineries. By rejecting them, the predicted doom and legal challenges turned into great success. 24

Now Senator Dodd with individuals at PG&E and REACH, uses similar tactics: *Measure "D" will prevent the replacement of power poles, impair firefighting and air medical services.* But facts are facts. 31

Without imposing any restrictions to aerial activities, Measure "D" makes only two changes in the Code: It prohibits additional private heliports and limits landings at vineyards under certain conditions.

The entire balance of Existing Code is left intact, including Section 18.120.010 which allows: "Helicopter emergency use facility landing sites" by right, plus: "Emergency medical services landing sites". All public services and operations permitted in the Code before, still are. To argue otherwise is false. 74

Behind the fear mongering, hide wealthy campaign funders entitled to private heliports or executives and visitors landing at vineyards claiming to engage in "direct agricultural production" without regard for their neighbors. 31

The County torpedoed initiatives before because they expose its persisting failure to protect public and neighborhood quality of life. Legal testimony, showed that its "independent" report was anything but "independent" in claiming the two Measure "D" provisions impede services, are vague and unconstitutional. 43

The voters will determine if the Napa valley will become another helicopter-infested Hamptons, Long Island, Hollywood Hills, Cahuenga Pass, now appealing to Congress for their lost peace and quiet, and dare bully plutocrats overturn their will. 33

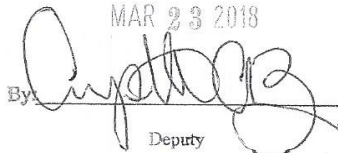
Vote YES on D 4

240

FILED

Napa County
Assessor-Recorder-County Clerk
Election Division

MAR 23 2018

By  Deputy

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1. [Signature]
Signature of Individual voter eligible to vote

George Caloyannidis
Print Name to Appear in Voter's Information Pamphlet

Architect, Calistoga
(Optional) Print title to appear under name

2. [Signature]
Signature of Individual voter eligible to vote

Donald Williams
Print Name to Appear in Voter's Information Pamphlet

contractor
(Optional) Print title to appear under name

3. [Signature]
Signature of Individual voter eligible to vote

Norman Samuel Manzer
Print Name to Appear in Voter's Information Pamphlet

St Helena
(Optional) Print title to appear under name

4. [Signature]
Signature of Individual voter eligible to vote

GEOFFREY C. ELLSWORTH
Print Name to Appear in Voter's Information Pamphlet

ST. HELENA
(Optional) Print title to appear under name

5. [Signature]
Signature of Individual voter eligible to vote

NORMA J. TOFANELLI
Print Name to Appear in Voter's Information Pamphlet

FARMER, CALISTOGA
(Optional) Print title to appear under name

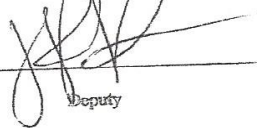
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MAR 23 2018

By [Signature]
Deputy

- **VOTE NO ON MEASURE D.**
- **Measure D is poorly written, will have unintended consequences and threatens public safety.** Measure D would limit PG&E's ability to install power poles and replace service lines in times of emergency, putting public safety at significant risk. In fact, Measure D will make it a misdemeanor for conducting these necessary County operations.
- **Measure D attempts to fix a law that is not broken.** The County's 40-year-old law is an effective permitting process that has worked without fail to analyze the impacts of new heliports and airports. The current law already protects against building landing sites in neighborhoods. There is **no reason** to change a law that is achieving its intended goal – keeping neighborhoods safe and protecting Napa County citizens.
- **The proponent of Measure D is trying to unnecessarily scare voters.** There have been ZERO airplane and helicopter accident-related deaths in Napa County during the last 35 years.
- **Measure D limits farming practices.** Farming in Napa is already challenging and expensive, but Measure D creates additional limitations for our farming community.
- **Measure D makes Napa County taxpayers financially liable.** An independent analysis by a law firm hired by Napa County found that Measure D "would create ambiguities that are potentially vulnerable to a constitutional vagueness challenge." If the County is forced to defend against lawsuits, taxpayers could be responsible for hundreds of thousands of dollars in legal fees, resulting in less money for schools, road repairs and contributions to affordable housing.
- **VOTE NO ON MEASURE D.**

FILED
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 Deputy

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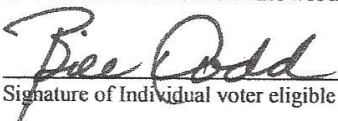
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1. 
Signature of Individual voter eligible to vote
Bill Dodd
Print Name to Appear in Voter's Information Pamphlet
State Senator
(Optional) Print title to appear under name

4. _____
Signature of Individual voter eligible to vote

Print Name to Appear in Voter's Information Pamphlet

(Optional) Print title to appear under name

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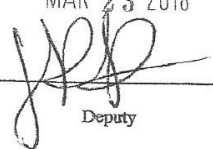
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Signature of Individual voter eligible to vote

Print Name to Appear in Voter's Information Pamphlet

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3. P. G. White
Signature of Individual voter eligible to vote

Peter White

Print Name to Appear in Voter's Information Pamphlet

Vice Mayor-City of St. Helena, Chair of the Napa Valley Transportation Authority
(Optional) Print title to appear under name

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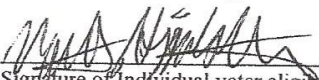
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5. _____
Signature of Individual voter eligible to vote

Matthew Higginbotham

Print Name to Appear in Voter's Information Pamphlet
REACH Air Medical Services

Print Name to Appear in Voter's Information Pamphlet

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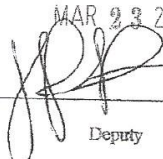
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Signature of Individual voter eligible to vote

Brian Bottari

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Pacific Gas and Electric Company

(Optional) Print title to appear under name

5. _____
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Assessor-Recorder-County Clerk
Election Division

MAR 23 2018

By: _____

Deputy

PERPETUATING CONFUSION ON MEASURE D AND PUBLIC UTILITIES

April 27, 20118

Editor,

I am responding to Barry Eberling's report "Measure D: A solution in search of a problem?".

First, the voters of Napa County will be the ones who will decide whether given the choice, they wish to prevent the future proliferation of private heliports while they still can rather than follow the fate of the Hamptons, Long Island, Santa Barbara, Hollywood Hills, Torrance, Aspen - the list grows by the month - including planned helicopter services by Uber in Texas and in other states. These communities have failed to act while they could and now appeal to Congress for legislation to regulate private air traffic in their skies. To no avail!

More important though is to set the record straight in Mr. Eberling's report on whether the passage of Measure D will prevent PG&E from replacing power poles and power lines, a narrative initially put forward by the 9111 Report ultimately concluding that they would "survive" the Measure's provisions and further perpetuated by Senator Dodd in his argument against Measure D as it will appear on the ballot.

Here are the common sense facts:

Measure D will simply prohibit the County of Napa from issuing new use permits for "Personal use airports and heliports" which the Code defines as ones *"limited to the noncommercial activities of an individual owner or family and occasional invited guests"*. Currently such use permits may be obtained through the County on a case by case basis. To argue that this definition fits the family and invited guests of PG&E is laughable.

The truth is that installing and maintaining their infrastructure, PG&E, Comcast, AT&T contractors operate without having obtained use permits and there is a good reason for that. They are exempt and entitled to do so "by right" in Napa County Code Section 18.120.010 / A 4 and A 5. For these providers to be impacted by Measure D, they would have to be engaging in helicopter landings for noncommercial activities of individual owners or families and occasional invited guests! Last time I checked, this is not what they do.

Neither are they the "individual owners" of the real estate on which power poles, power and communication lines are located.

So, these providers are engaging in commercial rather than "noncommercial activities", they are not the property "owners or their families", they have no "occasional invited guests" and they are entitled by right to do what they are doing. Negatively impacted by Measure D?

It is time to stop misleading the public!

George Caloyannidis
Calistoga

MAY-6-2018 14:41 FROM:KEN BUKOWSKI

510 808 5555

TO:17079637748

P.1/5

*Honorable Mayor & City Council**May 5, 2018**Information about Regional Measure Three*

The Staff of the Metropolitan Transportation Commission is handing us Regional Measure Three. Neither the Cities and Counties nor the Public was invited to participate in the creation of an expenditure plan we will have to live with for a life time. It is a take it or leave it approach. It shows no respect for the elected officials across our region. They are spending so much public money they expect it will be approved. I think there are other options to consider.

RM3 fails to address region's Housing and Transportation crisis. It continues to make it even worse. The title of the measure is misleading. It is NOT a "Traffic Relief Plan." There is no evidence it will reduce traffic congestion or air pollution. Money included for transit projects does not mean more people will use it. Transit use continues to decline as the fares continue to increase.

RM3 has NO SUNSET DATE. It is a Lifetime Authorization with adjustments for inflation. The text says, "Subject to voter approval of RM 3, the Bay Area Toll Authority (BATA) would be authorized to index the RM 3 portion of the toll after it is fully phased in to keep pace with inflation." What will the toll money be used for when the specified projects are complete?

The MTC Staff makes all the funding decisions for the region. The members of the commission never publicly challenge any of the funding decisions. (in over two decades) Every item submitted to the commission is approved, almost always by unanimous vote. The Staff are masters at using money to get everything they want. The board members are afraid go against the Staff

The oversight provisions in this measure are insufficient and inadequate to stop the unauthorized use of funds before it happens. This agency has a long history of violating the public trust. With RM2 they spent "an unauthorized" over a \$100 million for a beautiful headquarters building in San Francisco. They are proud. There is no consequence for this and any other violations.

MAY-6-2018 14:41 FROM:KEN BUKOWSKI

510 808 5555

TO:17079637748

P.2/5

*Honorable Mayor & City Council**May 5, 2018**Information about Regional Measure Three*

THIS ELECTION CAMPAIGN IS UNFAIR- MTC Staff is spending an enormous amount of public money to promote this measure. 24 full pages of information in each of nine county ballot pamphlets. It has to cost hundreds of thousands of dollars. How could anyone opposed to this measure put up as much money as MTC. The MTC contributes to numerous worthy non-profit organizations which helps them provide services to their members. The MTC Staff is asking for endorsements. Members of these worthy organization are afraid of losing the on-going public money they receive if they don't cooperate. THE MTC Staff is not allowed to be involved with the campaign. As you will see in video of the Cupertino City Council meeting the MTC asked for their endorsement. And they wisely said No.

EXPRESS LANES formally known as High Occupancy Lanes were originally designed to provide an advantage for vehicles with more than one occupant. The new express lanes create the ability to collect a fee from single-occupant drivers based on the level of congestion. What are we doing? For two decades we have been trying to eliminate single-occupant use. How can this project be OK. Did anyone in the region ask for express lanes?. It's another way the agency can collect money

The MTC and Caltrans have already decided to install a complete network of express lanes. It doesn't matter what we think. There is no mention of how the money collected will be used? The cost to convert these lanes is astronomical. \$500 million to convert the lanes on US 101, not to mention all the others. Express Lanes do not increase road capacity?. The speed limit is the same? Where is the real benefit? The MTC has their own priorities. Why do we have money for "Express Lanes" and not enough money for transit?

TRANSPORTATION & THE ECONOMY- Our economic well being depends on the movement of pedestrians and vehicles. Similar to a heart which has veins and arteries which circulate blood to all parts of the body. if the flow of blood is restricted (for any reason) the affected area becomes weak and unable to perform,

MAY-6-2018 14:42 FROM:KEN BUKOWSKI

510 808 5555

TO:17079637748

P.3/5

*Honorable Mayor & City Council**May 5, 2018**Information about Regional Measure Three*

Likewise a healthy economy depends on the movement of pedestrians and vehicles. That provides money to all areas of a community. A local merchant depends on foot traffic. A manufacturer depends the movement of vehicles for distribution. Businesses depend on circulation for their employees to get to and from work.

MTC continues to make transportation and public transit more expensive which diminishes its use. The Bay Area has the most expensive public transit in the country. If someone can't afford to use transit they have no ability to work, be productive, go to school, visit the doctor, etc. Every time the cost increases, a number of poor people lose their freedom and opportunity which leads to being homeless.

On the end of the scale our public money is subsidizing wealthy and corporate property owners.

Land Use & Financial Responsibility for Transportation Infrastructure

Transportation demands are created by the use of land. A vacant parcel of land that is undeveloped cannot be used, No money can be earned. When a transportation connection is made the land can be developed and money can be generated. The use of the land creates the need for the transportation connection. The volume of traffic serving the property incurs a cost to maintain that transportation connection. Clearly the cost of the transportation connection should be a cost of doing business for the project.

However, the land owner(s) are allowed to escape financial responsibility for the costs associated with the traffic generated by the use of the property. The lack of collecting that money is the reason why we have inadequate transportation. The public is unfairly bearing the full cost of transportation access to private property. This is a situation headed for total disaster. How much more can the public pay to subsidize the transportation costs from the use of private property?

MAY-6-2018 14:42 FROM:KEN BUKOWSKI

510 808 5555

TO:17079637748

P.4/5

*Honoable Mayor & City Council**May 5, 2018**Information about Regional Measure Three*

We need to develop a mechanism to measure the cost of maintaining transportation access to private property. This could require an on-going assessment for property owners. If property owners paid their fair share we could have the most efficient transportation network. The property owners would get their money back with improved use of their land. This concept was tried in Emeryville.

EMERY GO ROUND- FREE LOCAL TRANSIT

As a former Mayor of Emeryville, and with the cooperation of the City Council this concept was tested. Emeryville did not get a BART station. The City Redevelopment Agency created a pilot project to establish free bus service in Emeryville. The success of the pilot would depend on whether or not the property owners would see enough benefit and be willing to pay for its continued operation when the year was over. The free bus service quickly became very popular.

At the end of the pilot period, the property owners voted by over 70% margin to pay to continue the service. The Emery-Go-Round takes many cars off the road, it improves the ability for people to work in the city. It makes it more possible for kids to go to school. It is an overall benefit to the economy of the city, and the region as well. Today the bus carries about 5500 people each day, in a city with only 10,000 population. The Emery-Go-Round is an amenity everyone in the city enjoys.

A transportation engineer was hired to determine the level of benefit provided to each property owner. It is based on the use of the land, proximity to the nearest bus stop, amount of money collected from the land and other factors. A formula was developed, and a certain percentage of the overall costs was assigned to every property owner...

MAY-6-2018 14:42 FROM:KEN BUKOWSKI

510 808 5555

TO:17079637748

P.5/5

Honorable Mayor & City Council
Information about Regional Measure Three

May 5, 2018

Free regional public transit would solve many-many problems. It would provide equal opportunity for everyone to get where they need to go. People who are homeless would see new opportunity. The economy would flourish. Free public transit would encourage people to stop driving. This is exactly what we need. Traffic congestion would see real relief.

Changing the way transportation is funded won't happen overnight, However bridge toll money could be used to make public transit more affordable. Even money from the Express lanes (which should not be allowed) could help. - As a tourist destination this area would become the best place to go. Transit could become so efficient, our air quality would improve. The property owners would get much more in return than what they would have to pay. At the very minimum property owners must become financially responsible for the transportation costs associated with their use of property. We should not just accept a lifetime expenditure handed to us by the MTC Staff.

We should develop a regional consensus with participation from all the cities n counties and do this the right way

PLEASE VOTE NO ON REGIONAL MEASURE THREE.

Sincerely,

Former Emeryville Mayor Ken Bukowski
510-808-5555
510-305-0000 cell

ken.bukowski@gmail.com



Report to the City Council
Council Meeting of May 8, 2018

Agenda Section: **New Business**

Subject: **Discussion of Capital Improvement Project C-82 Downtown Restrooms Project**

CEQA Determination: **15303 New Construction or Conversion of Small Structures**

Prepared By: Erica Ahmann Smithies, Public Works Director and City Engineer

Reviewed By: Erica Ahmann Smithies, Public Works Director and City Engineer

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

On April 24, 2018, the City Council approved the planned Downtown Restroom Project bid package, authorizing staff to seek construction bids. Given interest by several Council Members in discussing citizen concerns raised after the meeting, City staff has prepared this report to (1) provide additional background on the project's design features, budget and history, and (2) to ensure the City Council is comfortable proceeding to bid with the project's current specifications. A history of the project is attached to this report along with preliminary design renderings and complete plans.

DISCUSSION

The project consists of two 88 square foot restroom buildings with an adjacent combined water fountain and water bottle filling station, located between the Telegraph Alley sidewalk and the public parking lot at 1301 Money Way. To assist the Council in the review of the project, key features of the project and its budget are summarized below:

Sustainable Features

Sustainable features include locally made block from Watershed Materials, located in the City of Napa. Watershed Materials uses local geological materials combining them with mineral based geopolymer clays. Using a rammed earth process Watershed Materials produces block that withstands compressive strength of 7,000 lbs/square-

inch. This process offers a 50 percent reduction in cement and 65 percent reduction in process energy, compared to a traditional Portland cement based CMU block. When completed, the buildings are to be coated with a clear anti-graffiti treatment, to create a clear but impermeable layer, allowing the buildings to be scrubbed clean if they are vandalized with paint, ink or other markings.

Energy Efficiency

Sky wall roofing materials have been selected to maximize natural light in each restroom. Pre-engineered translucent roofing from Kalwall is designed to provide natural light during daylight hours, minimizing the energy needed for lighting the restrooms. Kalwall pre-engineered roofing is designed to minimize passive solar heat gain, keeping the space comfortable while providing maximum natural light. At dusk, outdoor LED lighting will be activated via timers and motion sensors in the interior will be energized, via a photocell. The interior lighting will be motion activated.

The project design utilizes natural ventilation rather than mechanical exhaust fans to reduce energy use and maintenance costs. The section below the Kalwall roof is metal screening, covered gaped hardwood slating, providing a classic wood siding architectural feature while functioning as natural, open ventilation. Given the shade in the area, the thermal capacity of the block, foundation and Kalwall prefabricated roof thermal performance, it was determined that heat gain would not be a significant issue and vice versa with cold weather in our fairly moderate climate.

Water Efficiency

Each bathroom is to be equipped with low flow, dual flush toilets. The men's room features a waterless urinal. The water fountain and water bottle filling station are to be equipped with a graywater system, draining to adjacent plantings surrounding the buildings.

Other Sustainable Features

The parking lot will be improved with exterior overhead LED lighting. DC Fast electric vehicle charging spaces have already been installed by EVgo in the parking lot across from the restrooms. Additional electrical conduit will be installed to incorporate any needs on the other side of the parking lot in the future. Communications conduit will also be installed so security cameras can be easily installed in the future if they are needed

Project Budget

The buildings are approximately 210 square feet with an engineering estimate of \$100,000 which equates to \$480 per square foot. The remaining construction costs are attributed to the extensive site work required to bring utilities to the public restroom and improvements to the parking lot itself.

FISCAL IMPACT

A summary of the current and estimated expenses and current approved budget are below.

Downtown Restrooms Current and Estimated Project Costs	
Survey, Design and Engineering	\$ 60,000
Estimated Construction Costs	\$ 198,830
Construction Management & Inspection	\$ 8,500
Construction Contingency (10%)	\$ 19,833
Total Estimated Project Cost	\$ 287,163

The 2017-2022 Capital Improvement Plan and the Fiscal Year 2017/2018 adopted budget includes \$296,000 for C-82 Downtown Restroom.

RECOMMENDED ACTION

Discuss and provide direction to City staff.

ATTACHMENTS

[2016 Presentation to City Council](#)

[2018 St. Helena 100% Project Plans](#)

[Project Description and History](#)

Downtown Restroom Project

City of St. Helena



Tobias Barr
Project Manager
City of St. Helena
tbarr@cityofsthelelena.org
707-968-2746



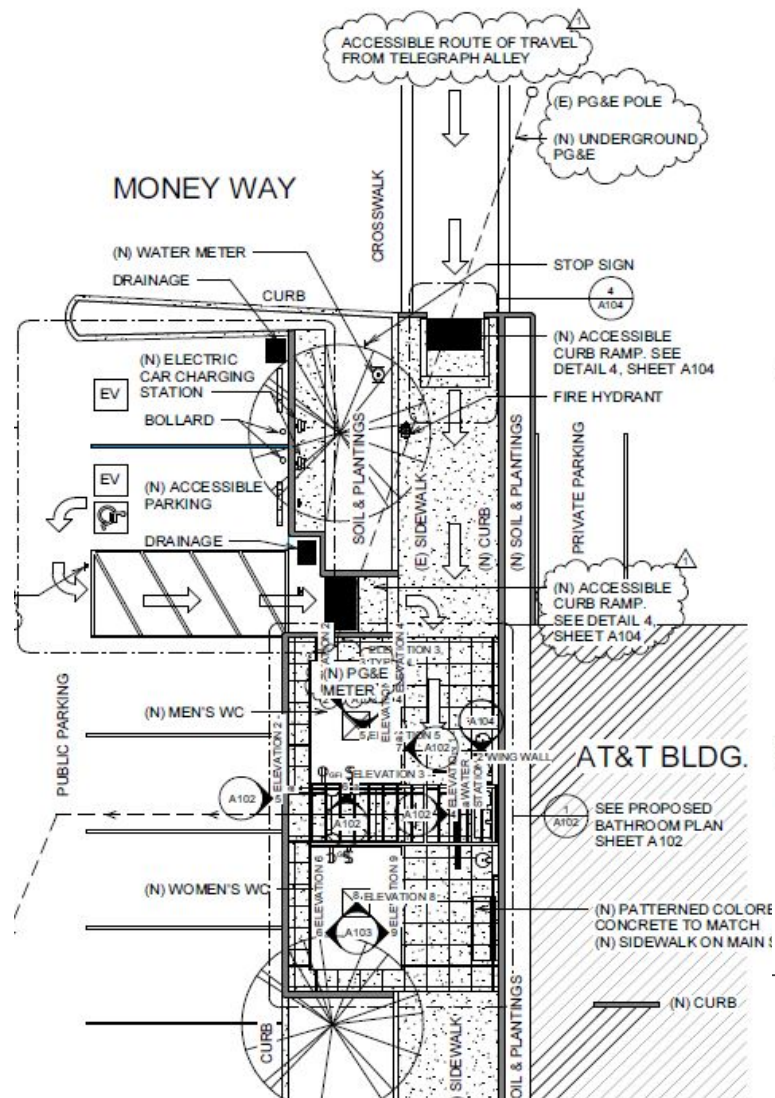
Project Background

- Downtown businesses have been burdened with providing restroom facilities for visitor and non-patrons and have expressed the need for public restroom facilities.
- The City identified the city parking lot adjacent to Main Street, between Money way and Oak Street as a location which would be suitable for a public restroom.
- Businesses felt the need was significant enough that they took action and began to design restroom facilities.
- Recently the City identified funds in the 5 year Capital Improvement Plan, and took the project over.
- In November/December 2015 Public Works searched for a design and engineering professionals to complete the 50% plans and provide design and engineering documents suitable for Public Works project bidding.
- City Staff requested proposals from four firms and struggled to find a firm who would work with the current 50% plans.
- Valley Architects, LLP in St. Helena responded with a proposal that met the Public Works requirements.

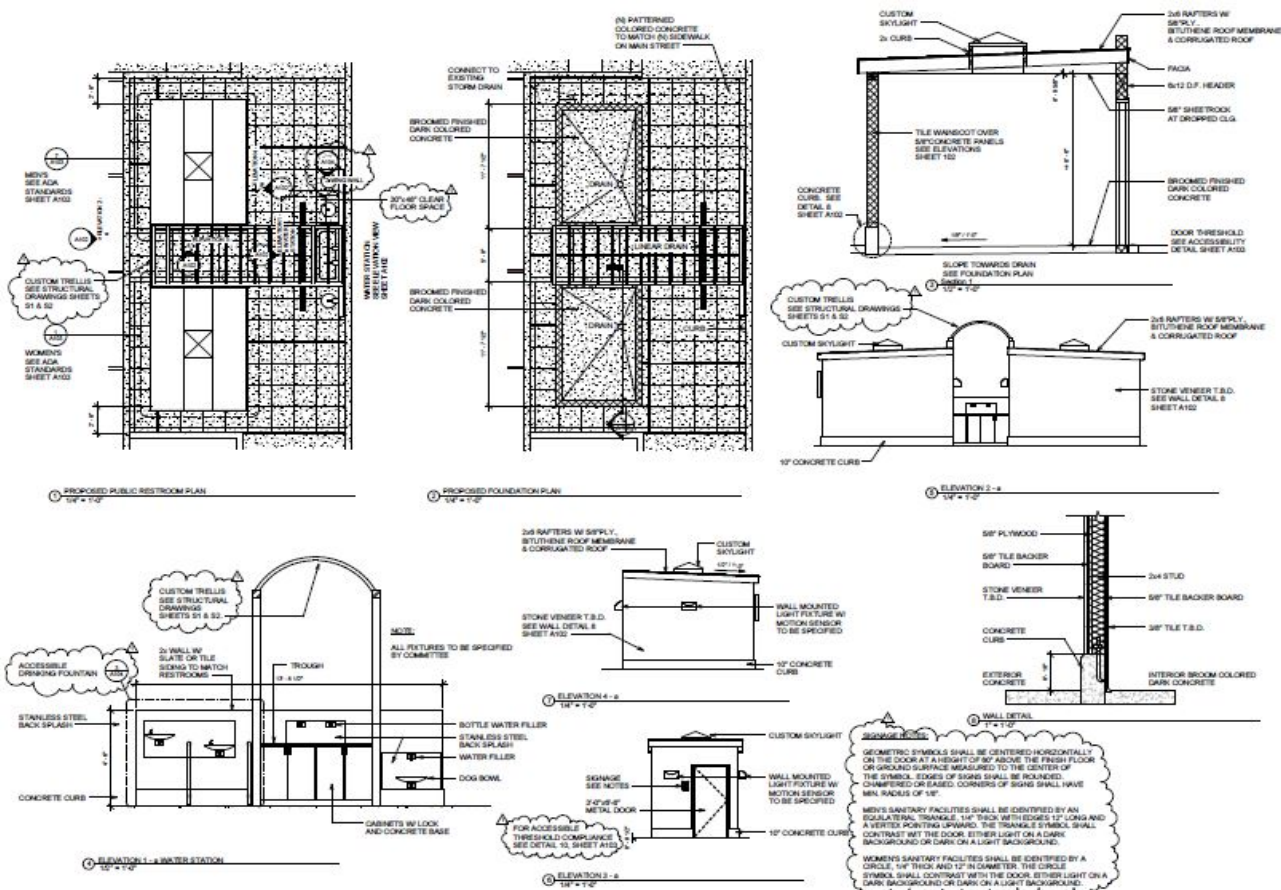


Current Design:





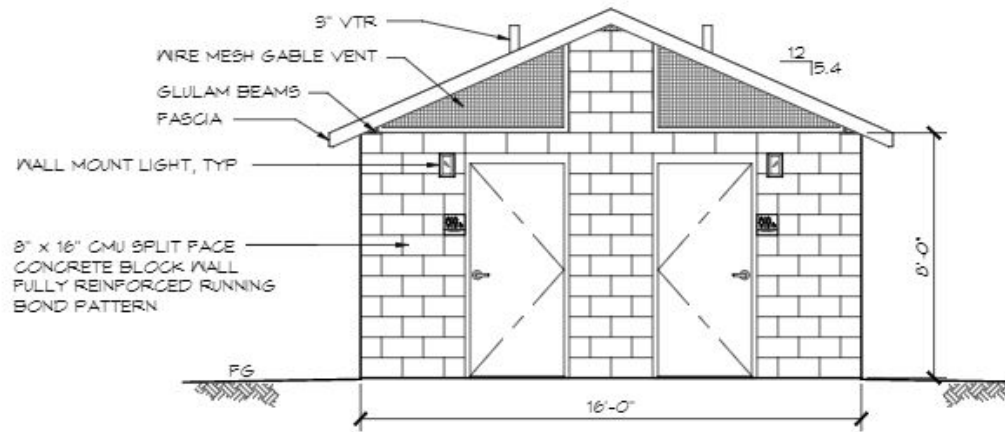
Custom Design: 50% Plans



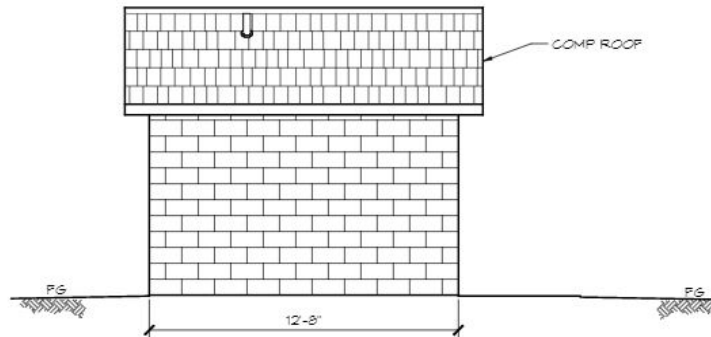
Evaluated Alternative



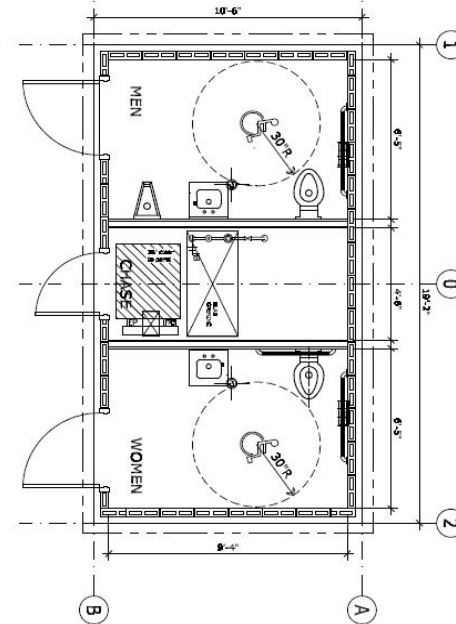
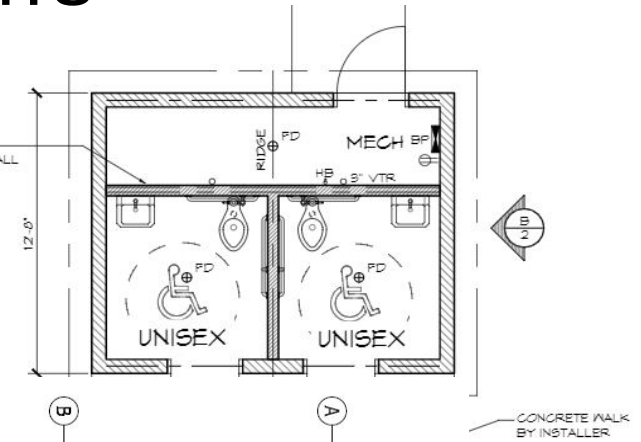
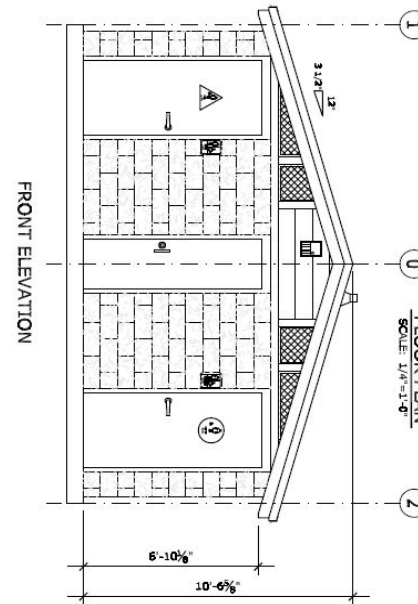
Prefabricated Designs



C ELEVATION VIEW
SCALE: 1/4" = 1'-0"



D ELEVATION VIEW
SCALE: 1/4" = 1'-0"



Action Tonight

Approve design contract or reject and direct to proceed with other alternatives.



CITY OF SAINT HELENA PUBLIC RESTROOMS

MONEY WAY AND OAK AVENUE, ST. HELENA, CA A.P.N. 009-240-013-000

ABBREVIATIONS		
ABV.	ABOVE	MIR.
A.F.F.	ABOVE FINISH FLOOR	MISC.
A.F.S.	ABOVE FINISH SLAB	MISC.
ADJ.	ADJACENT or ADJUSTABLE	MT.
A/C	AIR CONDITIONING	MTD.
ALT.	ALTERNATE	MTD.
A.S.	ANCHOR BOLT	NAT.
APPROX.	APPROXIMATE	(N)
ARCH.	ARCHITECTURAL	N.I.C.
APN	ASSESSOR'S PARCEL NUMBER	N.T.S.
BSMT.	BASEMENT	O.C.
BRG.	BEARING	OPNG.
BET.	BETWEEN	OPP.
BLK.	BLOCK	O.D.
BLKG.	BLOCKING	OH.
BD.	BOARD	PR
BOT.	BOTTOM	PART.
BLDG.	BUILDING	PVMT.
CAB.	CABINET	PL. LAM.
CI.	CAST IRON	PL.
CLG.	CEILING	PLYWD
CEM. PLST.	CEMENT PLASTER	P.E.N.
CTR.	CENTER	PVC
CER.	CERAMIC	PSF
C.O.	CLEAN OUT	PSI
CLR.	CLEAR	P.I.P.
COL.	COLUMN	P.T.
COMB.	COMBUSTION	RAD.
COMP.	COMPOSITION	R.A.
CONC.	CONCRETE	R.
C.M.U.	CONCRETE MASONRY UNIT	R.D.
CONST.	CONSTRUCTION	R.W.L.
C.J.	CONTROL JOINT	RDWD
CONT.	CONTINUOUS	REF
DTL.	DETAIL	REQ.
DIAG.	DIAGONAL	RESIL.
DIA.	DIAMETER	RET.
DIM.	DIMENSION	REV.
DISP.	DISPENSER or DISPOSAL	R.H.
DR.	DOOR	RM.
DBL.	DOUBLE	R.O.
D.F.	DOUGLAS FIR	RND.
DN	DOWN	SCH.
D.S.	DOWNSPOUT	SCHED.
DWG.	DRAWING	SCRN
D	DRYER	SEC.
EA.	EACH	SECT.
ELEC.	ELECTRICAL or ELECTRIC	S.E.D.
EL.	ELEVATION	S.M.D.
ELEV.	ELEVATION or ELEVATOR	S.P.D.
EMER.	EMERGENCY	S.S.D.
ENGR.	ENGINEER	SW
EQ.	EQUAL	SHT.
EQUIP.	EQUIPMENT	S&P
EXH.	EXHAUST	SH
EF.	EXHAUST FAN	SIM.
(E)	EXISTING	S.G.D.
EXIST.	EXISTING	S.C.
E.J.	EXPANSION JOINT	SPEC.
EXT.	EXTERIOR	SO.
FIN.	FINISH	S.F.
F.F.	FINISHED FLOOR	STD.
F.S.	FINISHED SLAB	STL.
F.E.	FIRE EXTINGUISHER	STOR.
FLR.	FLOOR	STR.
F.D.	FLOOR DRAIN	STRUC.
FLUOR.	FLUORESCENT	SUSP.
F.A.U.	FORCED AIR UNIT	SYS.
FNDR.	FOUNDATION	TEL.
F.O.C.	FACE OF CONCRETE	T.V.
F.O.S.	FACE OF STUD	TEMP.
FP.	FIREPLACE	THK.
FT.	FOOT OR FEET	TP
FTG.	FOOTING	T&G.
GALV.	GALVANIZED	T.O.S.
G.I.	GALVANIZED IRON	TB
G.S.M.	GALVANIZED SHEET METAL	T
GA.	GAUGE	TYP
GL.	GLASS OR GLAZING	UNFIN.
GLU-LAM	GLUE-LAMINATED	UBC
G.B.	GRAB BAR	UPC
GR.	GRADE	UMC
GFI	GROUND FAULT INTERRUPTER	UNO
GYP.	GYPSPUM	VERT.
HDW.	HARDWARE	V.G.
HDWD.	HARDWOOD	VIN.
HDR.	HEADER	W
HVAC	HEAT / VENT / AIR COND.	WI
HTR.	HEATER	WNSCT.
HTG.	HEATING	WTR.
HT.	HEIGHT	WC
H.C.	HOLLOW CORE	WH
HOR.	HORIZONTAL	WP
H.B.	HOSE BIB	WR
HR.	HOUR	WT.
IN.	INCH	WIN
I.D.	INSIDE DIAMETER or INTERIOR DESIGN	W/O
INS.	INSULATION	WOOD
INT.	INTERIOR	
KIT.	KITCHEN	&
LAV.	LAVATORY	@
L	LENGTH OR LONG	%
LT.	LIGHT	Ø
M.B.	MACHINE BOLT	#
MFR.	MANUFACTURER	
MAS.	MASONRY	
MAX.	MAXIMUM	
MECH.	MECHANICAL	
M.C.	MEDICINE CABINET	
MTL.	METAL	
MIN.	MINIMUM	

GENERAL NOTES

- Work shall conform to the requirements of the California Building Code as adopted by the City of St. Helena and local jurisdiction in which the work is done.
- Electrical work shall comply with the latest edition of the National Electrical Code, as adopted by the City of St. Helena.
- Exterior electrical outlets and those in damp locations shall be protected by GFI circuits per the electrical code.
- Plumbing work shall comply with the latest edition of the Uniform Plumbing Code, as adopted by the City of St. Helena.
- Mechanical work shall comply with the latest edition of the Uniform Mechanical Code, as adopted by the City of St. Helena.
- Contractor shall inspect and satisfy himself with respect to relevant conditions at the site prior to start of each phase of the work.
- Preference shall be given first to field measurements, second to the calculated dimensions on the drawings rather than measurements by scale. Do not scale the drawings.
- Work shall be top quality, performed by workers experienced in their trade. Substandard or flawed work shall be repaired or replaced at no cost to the owner.
- The contractor shall maintain a clean job site and provide necessary barriers and precautions to maintain the safety of the occupants and upon completion shall thoroughly clean interior and exterior construction areas in a manner ready for occupancy. Debris shall be removed from the site by the contractors.
- The contractor shall review approved plans and bring to the attention of the architect notes and/or changes on the plans made by the building department before ordering materials or commencing work.
- The contractor shall insure that materials used in this project are free of hazardous materials as defined by the EPA, CAL-OSHA, or DOHS.
- The contractor shall have location of job trailer, material stock-pile area, employee parking, etc. approved by Owner's representatives prior to commencing work.
- Water and/or dust palliatives shall be applied during the construction process in sufficient quantities to reduce to the greatest extent possible the amount of dust produced.
- All dirt tracked onto the paved surfaces present shall be washed or swept off as necessary to minimize the amount of dust produced.
- Proper and adequate mufflers shall be maintained at all times on all construction equipment utilized including, but not limited to, trucks and earth moving equipment.

GENERAL LEGEND

- ELEVATION, DATUM OR CONTROL POINT
- DOOR SYMBOL
- WINDOW SYMBOL
- REVISION NUMBER
- WALL TYPE DESIGNATOR
- INTERIOR ELEVATION DESIGNATOR
- DETAIL DESIGNATOR SHEET NUMBER
- SECTION DESIGNATOR SHEET NUMBER
- DIMENSION TO CENTER-LINE OF OPENING FACE OF STUD OR TO DATUM POINT
- TOILET ACCESSORY SYMBOL

MATERIALS

- BATT INSULATION
- RIGID INSULATION
- EARTH
- CONCRETE
- MASONRY
- VARIOUS
- PLYWOOD
- WOOD BLOCKING
- WOOD CONTINUOUS

SCOPE

NEW CONSTRUCTION OF 2 UNISEX PUBLIC RESTROOMS, WHICH INCLUDES AN OVERHEAD TRELLIS AND A WATER FOUNTAIN STATION.



VICINITY MAP

N.T.S.

CODE SYNOPSIS

CITY OF SAINT HELENA - PUBLIC RESTROOM
TYPE: NEW CONSTRUCTION OF A PUBLIC RESTROOM
ST. HELENA CALIFORNIA

USE: PUBLIC RESTROOM
OCCUPANCY - A-2: B
BUILDING TYPE: V-B
NON SEPARATED OCCUPANCIES
ALLOWABLE BUILDING HEIGHT: 60'

CODES: THE CALIFORNIA BUILDING CODE - 2016
THE CALIFORNIA PLUMBING CODE - 2016
THE CALIFORNIA MECHANICAL CODE - 2016
THE CALIFORNIA ELECTRICAL CODE - 2016
CALIFORNIA GREEN BUILDING STANDARDS CODE (CGBSC) - 2016
THE AMERICANS WITH DISABILITIES ACT STANDARDS FOR ACCESSIBLE DESIGN - 2010

CONSULTANTS

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3620 MT. DIABLO BLVD #203
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PH: 925.284.2808
CONTACT: KENNETH HUGES

PLUMBING

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3274 VILLA LN.
NAPA, CA 94558
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CONTACT: MARYANN CRUTCHER

ELECTRICAL

RESA ENGINEERING
3820 CYPRESS DR. #1
PETALUMA, CA 94954
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CONTACT: ROBERT GEARY

CIVIL

GREEN VALLEY
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SANTA ROSA, CA 95401
PH: 707.579.0388
CONTACT: SERGIO PUEENTES

SHEET INDEX

ARCHITECTURAL

- A0.1 COVER SHEET
- A0.2 ADA GUIDELINES
- A1.1 SITE PLAN
- A2.1 DEMOLITION PLAN
- A2.2 PLANS AND SCHEDULE
- A3.1 EXTERIOR ELEVATIONS & SECTIONS
- A5.1 INTERIOR ELEVATIONS
- A8.1 DETAILS

STRUCTURAL

- S1 PLANS
- S2 SECTIONS
- S3 DETAILS

PLUMBING

- P1.1 PLUMBING LEGEND, SCHEDULES & DETAILS
- P1.2 PLUMBING SPECIFICATIONS
- P2.1 PLUMBING PLAN

ELECTRICAL

- E0.1 COVER SHEET
- E0.2 INTERIOR TITLE 24
- E0.3 INTERIOR TITLE 24
- E0.4 EXTERIOR TITLE 24
- E1.1 SITE PLAN
- E2.1 FLOOR PLAN POWER & LIGHTING
- E3.1 SPECIFICATIONS

CIVIL

- C1.1 PROPOSED CIVIL SITE PLAN
- C1.2 CIVIL DETAILS

MAYOR
ALAN GALBRAITH

COUNCIL MEMBERS
PETER WHITE
PAUL DOHRING
MARY KOBERSTEIN
GEOFF ELLSWORTH

CITY MANAGER
MARK PRESTWICH

DIRECTOR OF PUBLIC
WORKS/CITY ENGINEER
ERICA AHMANN SMITHIES

APPROVED BY:

ERICA AHMANN SMITHIES P.E.
DIRECTOR OF PUBLIC WORKS/ CITY ENGINEER
DATE: 7/11/18

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REVISIONS



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ST. HELENA, CA 94574
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www.valleyarchitects.com

PROJECT



CITY OF ST.
HELENA

PUBLIC
RESTROOMS

MONEY WAY AND OAK AVENUE,
ST. HELENA, CA 94574
APN 009-240-013-000

SHEET DESCRIPTION

COVER
SHEET

DRAWN:

CM

DATE

03-23-18

CHKD:

TPF

SHEET

A0.1

REGARDING LAVATORY FIXTURES, VANITIES AND BUILT-IN LAVATORIES: FAUCET CONTROLS AND OPERATING MECHANISMS SHALL BE OPERABLE WITH ONE HAND, AND SHALL NOT REQUIRE TIGHT GRASPING, PINCHING OR TWISTING OF THE WRIST. THE FORCE REQUIRED TO ACTIVATE CONTROLS SHALL BE NO GREATER THAN 5 LBF. LEVER-OPERATED, PUSH-TYPE AND ELECTRONICALLY CONTROLLED MECHANISMS ARE EXAMPLES OF ACCEPTABLE DESIGNS. SELF-CLOSING VALVES ARE ALLOWED IF THE FAUCET REMAINS OPEN FOR AT LEAST 10 SECONDS PER CBC 11158.4.3.

LAVATORIES, WHEN LOCATED ADJACENT TO A SIDE WALL OR PARTITION SHALL BE A MIN. OF 18" TO THE CENTERLINE OF THE FIXTURE. ALL LAVATORIES THAT ARE DESIGNATED TO BE ACCESSIBLE SHALL BE A MIN. 17" IN HORIZONTAL DEPTH AND MOUNTED WITH THE RIM OR COUNTER EDGE NO HIGHER THAN 34" ABOVE THE FINISHED FLOOR AND WITH VERTICAL CLEARANCE MEASURED FROM THE BOTTOM OF THE APRON OR THE OUTSIDE BOTTOM EDGE OF THE LAVATORY OF 29" REDUCING TO 27" AT A POINT LOCATED 8" BACK FROM THE FRONT EDGE. IN ADDITION, A MIN. 9" TOE CLEARANCE MUST BE PROVIDED

HOT WATER AND DRAINPIPES ACCESSIBLE UNDER LAVATORIES SHALL BE INSULATED OR OTHERWISE COVERED. THERE SHALL BE NO SHARP OR ABRASIVE SURFACES UNDER LAVATORIES PER CBC 115B.4.

DRINKING FOUNTAIN SHALL BE ACCESSIBLE TO INDIVIDUALS WHO USE A WHEELCHAIR AND TO THOSE WHO HAVE DIFFICULTY BENDING OR STOOPING. THIS CAN BE ACCOMPLISHED BY THE USE OF "HI-LOW" FOUNTAINS, OR BY SUCH OTHER MEANS AS WOULD ACHIEVE THE REQUIRED ACCESSIBILITY PER CBC 1117B.1.

WALL-AND POST-MOUNTED CANTILEVERED DRINKING FOUNTAINS SHALL BE A MIN. OF 18" AND A MAX. OF 19" IN DEPTH AND SHALL HAVE A CLEAR KNEE SPACE BETWEEN THE BOTTOM OF THE APRON AND THE FLOOR OR GROUND NOT LESS THAN 27" IN HEIGHT, 30" IN WIDTH, AND 8" IN DEPTH. THE DEPTH MEASUREMENTS BEING TAKEN FROM THE FRONT EDGE OF THE FOUNTAIN BACK TOWARD THE WALL OR MOUNTING POST PER CBC 11178.1.

THE BUBBLER SHALL BE ACTIVATED BY A MANUALLY OPERATED SYSTEM COMPLYING WITH SECTION 1117B.6, ITEM 4 THAT IS FRONT MOUNTED OR SIDE MOUNTED AND LOCATED WITHIN 6" OF THE FRONT EDGE OF THE FOUNTAIN OR AN ELECTRICALLY CONTROLLED DEVICE. THE BUBBLER OUTLET ORIFICE SHALL BE LOCATED WITHIN 6" OF THE FRONT EDGE OF THE DRINKING FOUNTAIN AND WITHIN 36" OF THE FLOOR. THE WATER STREAM FROM THE BUBBLER SHALL BY SUBSTANTIALLY PARALLEL TO THE FRONT EDGE OF THE DRINKING FOUNTAIN PER CBC 1117.1.

THE SPOUT SHALL PROVIDE A FLOW OF WATER AT LEAST 4" HIGH SO AS TO ALLOW THE INSERTION OF A CUP OR GLASS UNDER THE FLOW OF WATER. ON AN ACCESSIBLE DRINKING FOUNTAIN WITH A ROUND OR OVAL BOWL, THE SPOUT MUST BE POSITIONED SO THE FLOW OF WATER IS WITHIN 3" OF THE FRONT EDGE OF THE FOUNTAIN PER CBC 1117B.1.

URINALS SHALL BE FLOOR MOUNTED, STALL-TYPE OR WALL HUNG. WHERE ONE OR MORE WALL-HUNG URINALS ARE PROVIDED, AT LEAST ONE WITH AN ELONGATED RIM PROJECTING A MIN. OF 14" FROM THE WALL AND A MAX. OF 17" FROM THE WALL AND A MAX. OF 17" ABOVE THE FLOOR SHALL BE PROVIDED PER CBC 11158.4.2.

FLUSH CONTROLS SHALL BE OPERABLE WITH ONE HAND AND SHALL NOT REQUIRE TIGHT GRASPING, PINCHING OR TWISTING OF THE WRIST AND SHALL BE MOUNTED NO MORE THAN 44" ABOVE THE FLOOR. THE FORCE REQUIRED TO ACTIVATE CONTROLS SHALL BE NO GREATER THAN 5 LBF. ELECTRONIC AUTOMATIC FLUSHING CONTROLS ARE ACCEPTABLE AND PREFERABLE PER CBC 1115B.4.2.

ALL MIRRORS LOCATED ABOVE ACCESSIBLE LAVATORIES OR COUNTERTOPS SHALL BE INSTALLED WITH THE BOTTOM EDGE OF THE REFLECTING SURFACE 40" MAX. ABOVE THE FINISH FLOOR OR GROUND PER CBC 1115B.8.1.1.

WHERE TOWEL, SANITARY NAPKINS, WASTE RECEPTACLES, DISPENSER
OTHER EQUIPMENT AND CONTROLS ARE PROVIDED, AT LEAST ONE
OF EACH TYPE SHALL BE LOCATED ON AN ACCESSIBLE ROUTE, WITH
ALL OPERABLE PARTS, INCLUDING COIN SLOTS, WITHIN 40" FROM THE
FINISHED FLOOR AND SHALL COMPLY WITH SECTION 1117B.6, CONTROL
AND OPERATING MECHANISMS PER CBC 1115B.8.3.

TOILET TISSUE DISPENSERS SHALL BE LOCATED ON THE WALL WITHIN 12" OF THE FRONT EDGE OF THE TOILET SEAT, MOUNTED BELOW THE GRAB BAR, AT A MIN. HEIGHT OF 19", AND 36" MAX. TO THE FAR EDGE FROM THE REAR WALL. DISPENSERS THAT CONTROL DELIVERY OR THAT DO NOT PERMIT CONTINUOUS PAPER FLOW SHALL NOT BE USED PER CBC 11158.8.4 .

HOT WATER DELIVERED FROM PUBLIC-USE LAVATORIES SHALL BE LIMITED TO A MAX. TEMPERATURE OF 120 DEGREES BY A DEVICE THAT CONFORMS TO ASSE 1070, STANDARD FOR WATER TEMPERATURE LIMITING DEVICES, CSA B 125.3, STANDARD FOR PLUMBING FITTINGS, PROVIDE MIXING VALVE PER CPC 413.1.

6" TYP.

FINISH: MATTE EGG SHELL OR NON-GLARE FINISH, TYP.

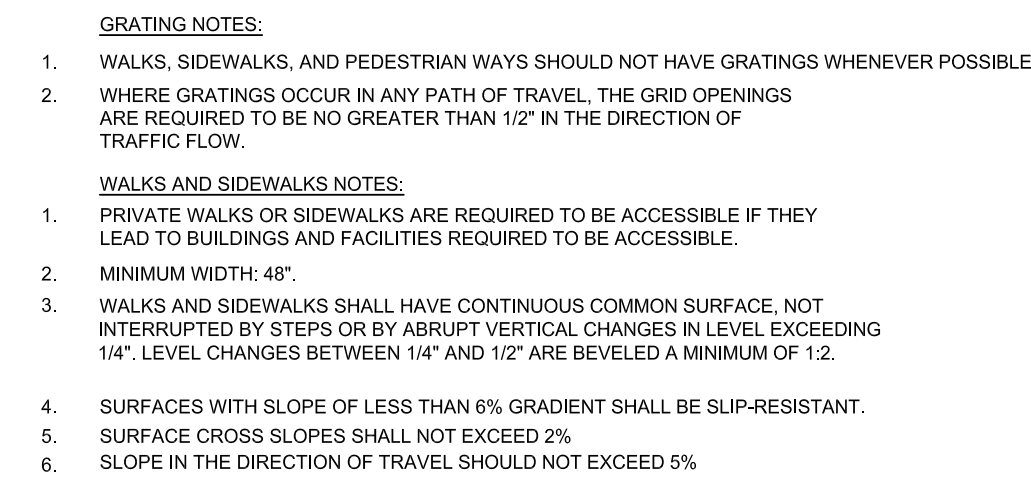
PICTOGRAM: TACTILE IMAGE RAISED 1/32" WITHIN A MIN. 5" AREA UTILIZING THE INTERNATIONAL SYMBOL OF ACCESSIBILITY - SEE DETAIL 1050-4, SIM.

CONTRAST: 70% BETWEEN CHARACTERS, SYMBOLS, AND BACKGROUND, TYP.

LETTERS & NUMERALS:
RAISED 1/32" UPPER CASE SANSERIF TYPE
5/8" MIN. - 2" MAX. HIGH
PLACED DIRECTLY BELOW THE PICTOGRAM, TYP.

CORRESPONDING GRADE 2 BRAILLE, TYP.

NOTE: SIGNAGE COLORS, SYMBOLS AND LETTERING SHALL COMPLY WITH ALL REQM'TS OF 2007 CBC CHAPTER 11A OR 11B AS APPLICABLE.



ENTIRE WIDTH OF RAMP
OR WALKING SURFACE

2.35'
APART

0.45' AT TOP

0.9' AT BASE

0.2' HT.

6' MIN., 8' MAX.
FROM F.O. CURB

TAPERED
EDGES
WHERE
EXPOSED

Diagram illustrating the placement of signs and dimensions for a toilet room door:

- H.C. WALL SIGN ON LATCH SIDE OF DOOR, SEE 9 A0.2**: Points to the sign on the left side of the door.
- EQ.**: Indicates equal dimensions for the top and bottom sections of the door.
- UNISEX ACCESSIBLE SYMBOL, SEE 8 A0.2**: Points to the symbol on the door.
- TOILET ROOM DOOR SEE SCHEDULE SHEET**: Points to the door frame.
- 5'-0" TYP.**: Indicates the typical height of the door.
- 12" TYP.**: Indicates the typical width of the door.

Diagram illustrating the requirements for a handicapped parking space, including dimensions and signage:

- Dimensions:**
 - Overall width: 18'-0"
 - Overall length: 9'-0"
 - Vehicle width: 8'-0" (or VMS-80R)
 - Clearance height: 4'-0"
 - Clearance width: 36"
 - Clearance height: 12'
- Signage and Markings:**
 - 18" ACCESSIBILITY:** A 18" accessible space.
 - INTERNATIONAL SYMBOL OF ACCESSIBILITY:** A 36"x36" min. blue background with a 4" wide white border line.
 - NO PARKING:** A 12' let parking space.
 - PAINT WHITE ON A 36"x36" MIN. BLUE BACKGROUND WITH A 4" WIDE WHITE BORDER LINE.**
 - LOCATE SIGN AT PARKING SPACE:** A sign indicating the location of the parking space.
 - 18" ACCESSIBILITY:** A 18" accessible space.
 - INTERNATIONAL SYMBOL OF ACCESSIBILITY:** A 36"x36" min. blue background with a 4" wide white border line.
 - NO PARKING:** A 12' let parking space.
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 - PAINT WHITE ON A 36"x36" MIN. BLUE BACKGROUND WITH A 4" WIDE WHITE BORDER LINE.**
 - LOCATE SIGN AT PARKING SPACE:** A sign indicating the location of the parking space.

1. ALL EXIST DOORS SHALL BE PIVOTED OR TYPE HINGED SWING.

2. THE MINIMUM SLOPE FOR ANY DOOR SHALL BE 30°/4" AND SHALL HAVE A MINIMUM OF 32" CLEAR.

3. ALL DOORS SHALL HAVE A LEVELLED FLOOR ON LANDING/ENCLAVE OF THE DOOR NOT TO EXCEED A MAXIMUM OF 1/4" PER FOOT.

4. A MINIMUM BOTTOM RAIL OF SOLID FLAT SURFACE SHALL BE A MINIMUM 10" (NO GLAZING PERMITTED).

5. DOUBLE DOOR WIDTH SHALL BE 34" NOMINAL OPENING (ACCORDING TO IBC).

6. NO REVOLVING DOOR ALLOWED FOR ACCESSIBLE DOORS.

DOOR HARDWARE NOTES:

1. DOORS SHALL BE OPERABLE FROM SINGLE EFFORT, NO GRASP, WREST MOVEMENT USING LEVER, PUSH-BAR OR PULL-BARS, AND SHALL BE OPERABLE WITHOUT USE OF A KEY OR ANY SPECIAL KNOWLEDGE OR EFFORT.

2. HARDWARE SHALL BE MOUNTED AT 30"± HIGHER.

3. DOOR CLOSERS SHALL PROVIDE A MINIMUM OF 1 SECOND TO TURN FROM A TO 90 DEGREE OPEN POSITION TO A POINT 2" FROM THE

<u>TOILET ROOM ACCESSORIES</u>		(H)	SANITARY NAPKIN/TAMPON DISPENSER (S.N.D.)
(REF. SPEC. 10800)			
(A)	MIRROR	(I)	WARM-AIR HAND DRYER (H.D.)
(B)	SOAP DISPENSER (S.D.)	(J)	SANITARY NAPKIN DISPOSAL, 2-SIDED PORTATION MOUNTED (S.N.D.)
(C)	TOILET PAPER DISPENSER (T.P.D.)	(K)	DRINKING FOUNTAIN - ALCOHOL INSTALL HEIGHT REQUIREMENT
(D)	SEAT COVER DISPENSER (S.C.D.)		
(E)	COMBINATION SEAT COVER, TOILET PAPER DISPENSER (WITH NAPKIN DISPOSAL AT WOMEN'S T.R.)	(L)	<u>ELECTRICAL DEVICE LOCATIONS</u>
(F)	GRAB BAR (G.B.)	(M)	FORWARD REACH LIMIT - OUTLET & SWITCH HEIGHTS; TYP. ALL AREAS
(G)	PAPER TOWEL DISPENSER & WASTE RECEPTACLE (P.T.D.)	(N)	SIDE REACH LIMIT - WALL MOUNTED OBJECTS
		(O)	FLOOR LEVEL EXIT SIGN
			CLOTHES HOOK (C.H.)

NOTE:
ALL DIMS. ARE FROM FACE
OF FINISH OR CENTERLINE
OF FIXTURE OR
ACCESSORY, U.O.N.

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PUBLIC
RESTROOMS

MONEY WAY AND OAK AVENUE
ST. HELENA, CA 94574

APN 009-240-013-000

DRWN: LPP	DATE
CHKD: TPF	03-23-18

SHEE

A0.2

REVISIONS



PROJECT



MONEY WAY AND OAK AVENUE
ST. HELENA, CA 94574
APN 009-240-013-000

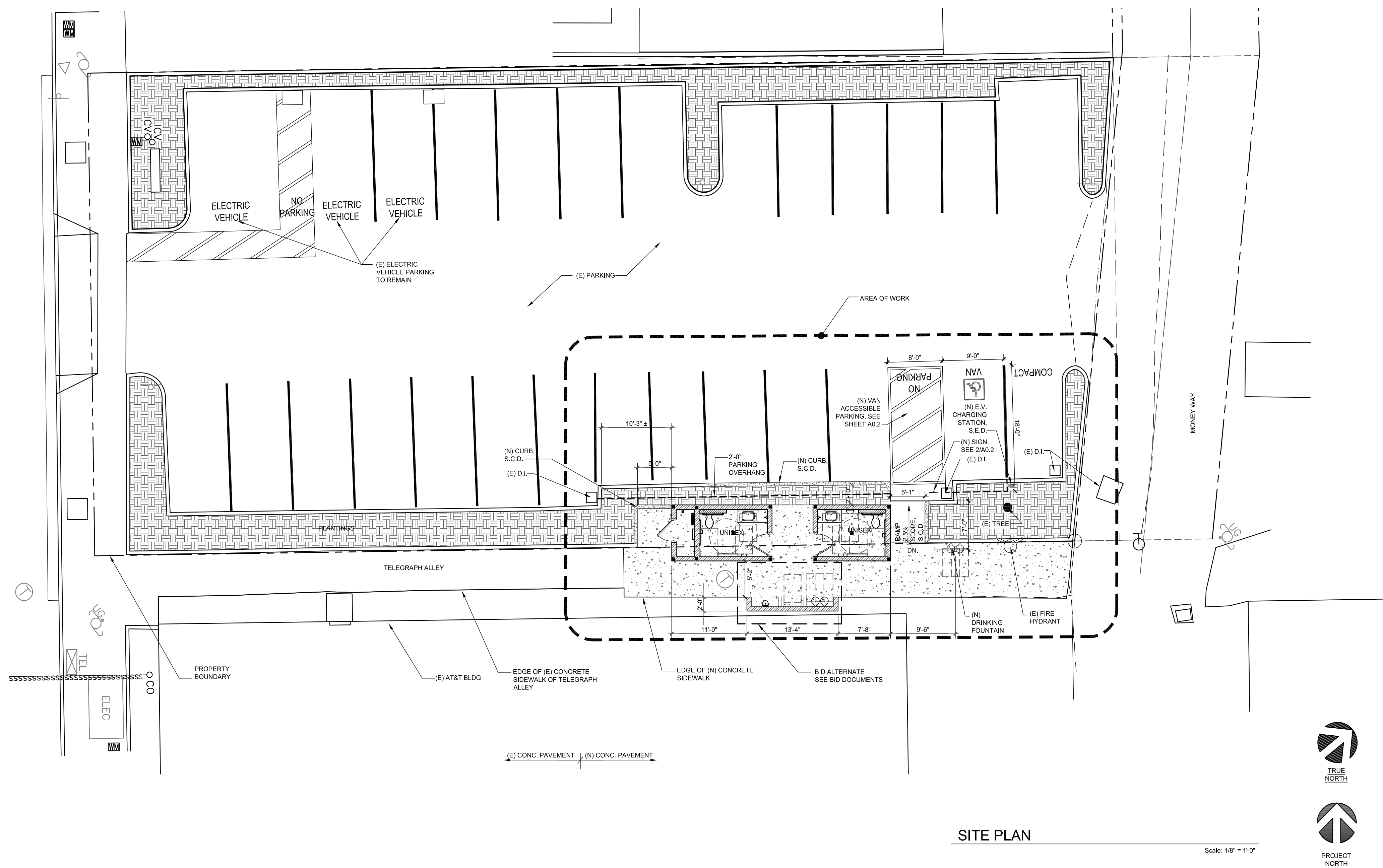
SHEET DESCRIPTION

DRWN: CM

CHKD: TPF

SHEET

A1.1



Page 421 of 578

Agenda Item #10.4.

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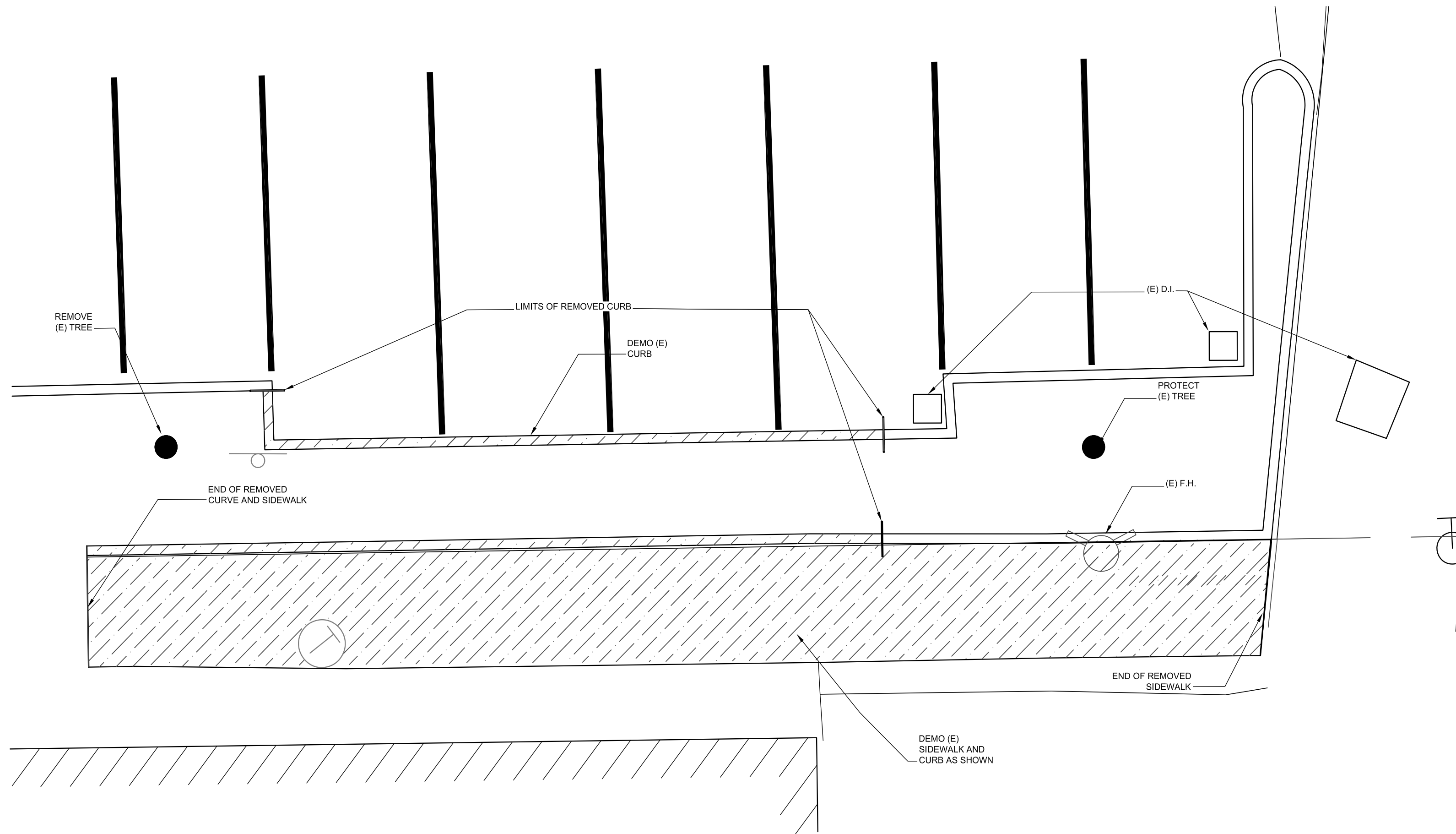
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DEMOLITION
PLAN

DRWN:	CM	DATE:	03-23-18
CHRD:	TPF		

SHEET

A2.1



DEMOLITION PLAN

Scale: 1/4" = 1'-0"



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APN 009-240-013-000

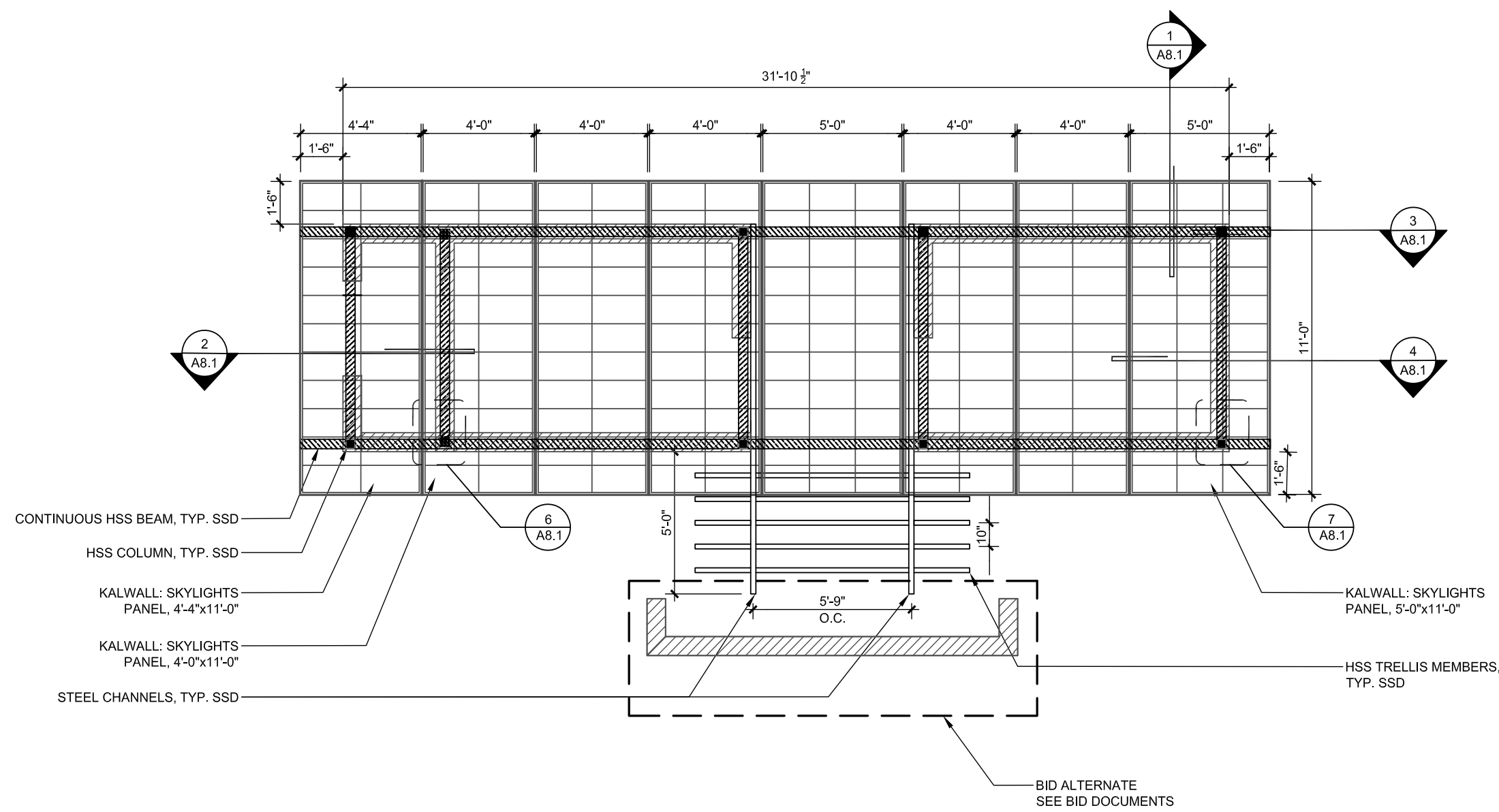
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PLANS AND
SCHEDULE

DRWN: CM
CHKD: TPF
DATE: 03-23-18

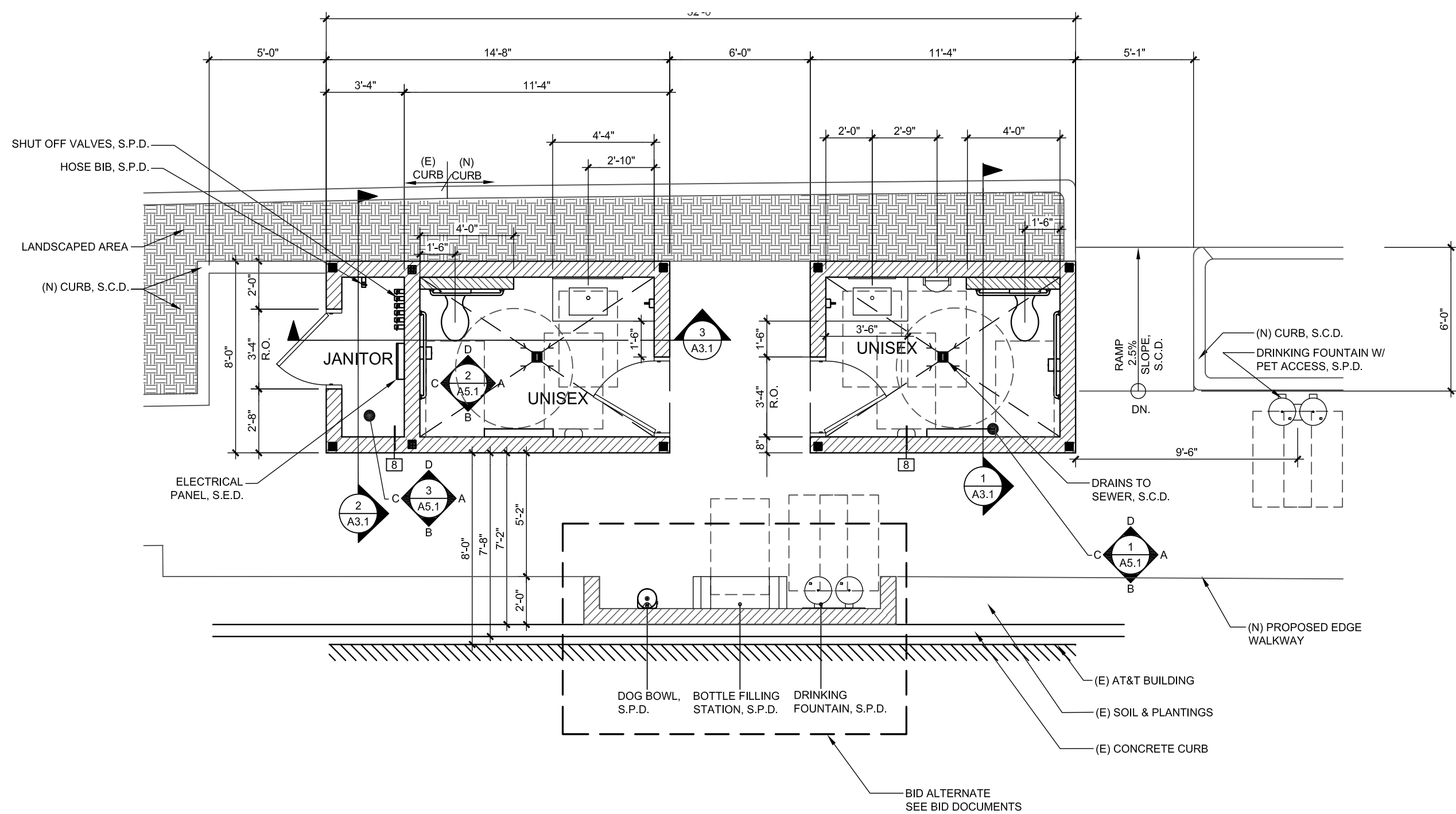
SHEET

A2.2



ROOF PLAN

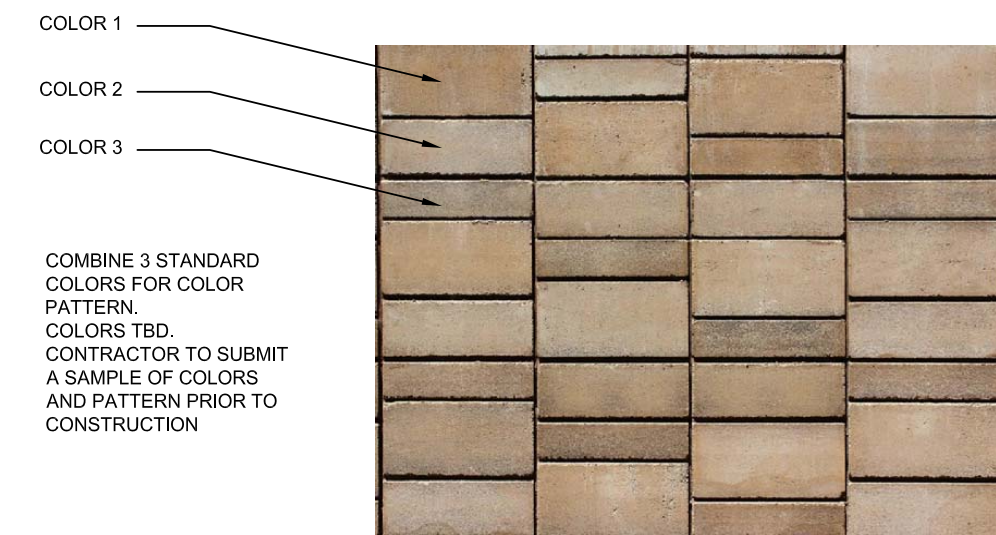
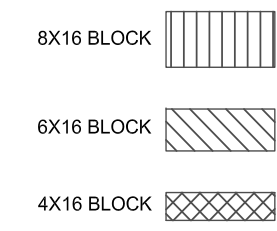
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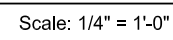
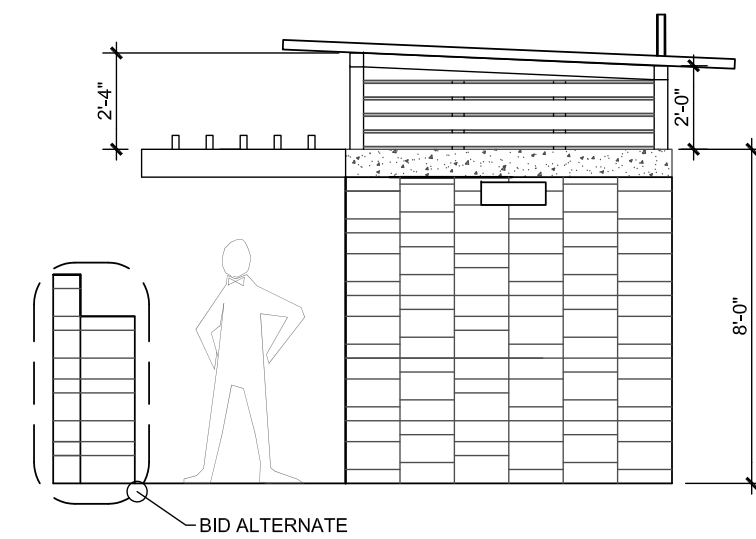
FLOOR PLAN

Scale: 1/4" = 1'-0"





Scale: $\frac{1}{2}'' = 1'-0''$

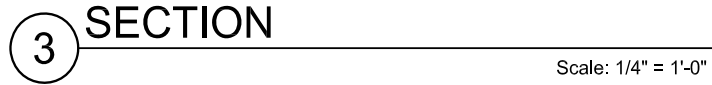
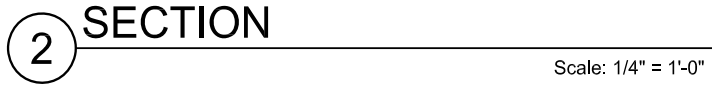
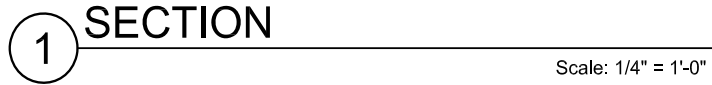
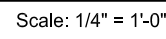
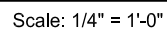


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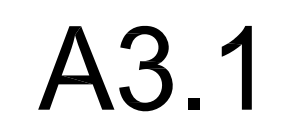
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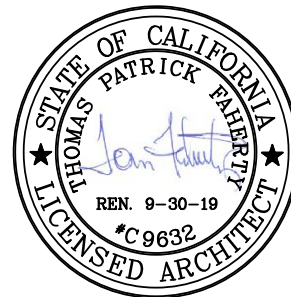


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MONEY WAY AND OAK AVENUE,
ST. HELENA, CA 94574
APN 009-240-013-000

SHEET DESCRIPTION

INTERIOR
ELEVATIONS

DRWN: CM

DATE

CHKD: TPF

03-23-18

SHEET

A5.1

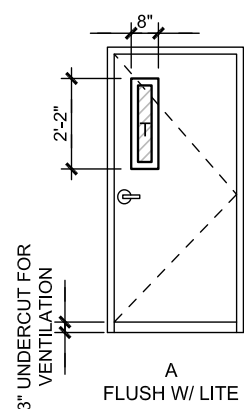
W.C. ACCESSORY SCHEDULE

NO.	ITEM	MFR	NAME	NO./ COLOR	QTY.	NOTES/TRIM
1	DUAL WALL MOUNT FOUNTAIN	S.P.D.				
2	DOG BOWL	S.P.D.				
3	BOTTLE FILLER	S.P.D.				
4	SOAP DISPENSER	KUTOL		A7899	2	KUTOL SOFT & SILKY 800 ML DISPENSER
5	HAND DRYER	EXCEL DRYER		TS-SB	2	THIN AIR 110-120 V
6	SINK	S.P.D.			2	PORCELAIN WHITE SINK
7	WATERLESS URINAL	S.P.D.			1	WALL HUNG W/ BUTTON FLUSH
8	TOILET	S.P.D.			2	
9	TOILET TISSUE DISPENSER	BOBRICK		B-2888	2	SURFACE-MOUNTED MULTI-ROLL
10	1-1/4"Ø NON-SLIP SATIN FINISH, 4 SET SCREWS, 42"-48" LONG	BOBRICK	GRAB BAR	B-5806.99X48	2	PROVIDE WALL BACKING AS NECESSARY
11	1-1/4"Ø NON-SLIP SATIN FINISH, 4 SET SCREWS, 36" LONG	BOBRICK	GRAB BAR	B-5806.99X36	2	PROVIDE WALL BACKING AS NECESSARY
12	SEAT COVER DISPENSER	BOBRICK		B-4221	2	
13	MIRROR	BOBRICK		B-165	2	63X44 AND 24X36. SEE INT. ELEV'S. PROVIDE WALL BACKING AS NECESSARY
14	ELECTRIC WATER HEATER	S.P.D.			2	
15	HORIZONTAL STAINLESS STEEL BABY CHANGING STATION	KOALA KARE		KB110-SSWM	2	WALL MOUNTED. PROVIDE WALL BACKING AS NECESSARY
16	FAUCET	CHICAGO FAUCETS		857-E12-665PSHABCP	2	

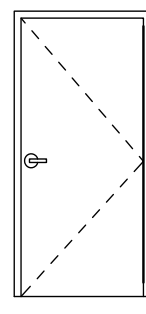
DOOR SCHEDULES

SUBMIT SHOP DRAWINGS

DOOR #	DOOR SIZE	TYPE	THICKNESS	CORE	CONSTRUCT.	FINISH	GLAZING	FRAME	REMARKS
1	3/0 X 6/8	A	1 3/4"	H	MTL/PTD	T	MTL	MTL	SELF CLOSING HINGES
2	3/0 X 6/8	A	1 3/4"	H	MTL/PTD	T	MTL	MTL	SELF CLOSING HINGES
3	3/0 X 6/8	B	1 3/4"	H	MTL/PTD	-	MTL	-	



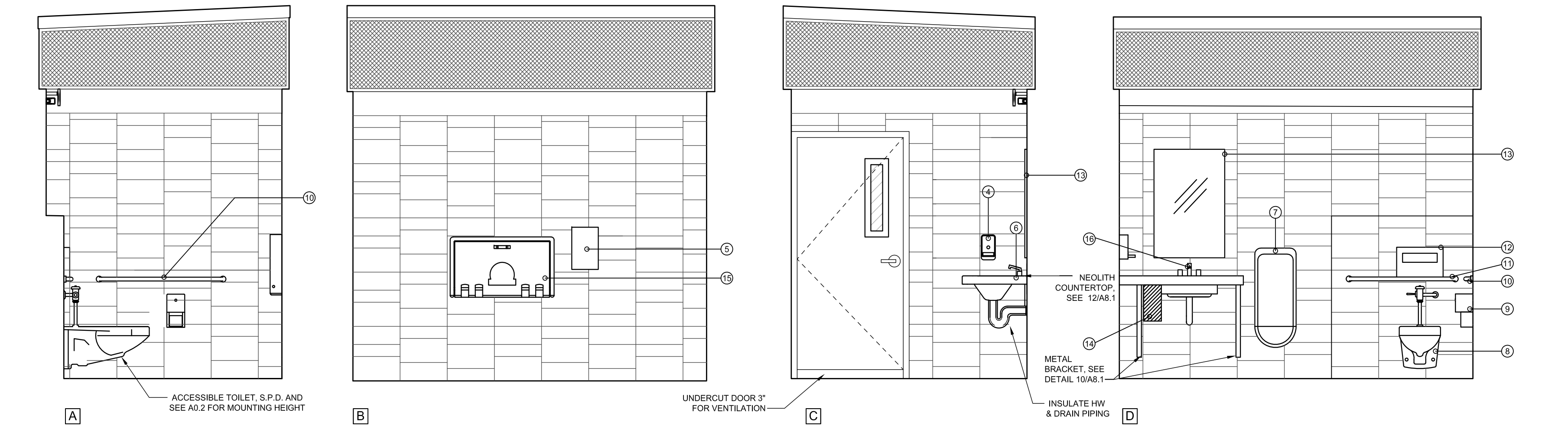
A FLUSH W/ LITE



B FLUSH

DOOR NOTES

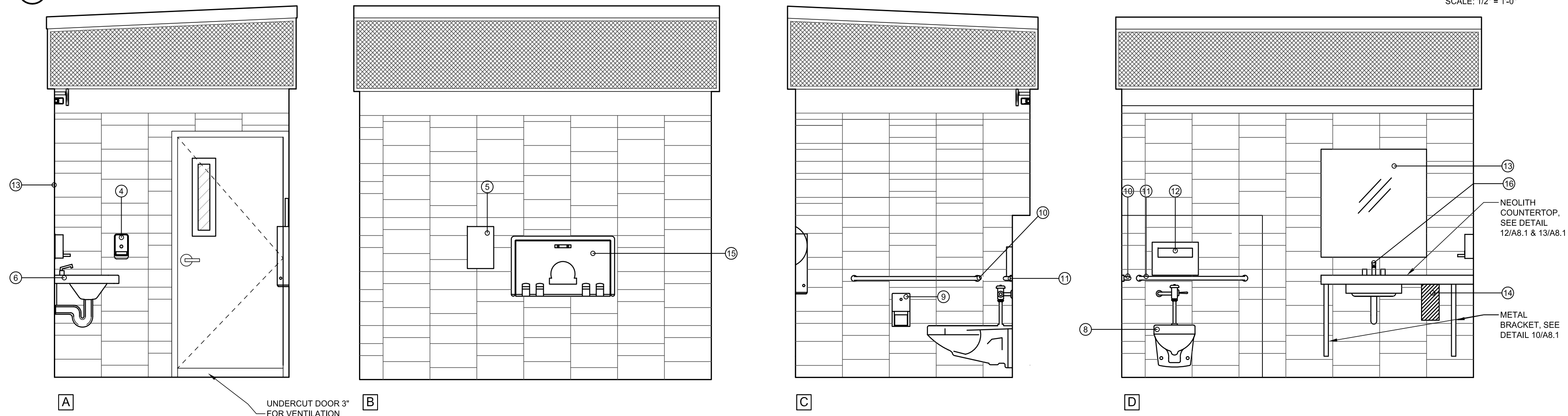
- MTL= METAL
PT= PAINTED
T= TEMPERED
- GLASS AS SHOWN IN DOOR TYPES. TEMPERED PER CODE, AND OBSCURED
- HARDWARE. SEE HARDWARE SCHEDULE



1 INTERIOR ELEVATIONS

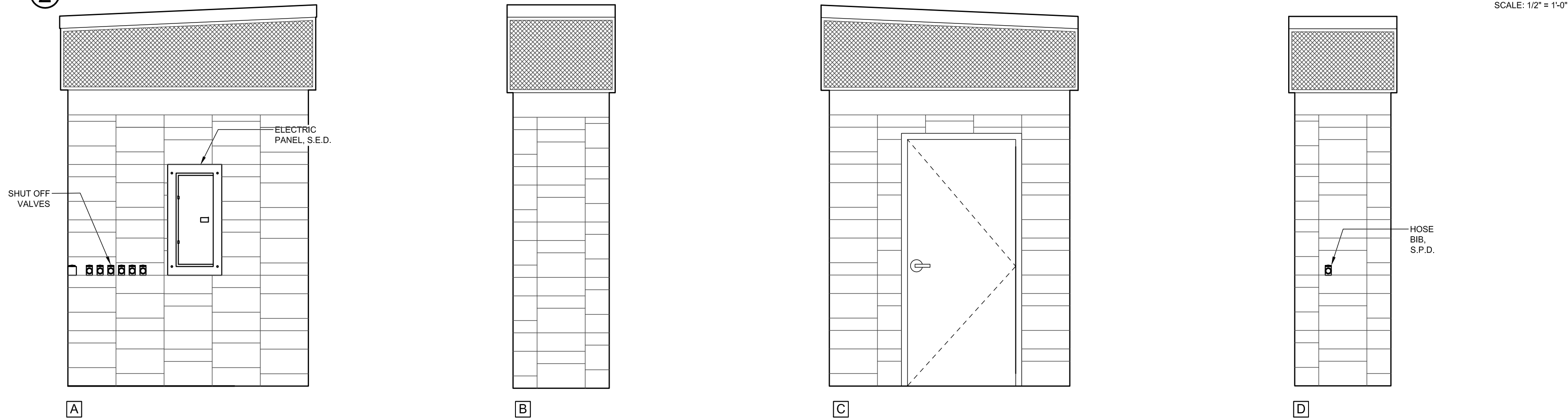
SEE A0.2 FOR ADA MOUNTING HTS. AND CLEARANCES, TYP.

SCALE: 1/2" = 1'-0"



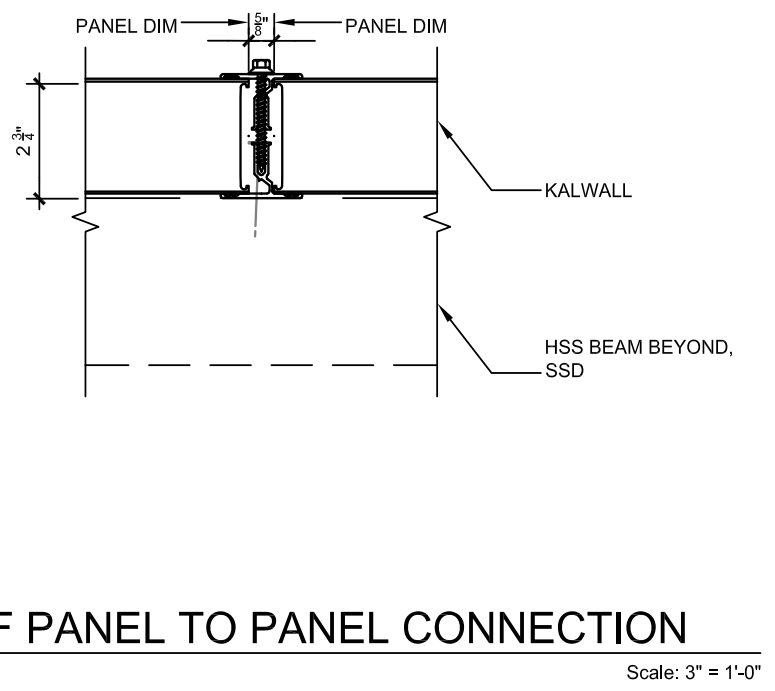
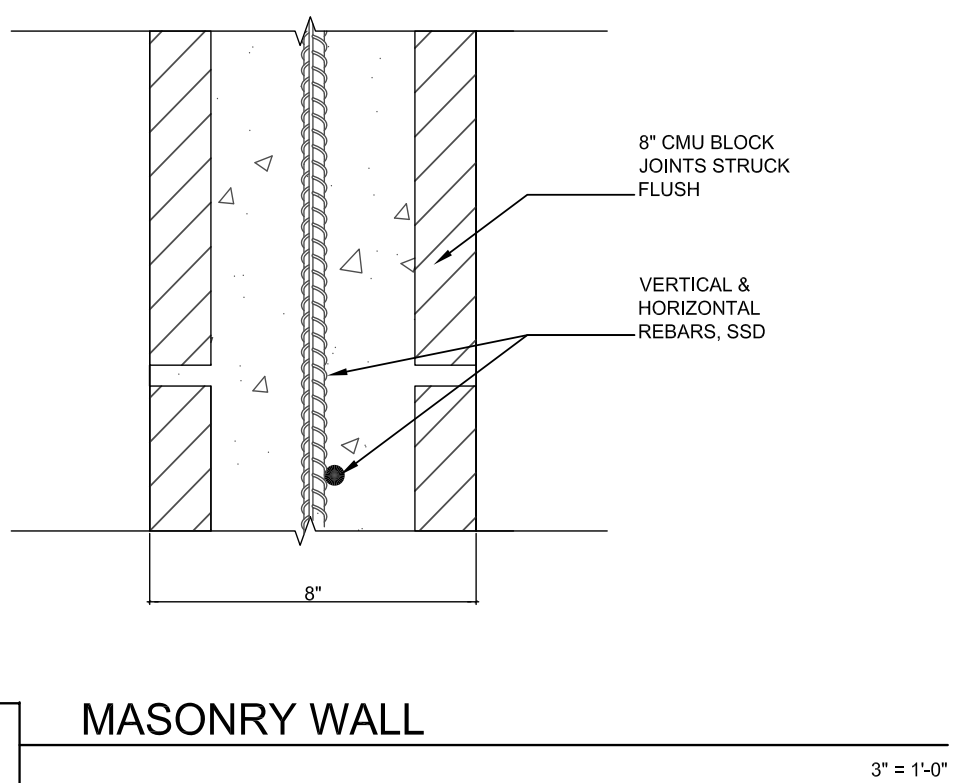
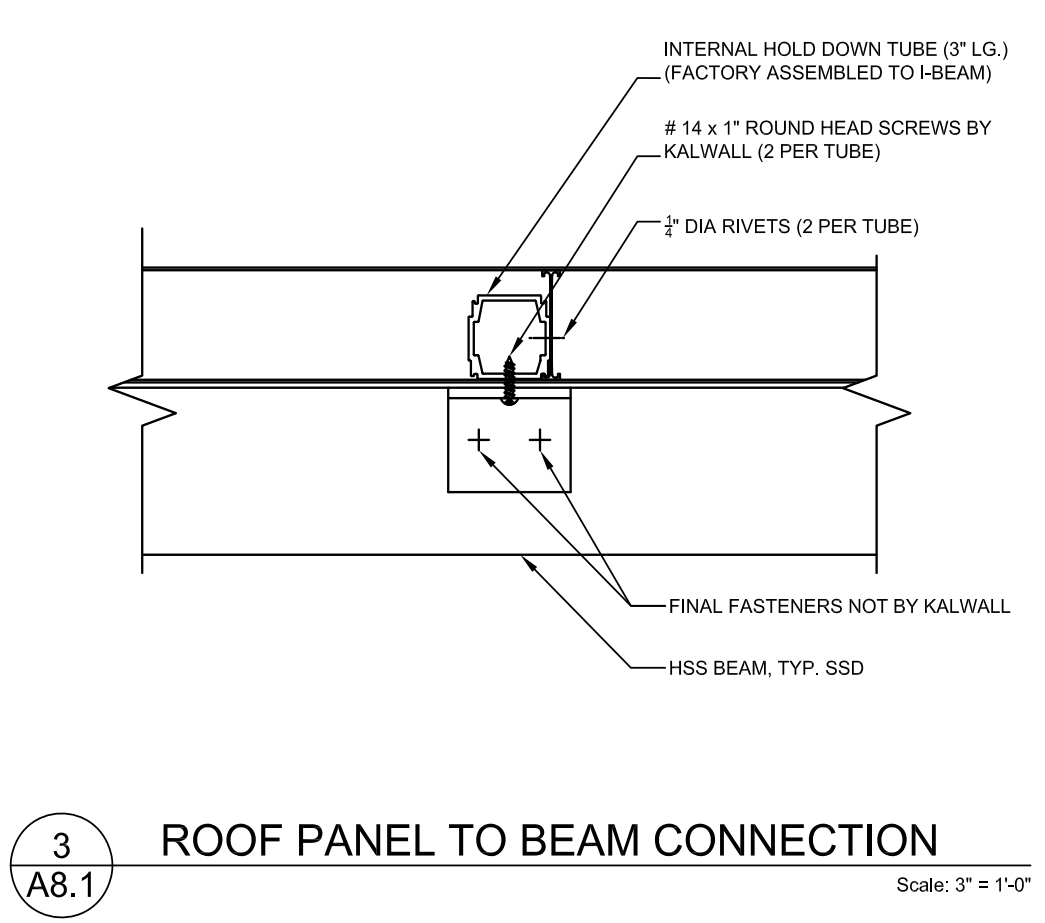
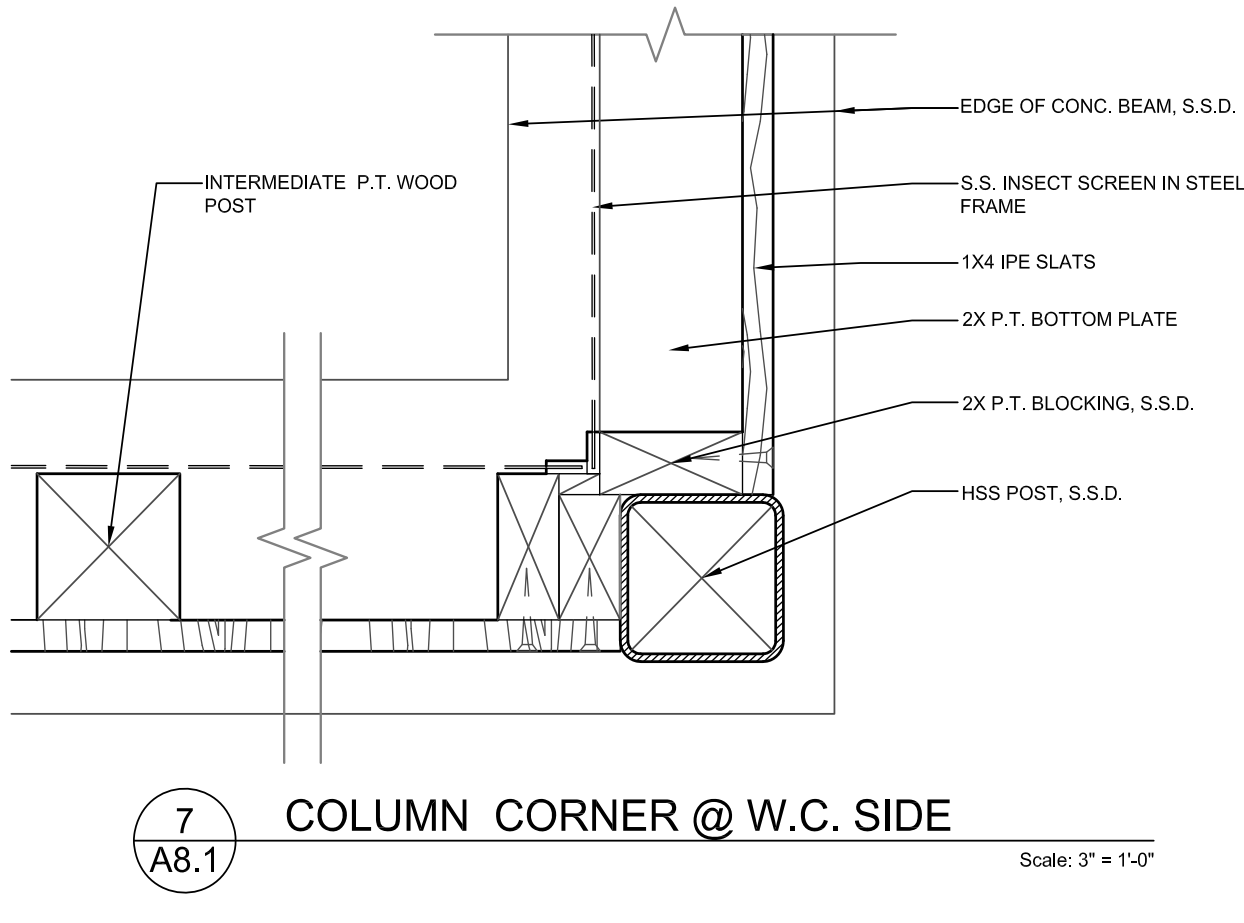
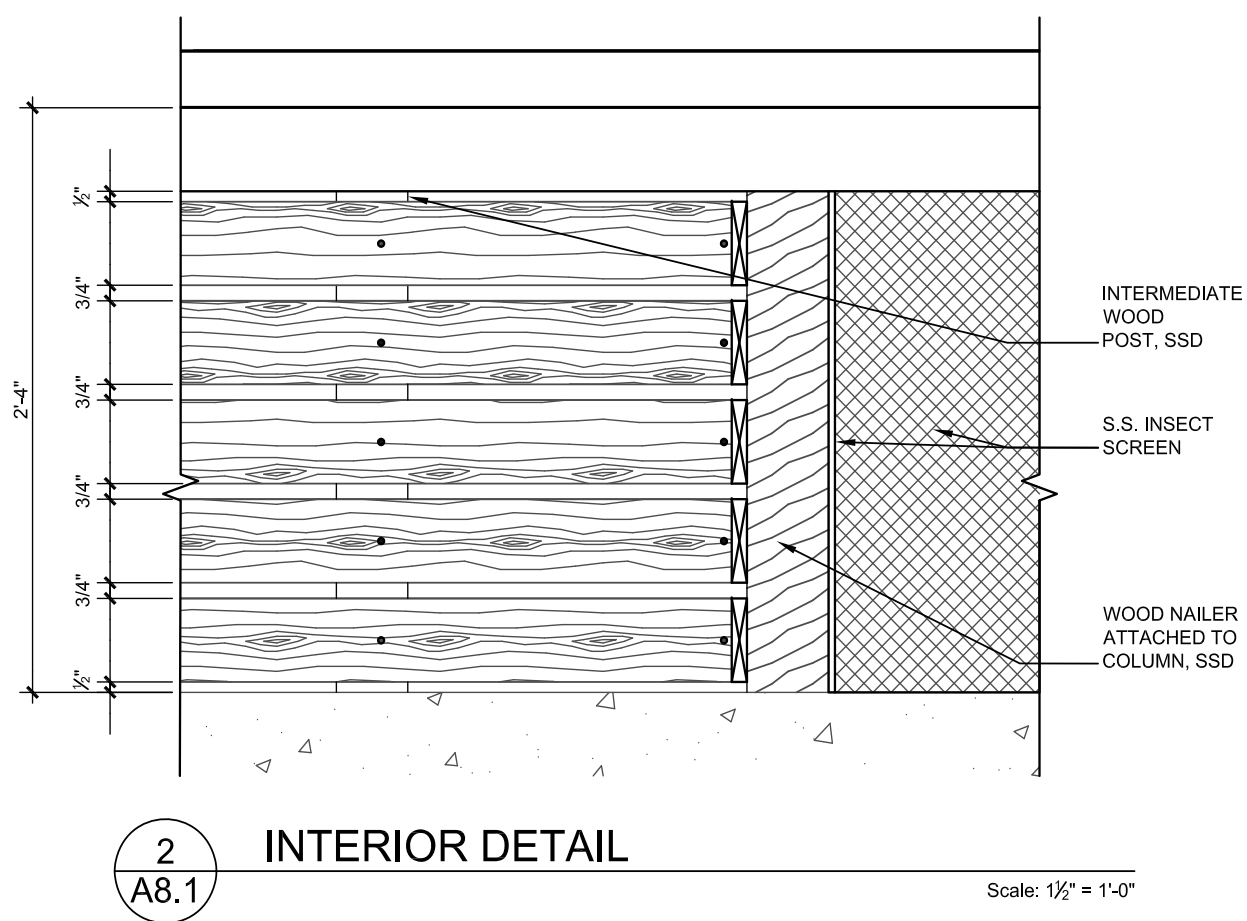
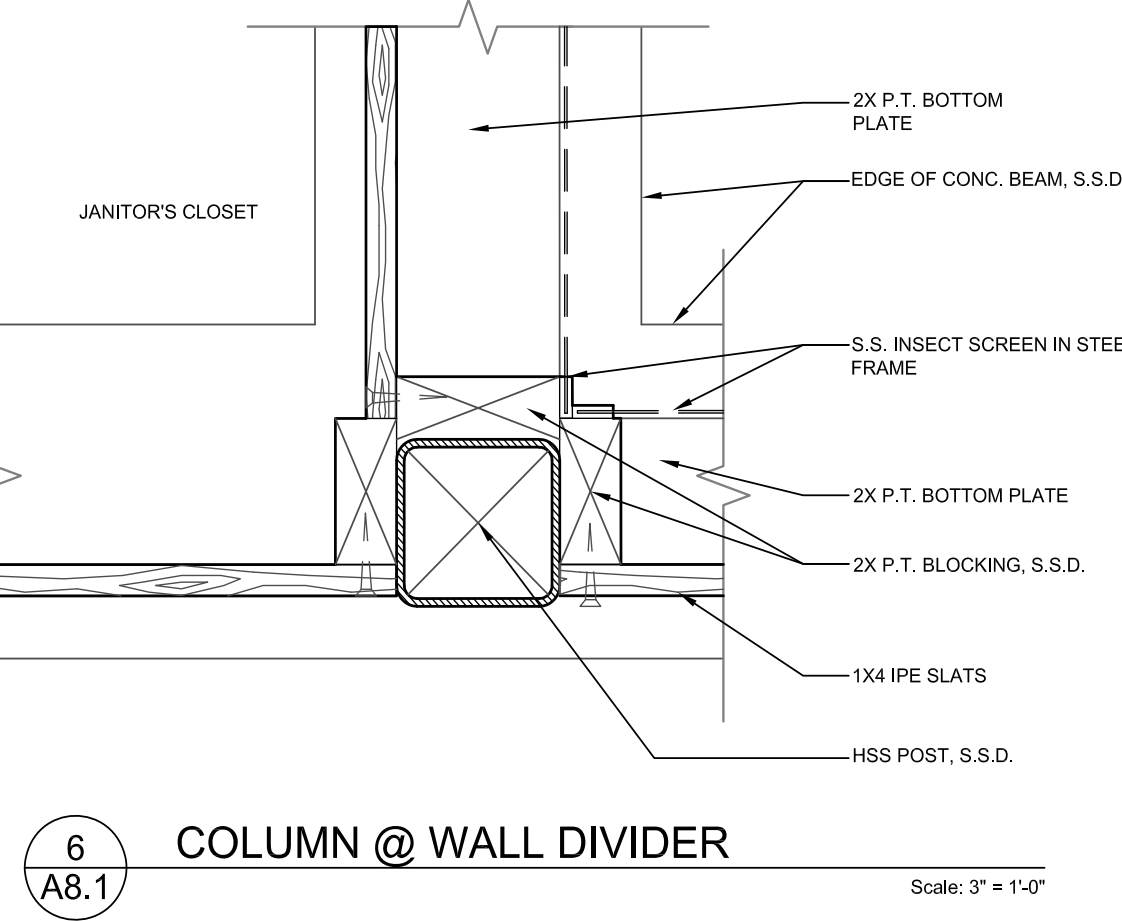
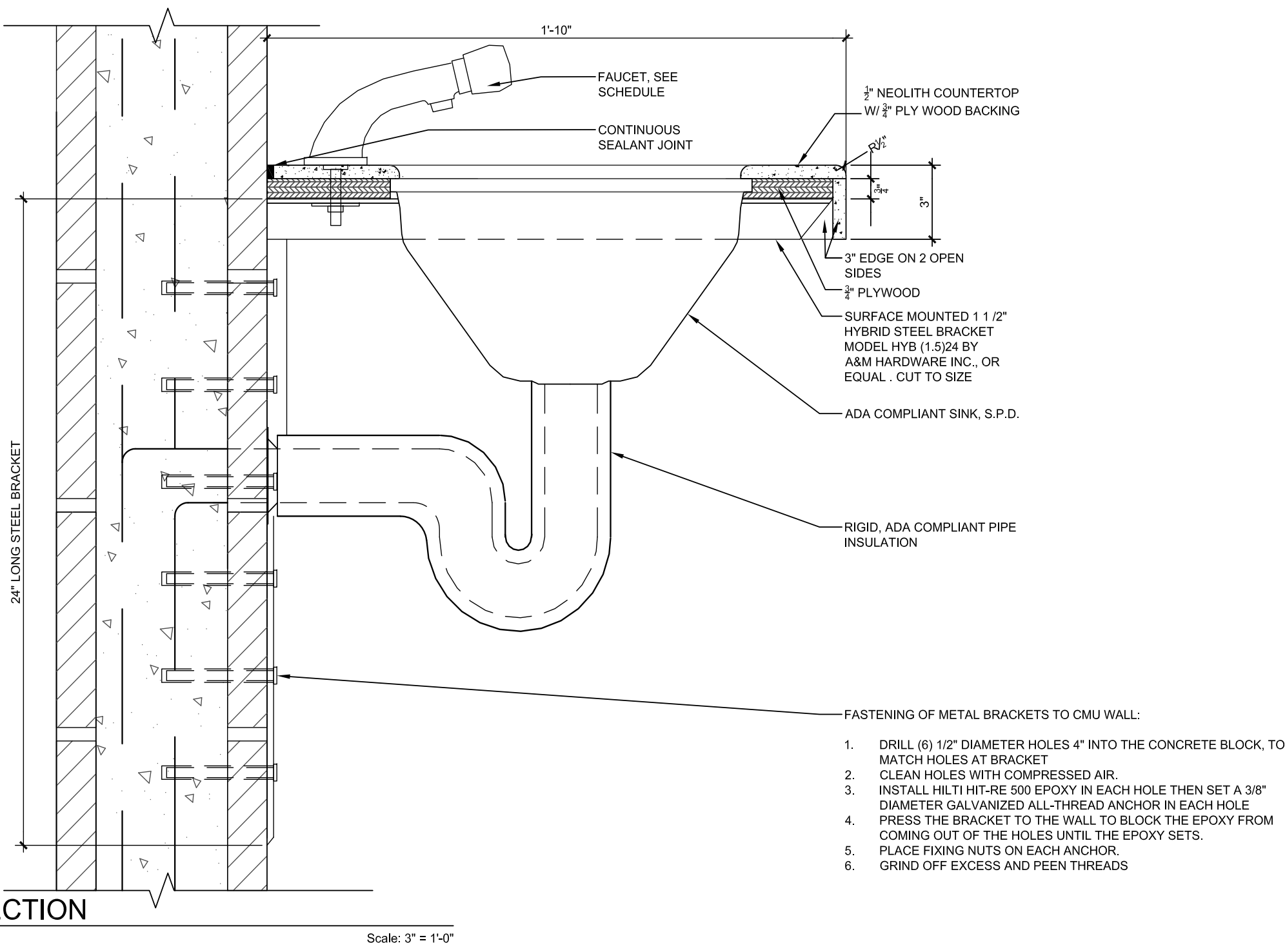
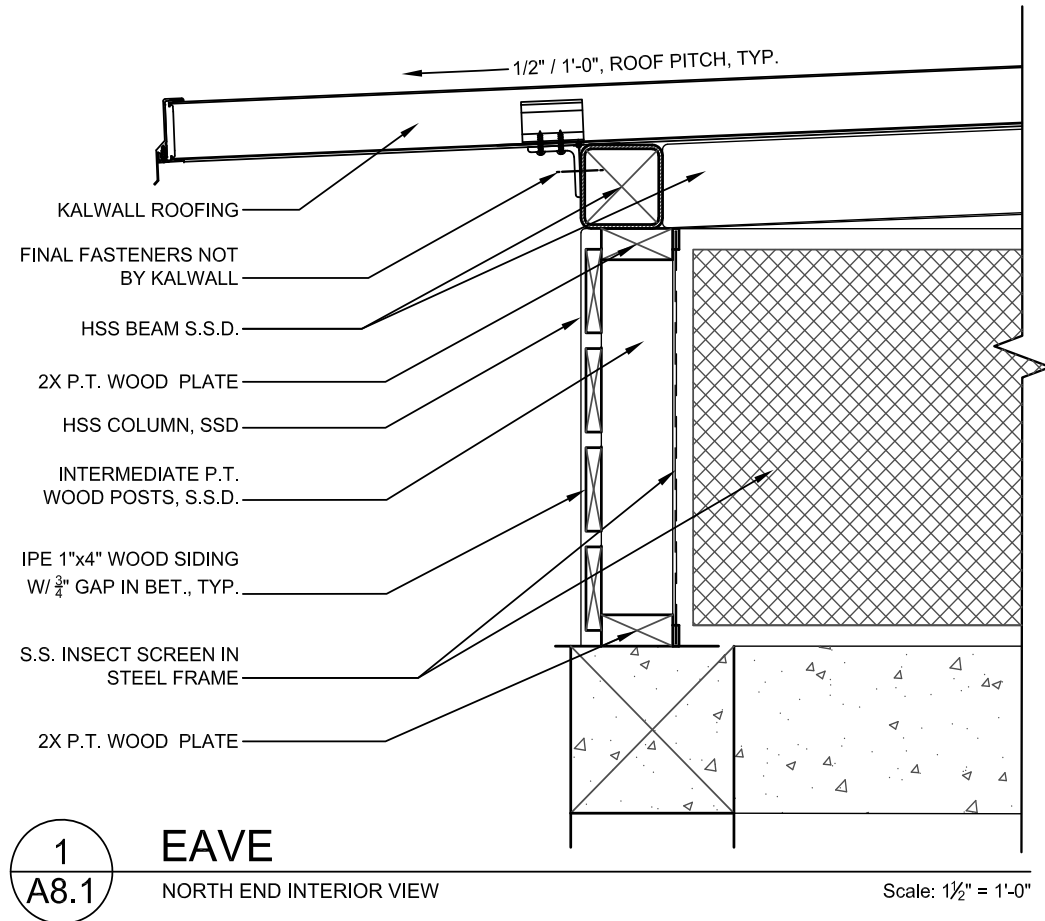
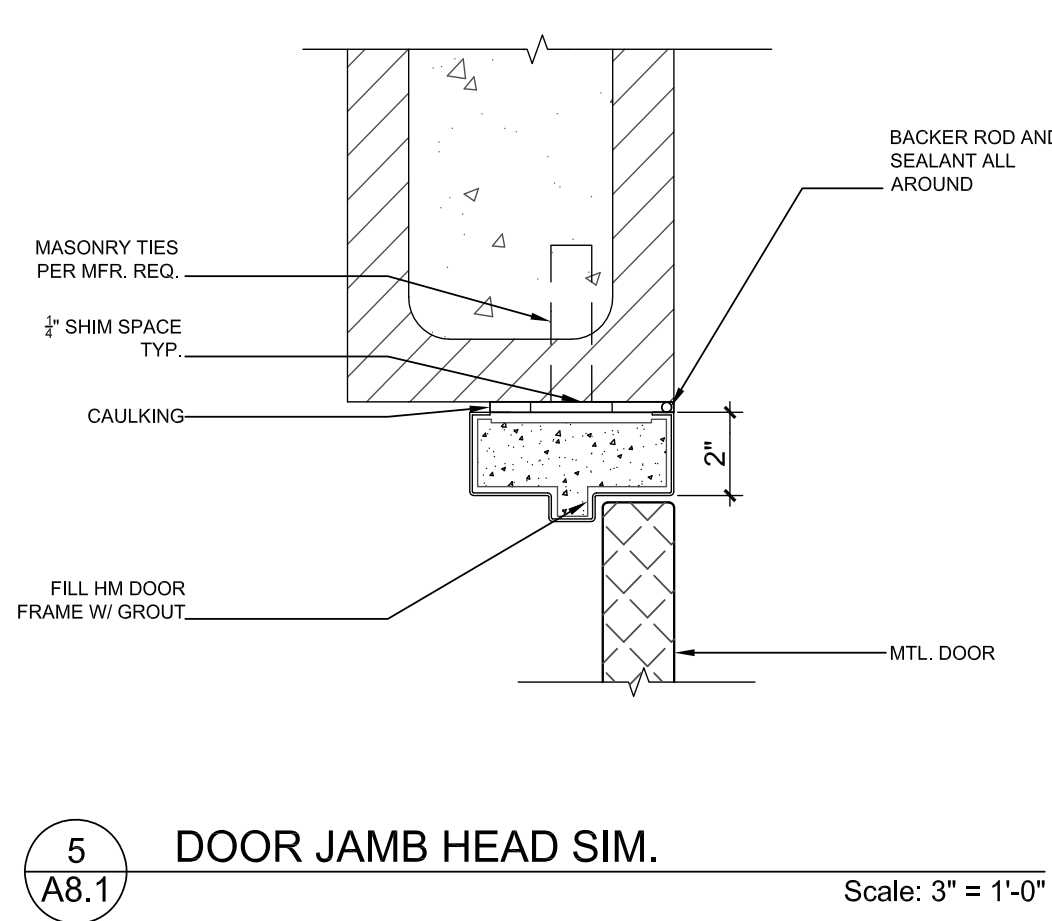
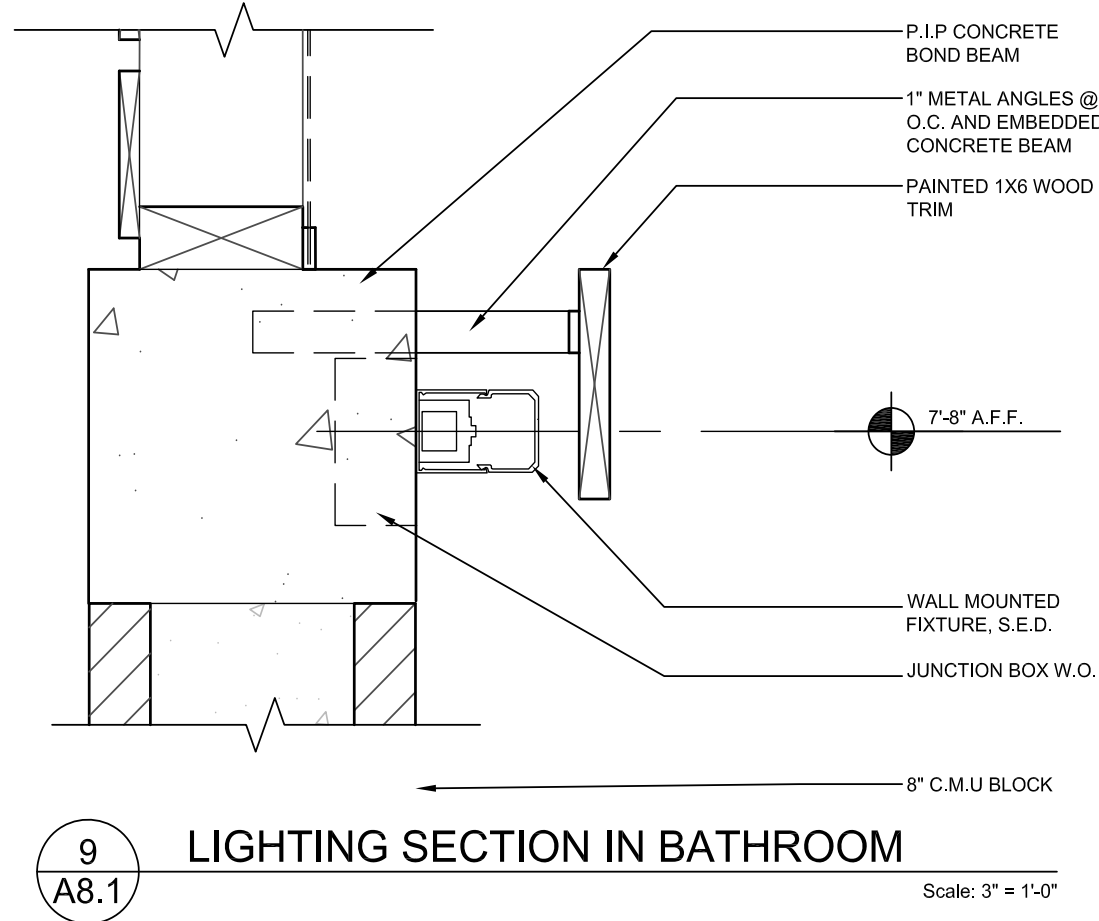
2 ELEVATIONS

SCALE: 1/2" = 1'-0"



3 ELEVATIONS

SCALE: 1/2" = 1'-0"



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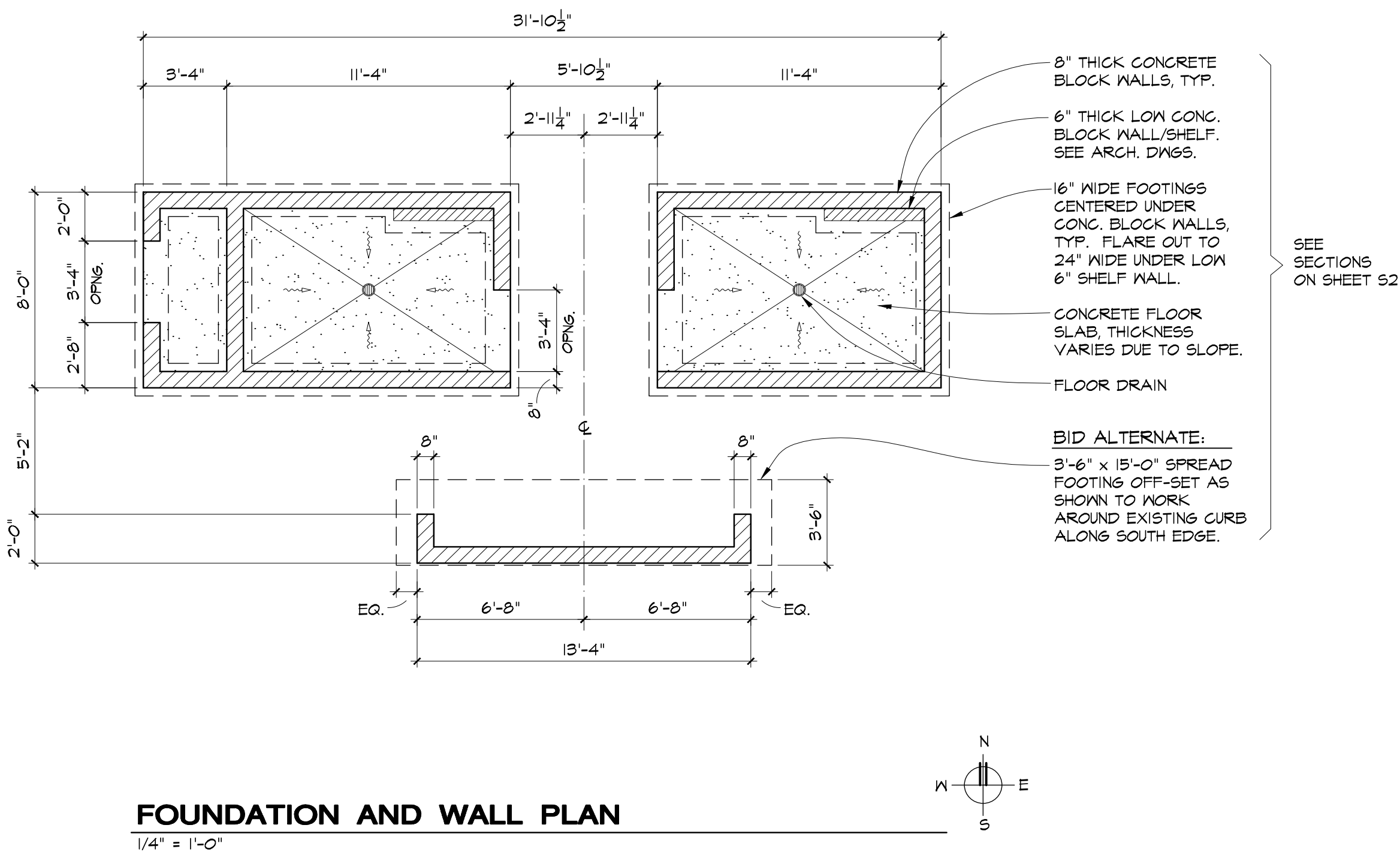
STATE OF CALIFORNIA
JAMES PATRICK PHILLIPS
REGISTERED ARCHITECT
EXPI. 9-30-19
C 9632

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PROJECT
CITY OF ST. HELENA
PUBLIC RESTROOMS
MONEY WAY AND OAK AVENUE,
ST. HELENA, CA 94574
APN 009-240-013-000

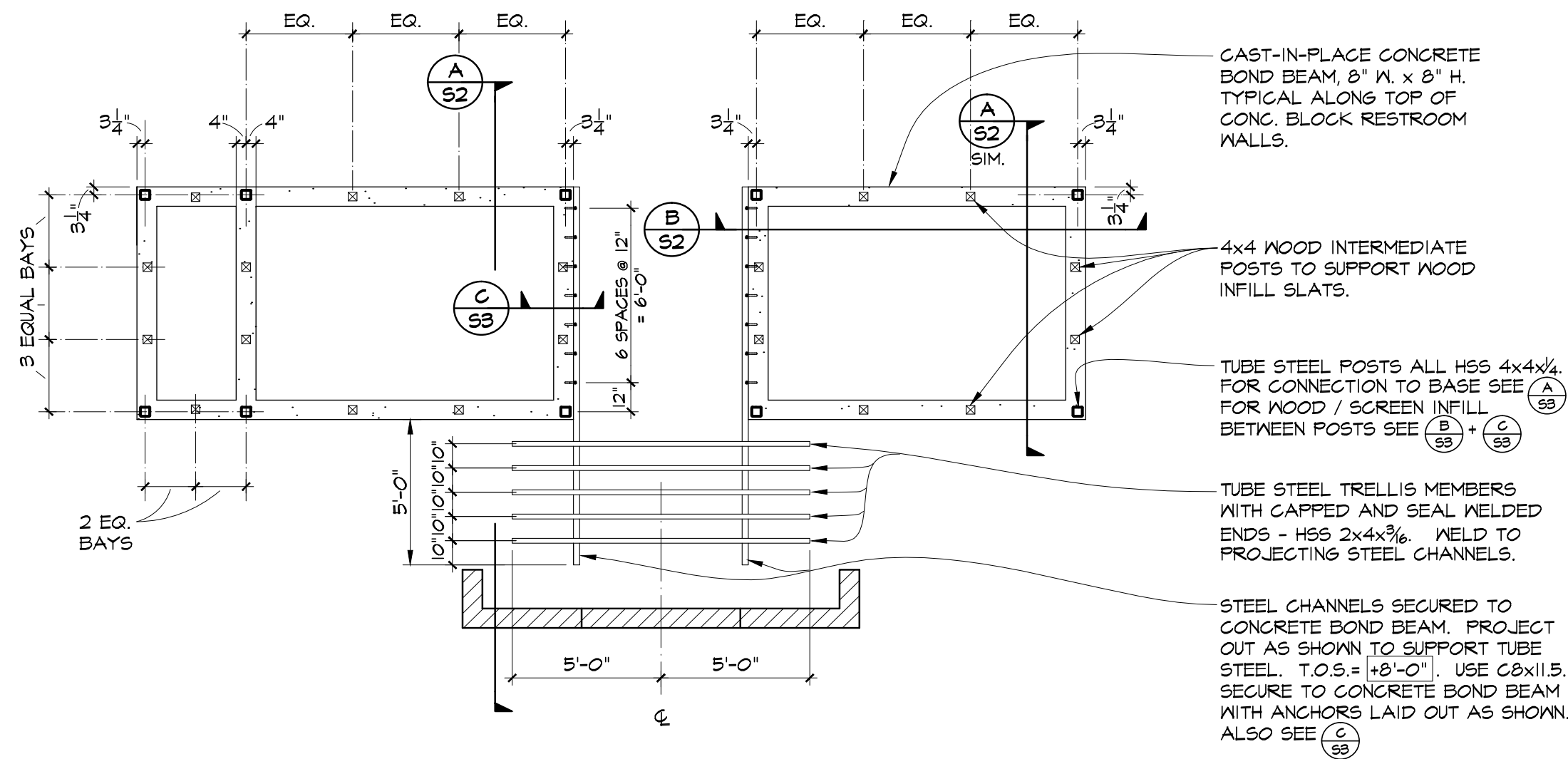
SHEET DESCRIPTION
DETAILS

DRWN: CM DATE: 03-23-18
CHKD: TPF
SHEET
A8.1



FOUNDATION AND WALL PLAN

1/4" = 1'-0"



TOP OF WALL PLAN

1/4" = 1'-0"

STRUCTURAL NOTES:

GENERAL REQUIREMENTS:

All construction shall conform to the prevailing edition of the California Building Code and all other applicable local or state codes and ordinances including OSHA requirements.

The Contractor will be responsible for designing and constructing all necessary shoring, bracing and formwork plus constructing and maintaining all barriers and protective devices to protect the public from the construction site and to ensure a safe working environment for the workers.

Coordinate all work shown on these structural drawings with the architectural drawings and with field measurements. If there is a significant conflict between the drawings and found conditions contact the Architect or Engineer before proceeding with affected work.

CODE:

The 2013 California Building Code and the related document, ASCE 7 / 10, has been used as the structural design criteria for this project.

DESIGN DATA & CRITERIA:

Roof live load: 12 psf, (greenhouse roof)
Wind design data: 115 mph (ultimate), wind speed, exposure "C", I = 1.0.
Earthquake design: R = 2 (ord. reinf. mas. shear walls), I = 1.0, S_s = 1.50 (USGS), Soil: Type "D"

QUALITY CONTROL:

The General Contractor shall be responsible for coordinating all inspections required by the permitting agency.

In accordance with Chapter 17 of the CBC the following "special inspections" are required for this project. The special inspections shall be performed by an approved testing / inspection agency retained by the Owner or for some items they may be performed by the project Structural Engineer where specifically called for. Special inspections are required for the following:

For the concrete construction a concrete mix design shall be submitted to the project structural Engineer for approval. Then prior to placing concrete, the project Structural Engineer shall inspect the reinforcing steel placement.

For the concrete block construction the work shall receive special inspection in conformance with TMS402/ACI530/ASCE5, "Level A Quality Assurance" as is appropriate for small and non-essential facilities. This shall be performed by an approved testing / inspection agency.

All structural steel welding shall receive a special inspection. All this welding is anticipated to be single pass and as such non-continuous, visual inspection will be adequate. This shall be performed by an approved testing / inspection agency.

EARTHWORK:

There is not a soils report for this project. The only new foundations are for the exterior trellis pilasters. These foundations have been designed based on a very conservative allowable vertical bearing pressure of 1,000 psf with a 33% increase for short term (seismic) loading.

Prior to starting any excavation work, the Contractor shall determine the location of any underground utilities that may be affected by this work.

Before placing concrete, prepared pads and excavations shall be clean, firm and wet but clear of standing water and loose soil.

CONCRETE WORK:

Concrete strength (at 28 days) shall be 3,000 psi for all concrete work. Ready-mixed concrete shall conform to ASTM C 94. (The 'design' strength is only 2,500 psi. The extra strength has been specified for general quality enhancement only. It is the engineer's opinion that strength testing of the concrete is not necessary.) Concrete placement shall conform to the provisions of ACI 318 "Building Code Requirements for Reinforced Concrete".

Reinforcing steel shall be deformed billet steel conformed to ASTM A615, Grade 40 for #3 and #4 bars and Grade 60 for #5 and larger bars. Install reinforcing steel in conformance with Concrete Reinforcing Steel Institute's "Manual of Standard Practice." Securely support and anchor all reinforcing steel to avoid displacement.

Epoxy secured rebar dowels set into already cured concrete or into concrete block, (if needed), shall be done with Simpson ET or SET Epoxy, Hilti HIT-RE 500 or Sika Anchor-Fix 3001. Materials and installation shall be in strict conformance with the manufacturer's instructions.

MASONRY WORK:

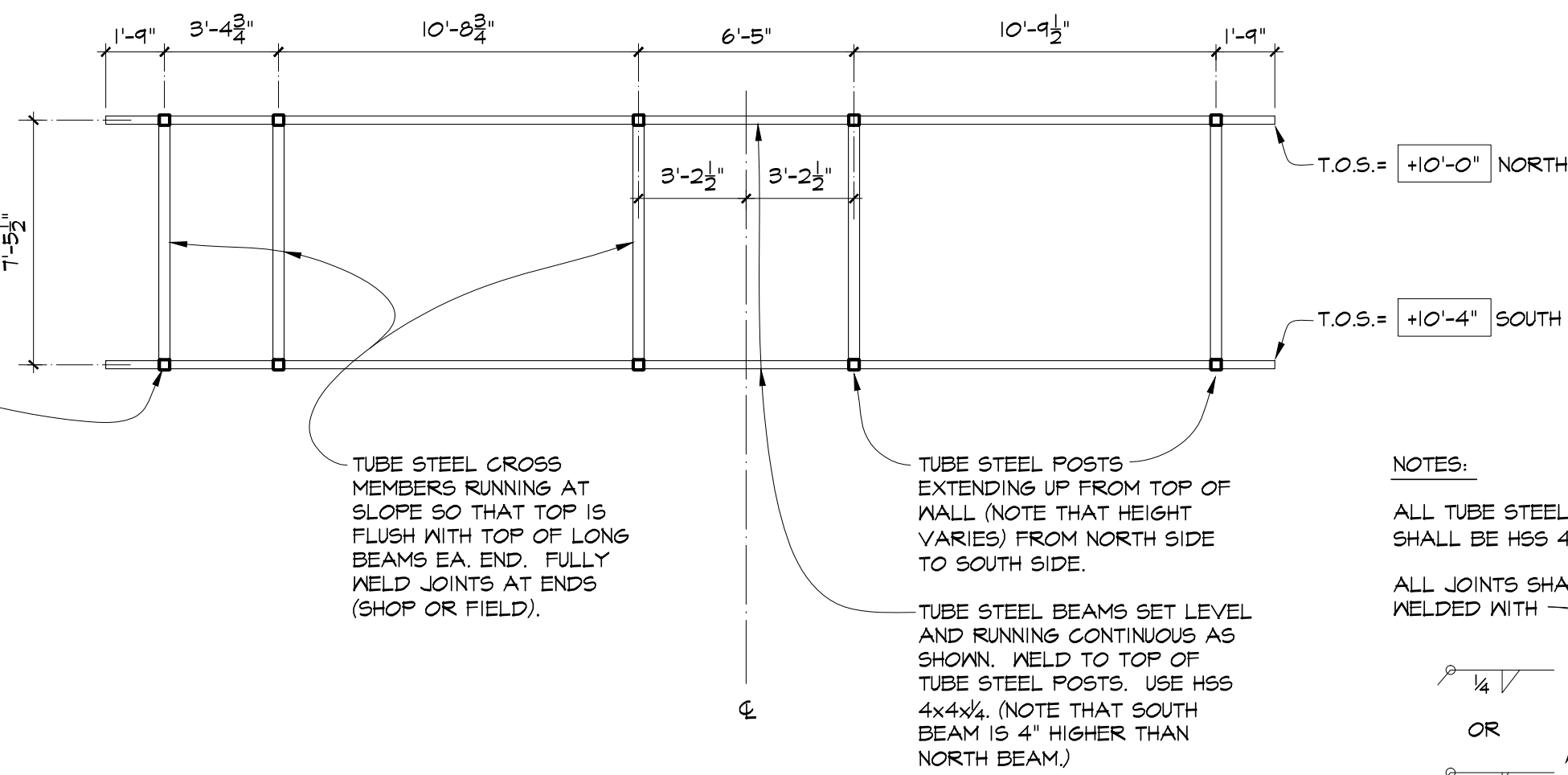
The concrete block construction shall generally conform to the provisions of Section 2104 of the CBC. Concrete blocks shall be open-end, hollow-unit blocks as manufactured by Watershed Materials. Blocks shall be as prespecified by the project Architect and shall have a compressive strength of 1,400 psi min. Use closed end units at edges of openings, wall corners and ends as appropriate. Solid grout all cells. Mortar shall conform to ASTM C270, Type S, with a minimum compressive strength of 2000 psi. Grout shall have a fluid consistency suitable for pumping without segregation (8" to 10" slump) with a compressive strength of 2000 psi. Reinforcing steel shall for concrete block walls shall be the same as called for under CONCRETE WORK.

WOOD FRAMING:

The wood framing associated with this project is minimal. Solid sawn wood posts to support the upper hardwood slats shall be All-Hearth redwood or Cedar.

STRUCTURAL STEEL:

Structural steel work shall conform to with AISC "Specifications for the Design, Fabrication and Erection of Steel for Buildings", and AWS D1.1, "Structural Welding Code", latest revisions of each. Structural steel plates shall conform to ASTM A36. Tube steel members shall conform to ASTM A500. Welders shall have current AWS certificates for the type of materials and welds being performed.



TOP OF STEEL FRAMING PLAN

1/4" = 1'-0"

Kenneth R. Hughes

Structural Engineer

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Lafayette, California 94549
Tel: 925 / 284-2808
KRHughes@pacbell.net

a project for:

VALLEY ARCHITECTS LLP
ST. HELENA, CA

CITY OF ST. HELENA

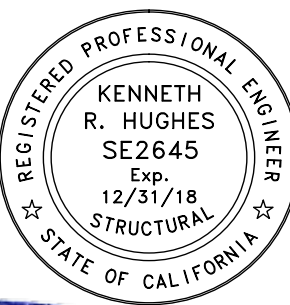
PUBLIC RESTROOMS

MONTE WAY AND OAK AVENUE,
ST. HELENA, CA 94574

APN 009-240-013-000

PERMIT SET

Date: 3-23-18
Project: 2016.41
Drawn by: LMC
Checked by: KRH
Revisions:



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Sheet Size: 24x36
Sheet

S1

3-23-18

KRH

NOTES:
ALL TUBE STEEL MEMBERS SHALL BE HSS 4x4x1/4
ALL JOINTS SHALL BE FULLY WELDED WITH
1/4" OR 1/4"

T.O.S. = +10'-0" NORTH
T.O.S. = +10'-4" SOUTH

TUBE STEEL CROSS MEMBERS RUNNING AT SLOPE SO THAT TOP IS FLUSH WITH TOP OF LONG BEAMS EA. END. FULLY WELD JOINTS AT ENDS (SHOP OR FIELD).

TUBE STEEL BEAMS SET LEVEL AND RUNNING CONTINUOUS AS SHOWN. WELD TO TOP OF TUBE STEEL POSTS. USE HSS 4x4x1/4. (NOTE THAT SOUTH BEAM IS 4" HIGHER THAN NORTH BEAM.)

TUBE STEEL POSTS EXTENDING UP FROM TOP OF WALL (NOTE THAT HEIGHT VARIES) FROM NORTH SIDE TO SOUTH SIDE.

4x4 WOOD INTERMEDIATE POSTS TO SUPPORT WOOD INFILL SLATS.

CAST-IN-PLACE CONCRETE BOND BEAM 8" W. x 8" H. TYPICAL ALONG TOP OF CONC. BLOCK RESTROOM WALLS.

3 1/4"

3 1/4"

3 1/4"

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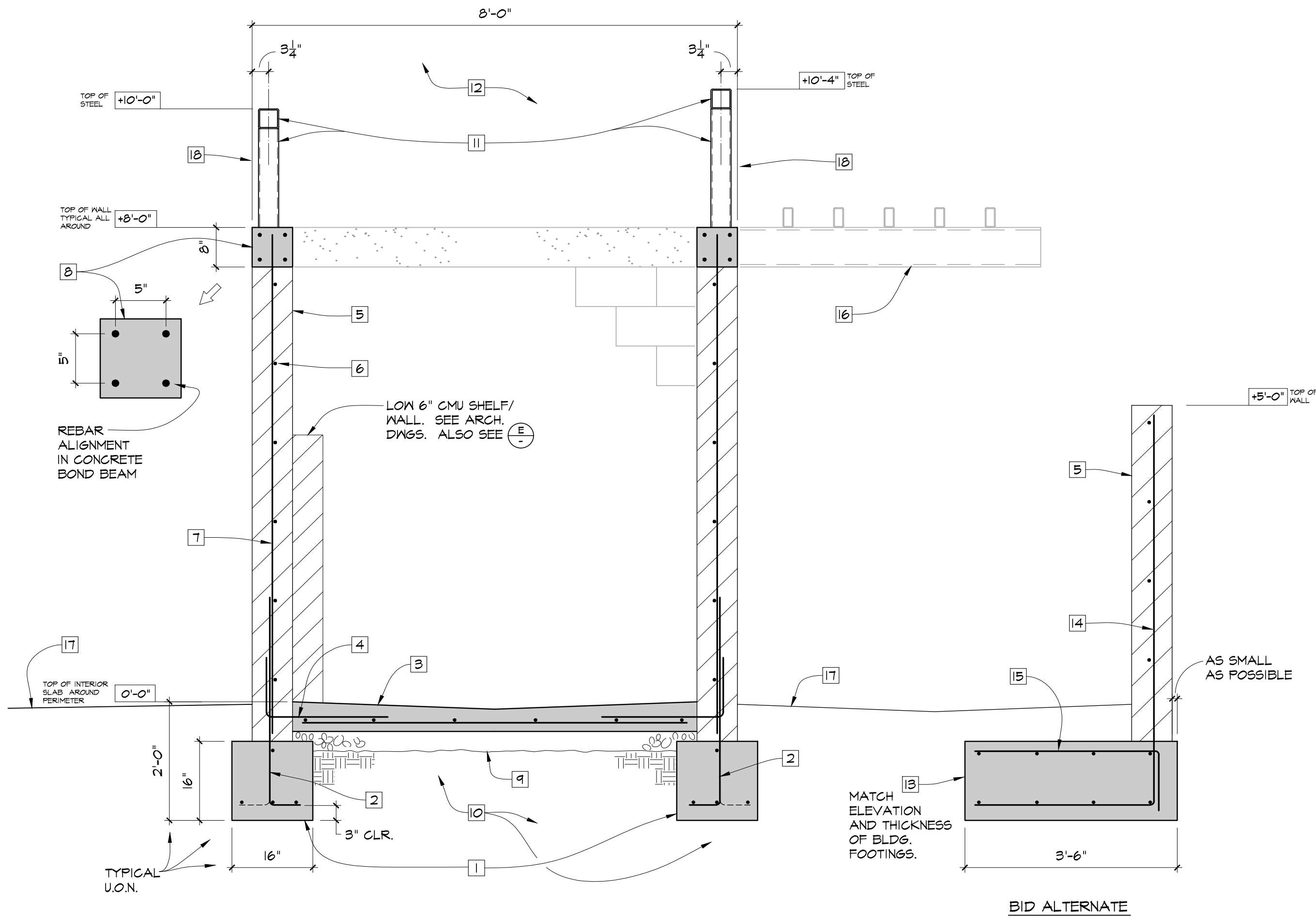
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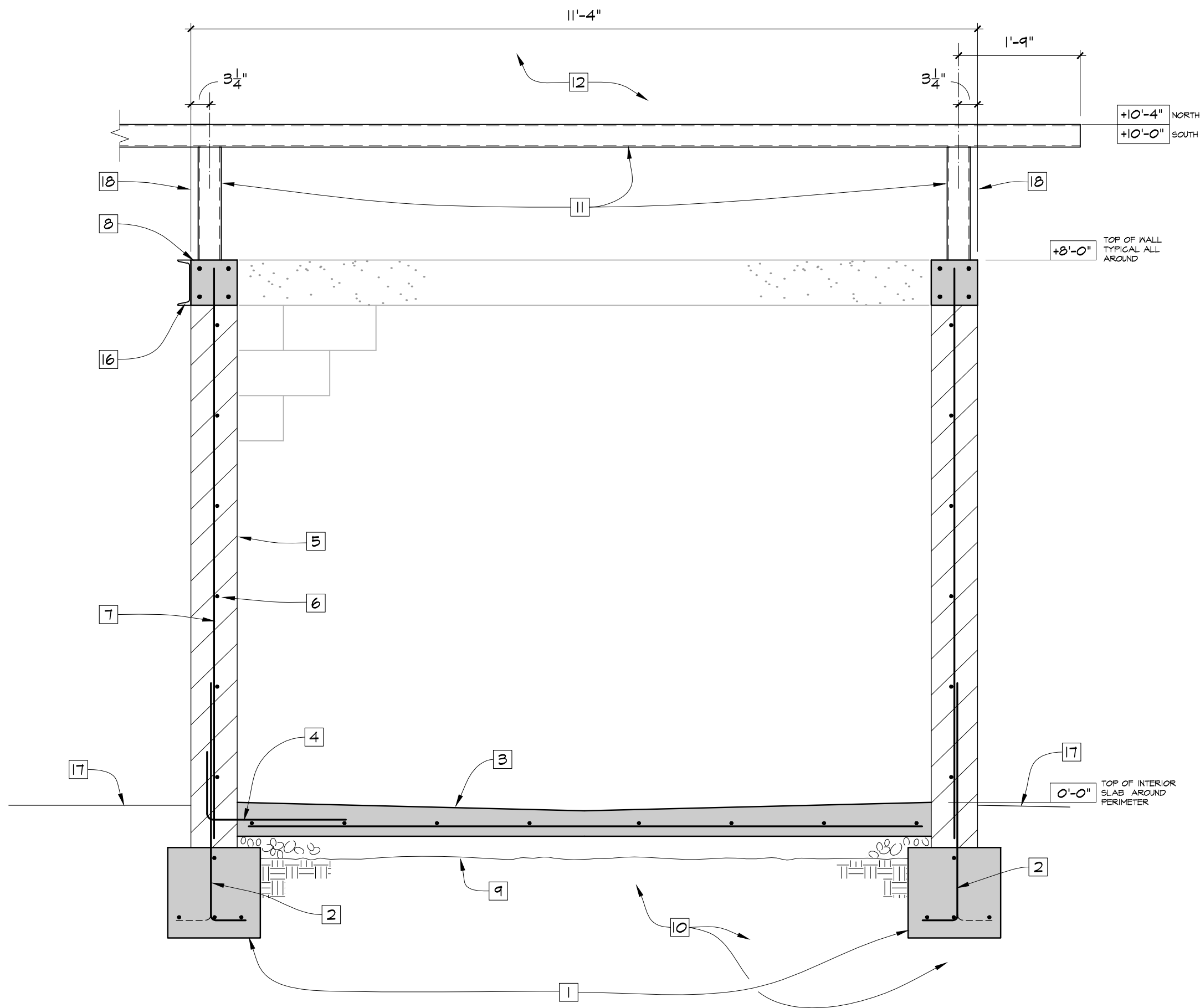
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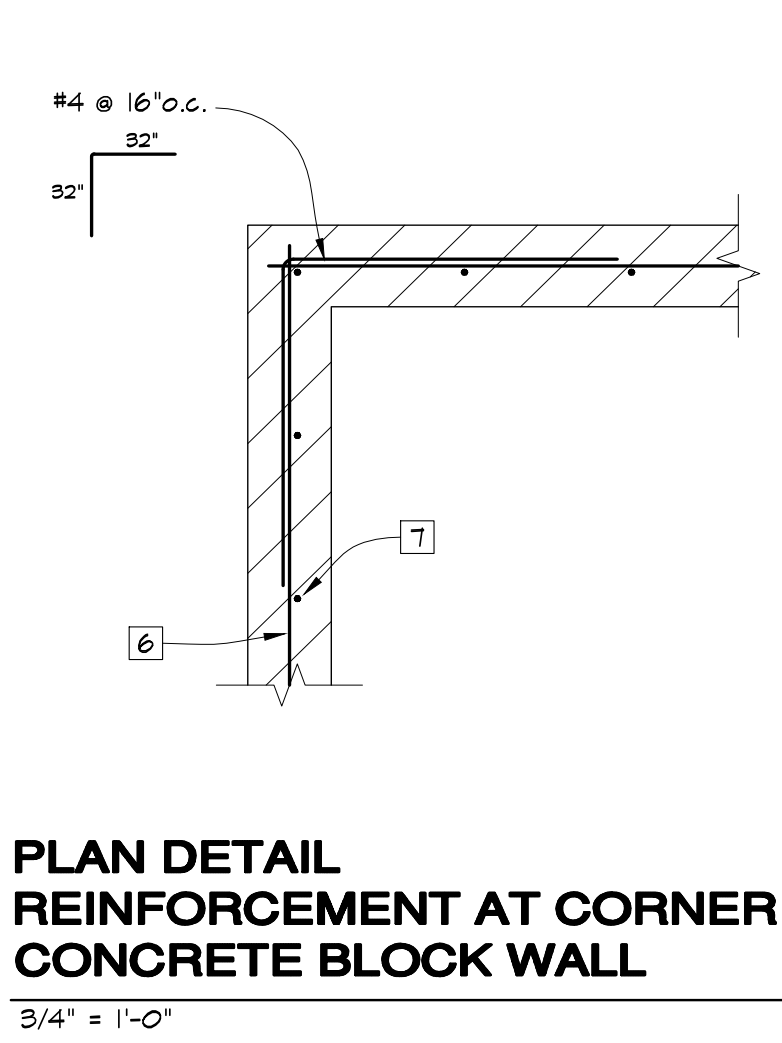
SECTION
3/4" = 1'-0"

A
S2



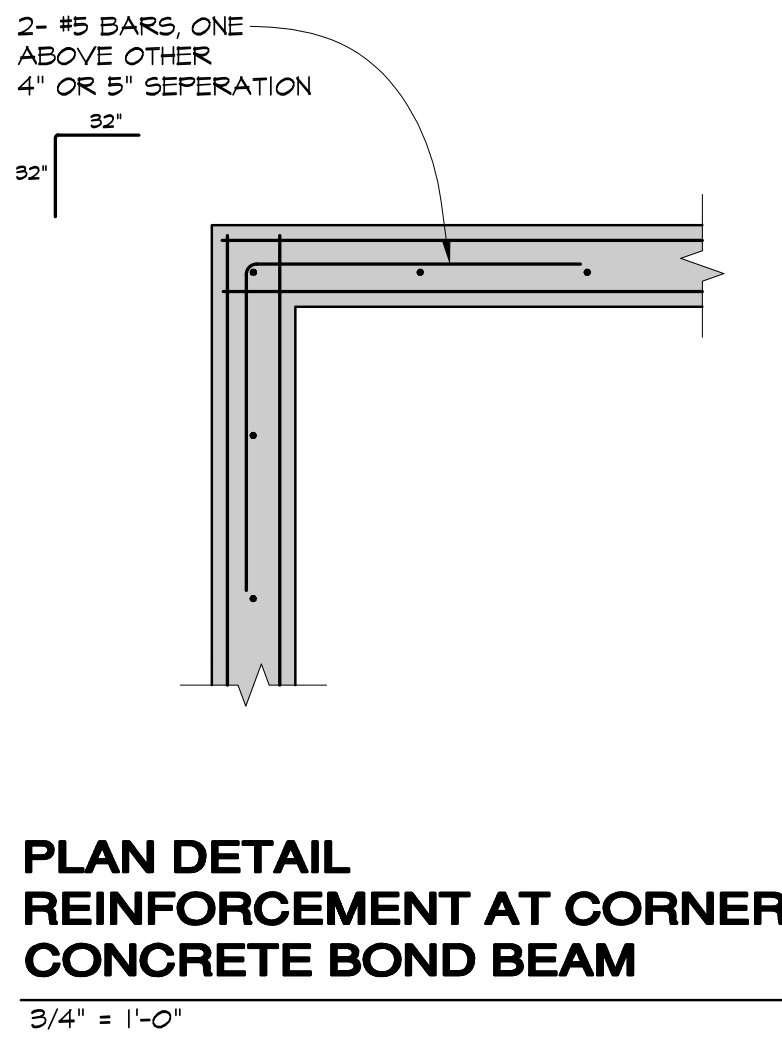
SECTION
3/4" = 1'-0"

B
S2



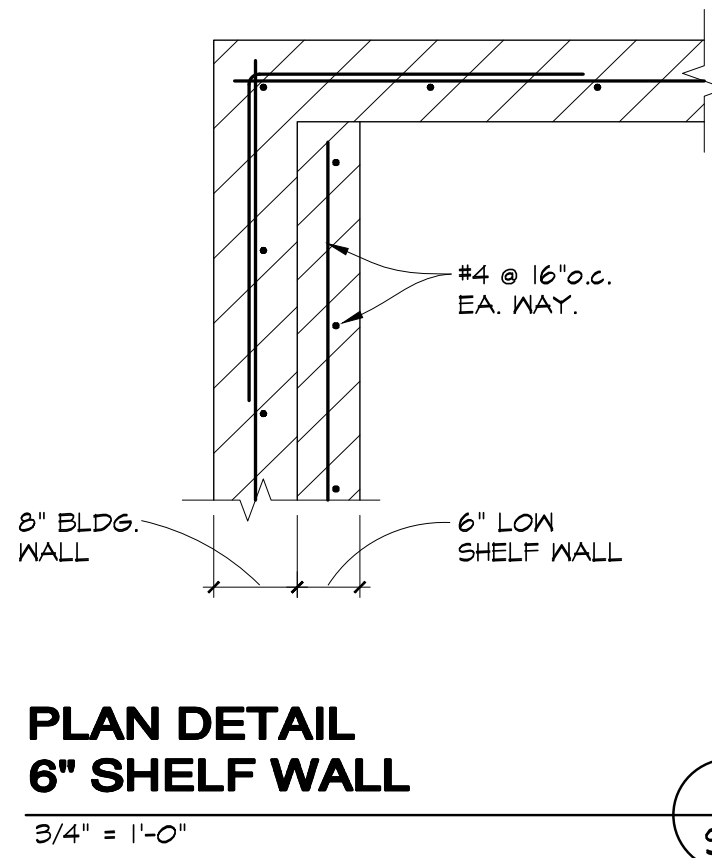
PLAN DETAIL
REINFORCEMENT AT CORNER
CONCRETE BLOCK WALL
3/4" = 1'-0"

C
S2



PLAN DETAIL
REINFORCEMENT AT CORNER
CONCRETE BOND BEAM
3/4" = 1'-0"

D
S2



PLAN DETAIL
6" SHELF WALL
3/4" = 1'-0"

E
S2

- LEGEND:
- Continuous concrete footing reinforced with 4 - #4 bars as shown, (3 along bottom and one near top).
 - Rebar dowel from footing up into center of wall. Use #4 rebar with 6" leg and 42" leg, install as shown. Alternate hook directions in footing.
 - Concrete floor slab, 4" thick (minimum) reinforced with #4 @ 16" o.c. each way at mid-depth. Slope top to drain. See architectural drawings.
 - Rebar dowels from wall to slab, Use #4 rebar with 12" leg in wall and 24" leg extending into slab. Space at 16" o.c.
 - Concrete block walls, 8" thick, solid grouted.
 - Horizontal rebar, #4 @ 16" o.c. in center of wall. At door openings install 2-#4 bars, side-by-side, across top of opening. Extend 32" beyond edges of opening. Hook if necessary to achieve 32". Run these horiz. bars straight into corners and lap with #4 "L" bars as shown in detail on this sheet.
 - Vertical rebar, #5 @ 16" o.c.. Run from top of footing straight up 6-1/2" into 8" tall concrete bond beam at top of wall.
 - Cast-in-place concrete bond beam along top of wall. Reinforce with 4 - #5 bars aligned as shown. Run these #5 bars straight into corners. Lap with #5 "L" bars in corners as shown in details on this sheet.
 - 4" thick layer of clean crushed rock below floor slab.
 - Firm soil under slab and in footing excavations. Confirm.
 - Structural tube steel framing. See plan layout on sheet S1 and details on S3.
 - Translucent roof panels not shown for clarity.
 - Concrete footing as shown in plan on S1. Reinforce with 8 - #4 bars, 4 top and 4 bottom, as shown.
 - #5 at 16" o.c.. Run from top of footing and hook up into center of 8" concrete block wall. Run to top.
 - #4 @ 16" o.c. Run from top of footing and hook down 12" at heel as shown.
 - Steel framing beyond. See Sheet S1. Secure steel channel to concrete bond beam per details on next sheet.
 - Exterior pavement per architectural drawings.
 - Wood / Screen infill not shown for clarity. See Arch. drawings.

KRH
3-23-18

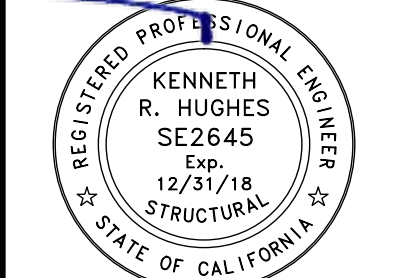
Kenneth R. Hughes
Structural Engineer
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KRHughes@pacbell.net

a project for:
VALLEY ARCHITECTS LLP
ST. HELENA, CA

CITY OF ST. HELENA
PUBLIC RESTROOMS

MONEY WAY AND OAK AVENUE,
ST. HELENA, CA 94574
APN 009-240-013-000

PERMIT SET
Date: 3-23-18
Project: 2016.41
Drawn by: LMC
Checked by: KRH
Revisions:



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Sheet Size: 24x36
Sheet

S2

1. BASE PLATES SHALL BE CUSTOM SHAPED AS DETAILED TO RIGHT. (SUGGEST LASER CUTTING).
2. SHOP WELD TUBE STEEL POSTS TO BASE PLATES CENTERING 4" SQ. POST IN 4½" SQ. PORTION OF BASE PLATE.
3. SECURE BASE PLATES TO CONCRETE BOND BEAM USING 3/8" x 5" L. SIMPSON TITEN H.D. GALV. CONCRETE SCREWS AS SHOWN. PRE-DRILL AS CALLED FOR BY SIMPSON.



1. WOOD NAILERS SHOWN SHALL BE ALL HEART REDWOOD OR CEDAR. ALL MEMBERS SHALL BE 2x (1/2") THICK. WIDTH SHALL BE AS INDICATED - EXACT DIMENSIONS SHOWN (NOT NOMINAL). RIP-CUT WOOD AS REQ'D.

2. SECURE NAILERS TO STEEL USING NO. 10 x 2½" LONG, HEX + WASHER HEAD, ST. STEEL SELF DRILLING SCREWS. INSTALL 4, EVENLY SPACED.
3. WHERE SECOND NAILER IS SHOWN SECURE TO FIRST USING NO. 10 x 2½" LONG FLAT HEAD ST. STEEL WOOD SCREWS. INSTALL 2 ROWS OF 4.



1. IPE HARDWOOD, 1x, (3/4" THICK). SEE ARCH. DWGS

2. SECURE HARDWOOD USING NO. 8 x 2" LONG FLAT HEAD STAINLESS STEEL SCREWS, 2 EA. END AND 2 AT EACH INTERMEDIATE SUPPORT.
3. STAINLESS STEEL SCREEN - SEE ARCH. DWGS.
4. SECURE SCREEN USING CLAMP PLATE AND SMALL BOLTS AROUND PERIMETER, SECURED TO STEEL ANGLE. TYP. 4 SIDES.



Technical drawing of a base plate (Type 2) showing dimensions and features. The drawing includes a top view and a side view. The top view shows a rectangular plate with a central rectangular cutout. The overall width is 14 1/2 inches, divided into three sections: 7 1/2 inches, 4 inches, and 7 1/2 inches. The overall height is 11 inches, divided into three sections: 1 1/2 inches, 8 inches, and 1 1/2 inches. The central cutout has a width of 4 inches and a height of 1 1/2 inches. There are four circular holes, each with a diameter of 1/2 inch, located at the corners of the plate. The side view shows the plate has a thickness of 1/2 inch. The drawing is labeled "BASE PLATE TYPE 2".

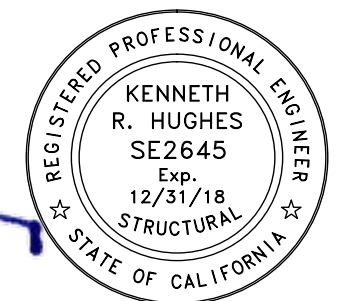
BASE PLATE
TYPE 2



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KRHughes@pacbell.net

PERMIT SET

Date	3-23-18
Project	2016.41
Drawn by	LMc
Checked by	KRH
Revisions	



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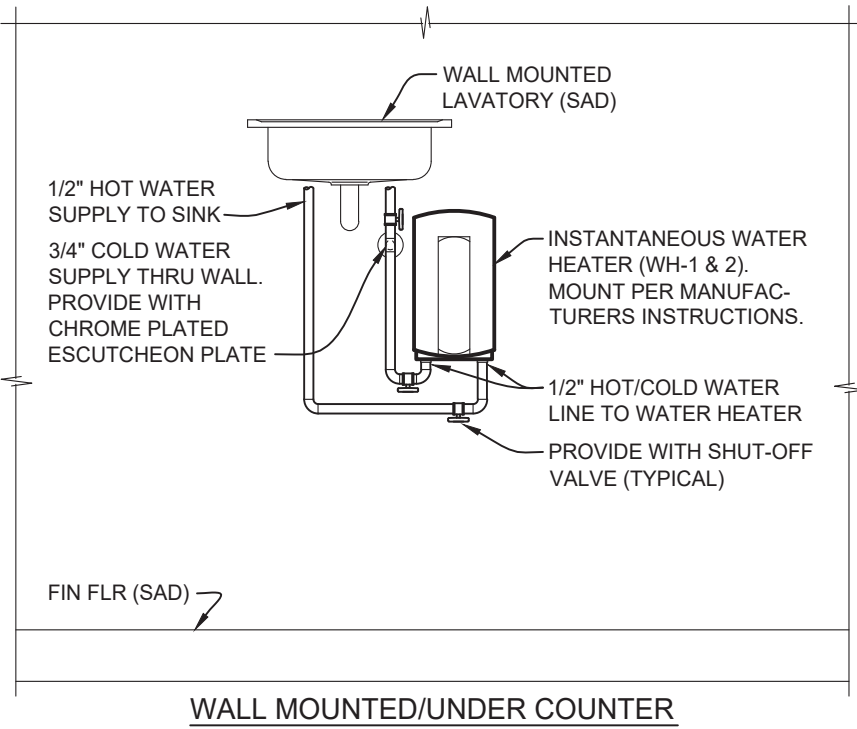
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S3

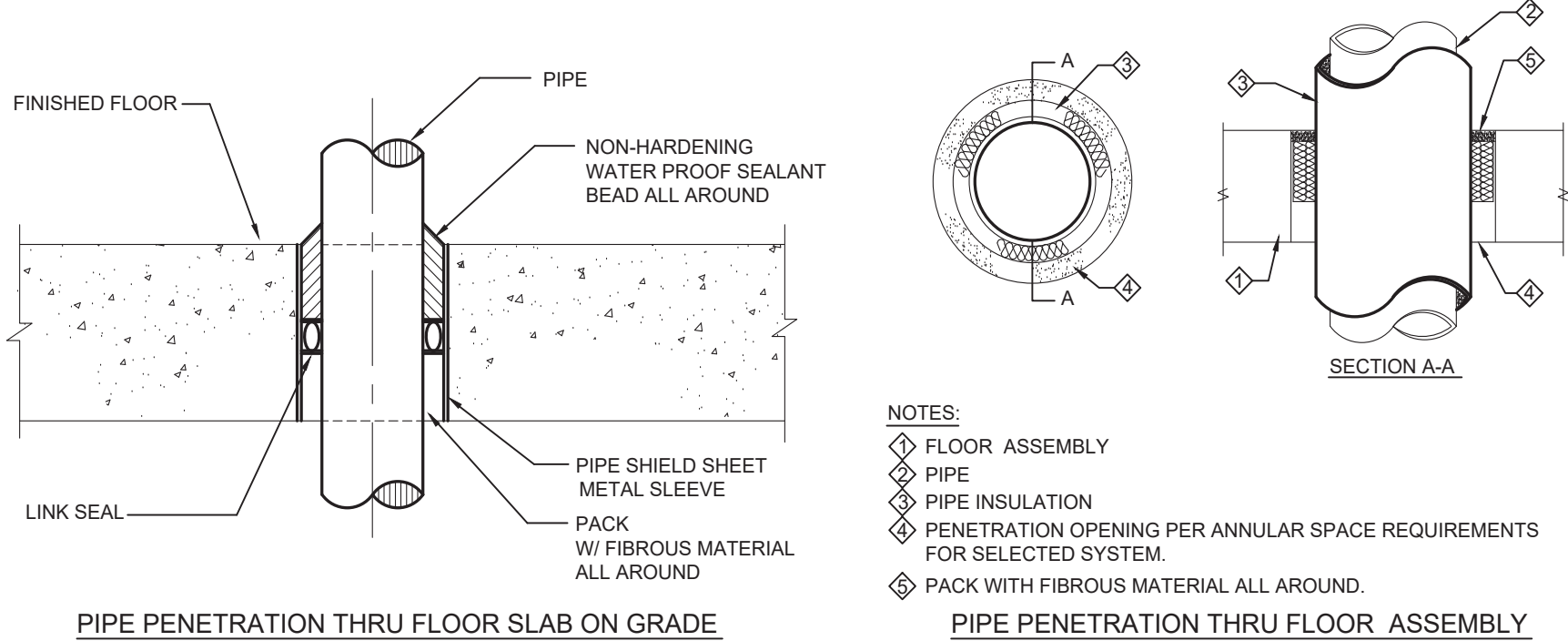
POINT-OF-USE WATER HEATER SCHEDULE									MANUFACTURER: STIEBEL ELTRON
MARK	MODEL #	STORAGE CAPACITY	VOLT/PH	AMPERAGE	WATTAGE	MIN REQ'D CIRCUIT BREAKER SIZE	WEIGHT	LOCATION	REMARKS
WH 1, 2	DHC 5-2	TANKLESS	208/1Ø	18	3.6	30	5 lbs.	RESTROOMS	1, 2
REMARKS: 1. UNDER LAVATORY SINK 2. ON-DEMAND TYPE, ELECTRIC WATER HEATER									

LOCAL CONNECTION SCHEDULE							
MARK	FIXTURE	SS	GW	V	CW	HW	REMARKS
P-1	WATER CLOSET (ADA)	4"	-	2"	1-1/2"	-	WALL MOUNTED; ADA COMPLIANT; SENSOR FLUSHOMETER
P-2	LAVATORY (ADA)	2"	-	1-1/2"	1/2"	1/2"	UNDER MOUNT; VITREOUS CHINA; ADA COMPLIANT
P-3	URINAL (ADA)	2"	-	1-1/2"	1/2"	-	WALL MOUNTED; VITREOUS CHINA; WATERLESS W/ AUTO RINSE; ADA COMPLIANT
P-6	DRINKING FOUNTAIN (ADA)	2"	-	1-1/2"	3/4"	-	PEDESTAL FOUNTAIN; ADA COMPLIANT; HI/LO
P-6A	DRINKING FOUNTAIN (ADA)	2"	-	1-1/2"	3/4"	-	WALL MOUNTED; ADA COMPLIANT; HI/LO
P-6B	BOTTLE FILLER	-	-	-	3/4"	-	WALL MOUNTED
P-6C	PET FOUNTAIN	2"	-	1-1/2"	3/4"	-	WALL MOUNTED
HB-1	HOSE BIBB	-	-	-	1/2"	-	POLISH CHROME; LOOSE KEY WITH VACUUM BREAKER
FD-1	FLOOR DRAIN	2"	-	1-1/2"	-	-	PROVIDE WITH 1/2" TRAP PRIMER
TD-1	TRENCH DRAIN	2"	-	1-1/2"	-	-	HEEL PROOF GRATE

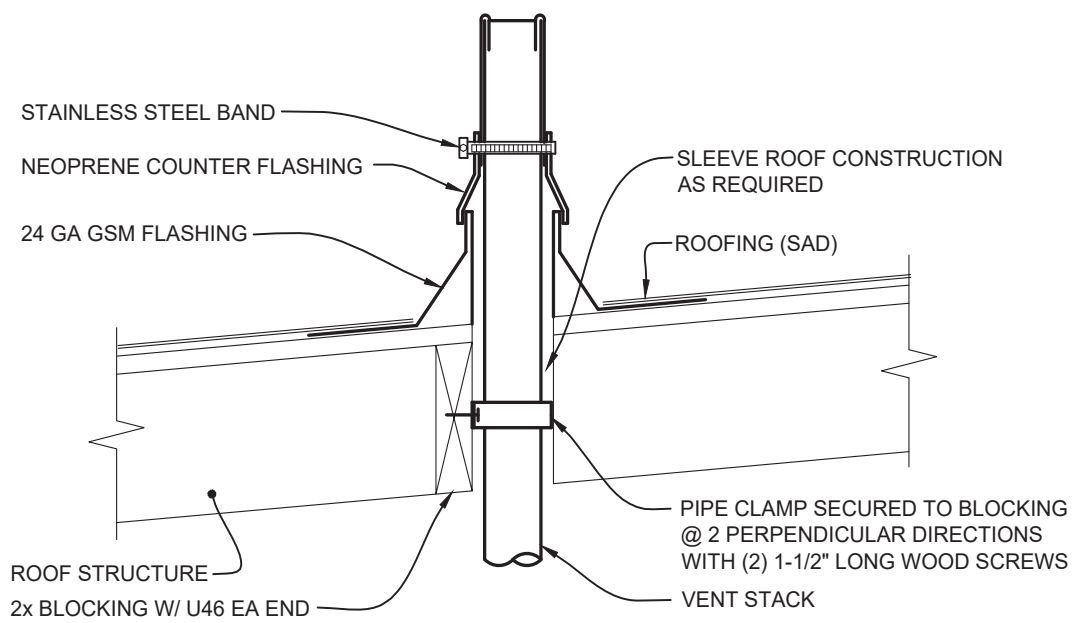
PLUMBING LEGEND		
SYMBOL	ABBREVIATION	DESCRIPTION
		DRAWING NUMBER
		DETAIL NUMBER DRAWING NUMBER
		EQUIPMENT IDENTIFICATION
		PIPE UP
		PIPE DOWN
	CW	COLD WATER LINE
	HW	HOT WATER LINE
	HWR	HOT WATER RETURN LINE
	SS	SANITARY SEWER LINE
	V	VENT LINE
	GW	GRAY WATER LINE
	BG	PIPE BELOW GRADE
		DIRECTION OF FLOW
	FCO	FLOOR CLEANOUT
	WCO	WALL CLEANOUT
	GCO	GRADE CLEANOUT
	GM	GAS METER
	SA	SHOCK ABSORBER
	CV	CHECK VALVE
	GC	GAS COCK
	STR	STRAINER
		UNION
	POC	POINT OF CONNECTION
	AP	ACCESS PANEL
	BF	BELOW FLOOR
	CFH	CUBIC FEET PER HOUR
	CR	CONDENSATE RECEIVER
	DIW	DOWN IN WALL
	DN	DOWN
	DTBG	DOWN TO BELOW GRADE
	DTR	DOWN THROUGH ROOF
	GA	GAUGE
	HB	HOSE BIBB
	IFC	IN FURRED CEILING
	ITS	IN TRUSS SPACE
	IW	IN WALL
	NIPS	NOT IN PLUMBING SECTION
	SHTMTL	SHEET METAL
	SMD	SEE MECHANICAL DRAWINGS
	TP	TRAP PRIMER
	UIW	UP IN WALL
	UTR	UP THROUGH ROOF
	VTR	VENT THROUGH ROOF



A WATER HEATER MOUNTING DETAILS & DIAGRAM
SCALE: NONE



B PIPE THRU FLOOR DETAIL
SCALE: NONE



C VENT THRU ROOF DETAIL
SCALE: NONE

APPLICABLE GOVERNING CODES:
2016 CALIFORNIA BUILDING CODE
2016 CALIFORNIA ELECTRICAL CODE
2016 CALIFORNIA MECHANICAL CODE
2016 CALIFORNIA PLUMBING CODE

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PROJECT

CITY OF ST. HELENA

PUBLIC RESTROOMS

MONEY WAY AND OAK AVENUE,
ST. HELENA, CA 94574
APN 009-240-013-000

SHEET DESCRIPTION

PLUMBING LEGENDS, SCHEDULES & DETAILS

DRWN: MC. DATE: 03-23-18
CHKD: TC / CD

SHEET

P1.1

CITY OF ST. HELENA PUBLIC RESTROOMS PART 1 - GENERAL 1. SCOPE OF WORK A. These specifications and the drawings have been prepared to assist the Contractor. The Contractor shall be responsible for the final design, engineering, and specifications of all plumbing systems included in this project. The design and installation shall be in full accordance with all applicable building codes, including but not limited to: 1. CPC 2013 2. NSF/ANSI 61 Standard, Drinking Water System Components - Health Effects for fixture materials that will be in contact with potable water. 3. AB 1953, Amendments to Section 116875 of the Health and Safety Code relating to lead plumbing. PART 2 - PRODUCTS 1. GENERAL A. All materials shall be new, of the best quality for the intended use, shall be listed by the ASA, AGA, UL, as meeting their requirements and bearing their label wherever standards have been established and label services are regularly furnished by them. B. Tracer wire shall be installed with all non-metallic piping below grade. Tracer wire shall be solid core copper, 14-gauge minimum, laid continuously along pipes. Wire shall be "ty-wrapped" to pipe at eight (8) feet on center. Tracer wire shall terminate in concrete access boxes at the beginning and terminal ends of the buried pipe. 2. PIPE, FITTINGS A. Underground Soil, Waste, Drain, and Vent Pipe: 1. ABS DWV Schedule 40 Pipe and Fittings shall be manufactured from ABS compound with cell class of 42222 for pipe and 32222 for fittings as per ASTM D 3965 and conform with NSF International Standard 14. Pipe shall be iron pipe size (IPS) conforming to ASTM F 628. Fittings shall conform to ASTM D 2661. Approved manufacturers: Charlotte or Mueller. 2. All pipe and fittings shall be produced by a single manufacturer and shall be in accordance with manufacturer's recommendations and applicable code requirements. Buried pipe shall be installed in accordance with ASTM D 2321 and ASTM F 1668. Solvent cement shall conform to ASTM D 2235. The system is intended for non-pressure drainage applications where the temperature will not exceed 140 degrees Fahrenheit. B. Above Ground Soil, Waste, Drain, and Vent Pipe: 1. ABS DWV Schedule 40 Pipe and Fittings shall be manufactured from ABS compound with cell class of 42222 for pipe and 32222 for fittings as per ASTM D 3965 and conform with NSF International Standard 14. Pipe shall be iron pipe size (IPS) conforming to ASTM F 628. Fittings shall conform to ASTM D 2661. Approved manufacturers: Charlotte or Mueller. C. Natural Gas Pipe: 1. Above ground piping shall be schedule 40, black steel, threaded, with 150 lb. MI, screwed, banded pattern fittings. 2. Below Grade Propane Gas Pipe: Underground lines shall be Chevron Plexco Yellowpipe PE2406 Polyethylene Piping System for Gas Distribution. The polyethylene plastic pipe, tubing and fittings shall meet the requirements of ASTM D 2513; hydrostatic design basis shall be 1000 psi at pipe temperatures of 73 F or lower; long-term hydrostatic strength measurements shall meet ASTM D 2837; underground gas distribution systems shall be designed to operate at internal pressures and temperatures such that condensation will not occur. 3. Only qualified personnel shall install piping. "Qualified Personnel" shall mean persons that have attended and successfully completed a manufacturer's training seminar in the installation of such piping systems. All transitions from PE to steel pipe shall be made with pre-manufactured transition fittings, Central "Double O" Seal, or equal. 4. The piping specified above may be used for underground propane piping per the Plastics Pipe Institute Technical Report #PPI-TR22. D. Underground Domestic Cold, Hot Water, and Hot Water Return: 1. Cross-linked Polyethylene (PEX) tubing or AquaTherm shall be thermoset material made from medium or high density polyethylene that is modified to have improved properties, and shall meet the requirements of ASTM F876, ASTM F877, AWWA C904. 2. Piping shall be in Schedule 40 PVC sleeves with long radius elbows and cement weld joints. 1 of 5	CITY OF ST. HELENA PUBLIC RESTROOMS E. Above Grade Cold and Hot Water Piping, Hot Water Return: 1. PEX tubing or Aquatherm shall be thermoset material made from medium or high density polyethylene that is modified to have improved properties, and shall meet the requirements of ASTM F876, ASTM F877, AWWA C904. F. Indirect waste piping shall be Schedule 40 PVC. G. Condensate Drain Pipe: 1. Condensate drainage pipe shall be Mueller, Chase, or approved equal, ANSI H23.1, a. 2" and larger: type DWV b. 1" and smaller: type M, hard temper, cast bronze solder-joint drainage pattern fittings 3. VALVES, SPECIALTIES A. Check Valves: Nibco T-480, bronze body, inline lift type, Teflon seat, and discs, spring actuated, 125 lb. B. Ball Valves: Nibco T-580, bronze body, "Ring Ball", conventional port, two piece, lever handle, 125 lb. C. Propane Gas Shut-off Valves: Jomax/Homeside Fig. 601 or approved equal, semi-steel, lubricated plug, lever handle, 200 lb. Install Koso Series 300 seismic actuated shut off valve. Brace per manufacturer's instructions. D. Relief Valves: Water heater temperature/pressure relief valve, Watts M&M, or equal, with ASME rating, and AGA certified design. Set at 125 psi and 210F. E. Backflow Preventors (Where shown on the Drawings or required by local code): 1. Atmospheric type shall be Watts Series 288A; 2. Pressure type shall be Watts 800M3QT or 800M2QT; 3. Reduced pressure type shall be Watts 909QT-S or 909NRSRW. F. Water pressure regulating valves shall be Wilkins Series 500 YS. Install where pressure to building exceeds 70 psi. G. Propane pressure regulators shall be American Regulator, Series 1813C. Regulators shall be sized for full propane capacity of equipment as scheduled on the Drawings. Inlet pressure shall be verified in field. Outlet pressure shall be 11" water column. H. Exterior Hose Bibb (HB-1): Chicago No. 387-E27CP, wall-mounted, chrome plated, full-flow, 3/4" NPT, in-line vacuum breaker with hose thread outlet, metal tee handle. Provide a Chicago no. 1771 loose key stop at each hose bibb. 4. HANGERS, SUPPORTS A. Installation of piping shall be such that damage cannot result through loading, expansion or contraction of piping. Anchors shall be installed to obtain uniformity of pipe movement. B. Provide resilient mounting for domestic water piping. Thermal insulation may serve as resilient mounting for insulated piping. C. Trapraps hangers: Grouped pipes may be supported by A-1200 channel bolted to rods. Copper and steel pipe shall be attached to channels with A-716 "Cush-A-Clamp"; insulated pipes shall have C-790 galvanized shields. Cast iron soil pipe shall be supported with C-711 pipe hangers with rods attached to the bottom of channels. D. Suspended water piping shall be anchored with steel struts installed at midpoint of each run. E. No valve or piece of equipment shall be used to support piping. 5. ON-DEMAND ELECTRIC WATER HEATER A. Water heater shall be Stebel-Eltron, as scheduled on the Drawings. 6. DRAINS A. Drains/Floor Drains: Drains in membrane damp proofed floors shall have flashing flange and membrane clamp. 1. FD-1: Zum ZN415-S-P or equal Jay R Smith. Dura-coated cast iron body with bottom outlet, combination invertible membrane clamp and adjustable collar with type "S" polished nickel strainer. 2" size. Drains in sheet vinyl floors shall have a 14" square latex flange (ZN-415S-P-SL) 2 of 5	CITY OF ST. HELENA PUBLIC RESTROOMS 7. CLEANOUTS A. Cleanouts in membrane dampproofed floors shall have flashing flange and membrane clamp; plugs shall be bronze, with cast iron body ferrule for cast iron pipe. 1. Floor (FCO): Zum ZN1400-HD, "Level-trol" adjustable floor cleanout, dura-coated with gas and water-tight, bronze, taper thread, plug, and round scoriated top adjustable to finished floor. 2. Grade (COTG): Zum Z1474-IN. Housing to be dura-coated cast iron body with integral anchor flange and scoriated cover with lifting device. Cleanouts in un-paved areas shall be set in 18" x 18" x 4" concrete pads. 3. Wall (WCO): Nibco figure 816 or 817 with Zum 6" x 6", Z1462, polished chrome plated bronze wall plate and frame for copper tubing; Zum Z1441, dura-coated with gas and water-tight, bronze, taper thread plug and round smooth stainless steel access cover with securing screw. For cast iron pipe; Zum Z1468, round stainless steel wall access cover complete with securing screw and bronze raised hex head plug for steel pipe. 8. TRAP PRIMERS A. Trap primers shall be installed for all floor drains as follows: 1. Provide "PPP" trap primer installed for floor sink in mechanical building. 9. SHOCK ABSORBERS A. Shock absorbers shall be Zum "Shoktrol", with stainless steel bellows. Install with ball valve shut-off and access door at all flush valves or other automatic valves. A single unit sized in accordance with the manufacturer's recommendations may serve batteries of valves. 10. PIPE INSULATION A. All insulation shall have composite (insulation, jacket and adhesive used to adhere the jacket to the insulation) Fire and Smoke Hazard ratings as tested under procedure ASTM E-84, NFPA 255 or UL 723, not exceeding: 1. Flame Spread 25 2. Smoke Developed 50 B. Insulation shall be applied in complete accordance with the manufacturer's published installation instructions on clean, dry surfaces. All insulation shall be continuous through wall and ceiling openings and sleeves. All joints shall be firmly butted together and longitudinal jacket laps and butt strips shall be smoothly secured. Specified adhesives, mastics and coatings shall be applied at the manufacturer's recommended minimum coverage per gallon. C. Inserts shall be installed at outside hangers. Inserts between the pipe and pipe hangers shall consist of rigid pipe insulation of thickness equal to the adjoining insulation. Inserts shall not be less than 10" long for pipe sizes through 2½" and not less than 12" long for pipes larger than 2½". D. Metal shields shall be applied between hangers or supports and the pipe insulation. Shields shall be formed to fit the insulation and shall extend up to the centerline of the pipe and the length specified for hanger inserts. E. Insulate all hot water supply piping and all hot water return piping with Manville "Micro-Lok" 650, Fiberglass, Centairented, or equal, rigid fiberglass one-piece pipe insulation with and all purpose jacket. Jackets shall be constructed of high density, white kraft bonded to aluminum foil with fiberglass yarn with a pressure sensitive closure system. Adhesives or staples will not be required to seal the jacket and butt strips. Fittings shall be covered with Zeston, insulated, PVC fitting covers. Insulation for all exposed piping and all piping in crawl spaces shall be covered with Zeston, PVC jacketing. PVC jackets shall be 20 mils thick and shall be bonded with Zeston Perma-Weld adhesive. 3 of 5
CITY OF ST. HELENA PUBLIC RESTROOMS F. Insulation thickness shall be as follows: 1. Piping runouts in walls: ½" 2. All piping 1" and smaller: ½" 3. All piping 1½" through 2": 1" 4. All piping 2½" and larger: 1½" 11. PLUMBING FIXTURES A. The quantity and location of fixtures shall be taken from the Architectural and Plumbing drawings. Provide adequate supports and all standard trim normally furnished for fixtures. All enamel shall be acid resisting. Traps, unless otherwise noted shall be 17 gauge brass tubing, chrome plated when exposed. B. Submit catalog cut-sheets on all fixtures. C. Except as otherwise shown, provide ½" steel backing plates, 36" wide by 12" high minimum size, secured to a minimum of three studs by welding, or with ½" x 2½" lag screws for all wall hung fixtures for which no other means of support is specified. D. Submit cuts on all stops, traps, etc., furnished by this Contractor. E. Stops and supplies: Provide stops for all fixtures. Unless otherwise specified, stops exposed at lavatories and similar fixtures shall be Chicago #1016, chrome plated, loose key. Concealed stops shall be Chicago #1771. F. All fixtures shall meet or exceed the requirements of the California Administrative Code, Title 24, Section 5-15. 1. <u>P-1</u>: Sloan model WETS-2452.1101-1.6/1.1 ECOS DF; Combination fixture & flushometer; Electronic Dual Flush 1.6/1.1 gpf; Battery Powered Infrared Sensor; Courtesy Flush Override button; 1-1/2" top spud; elongated bowl; Vitreous china; ADA compliant. Provide with Olsoneit model 95SSCT; commercial heavy-duty plastic toilet seat; open front less cover. 2. <u>P-2</u>: American Standard Esteem #0483.600; Rectangular Vitreous china; under mount sink; front overflow; ADA compliant. Provide with Chicago model 3501-E2805ABCP faucet; deck mounted single-hole hot & cold water metering faucet; 0.5 gpm Vandal proof non-aerating spray; Low lead content. Provide with Watts model LFMMV Lead Free Thermostatic Mixing Valve. 3. <u>P-3</u>: Sloan model HYD-1000-RET; Hybrid Urinal with Jetrinse Automatic Drain Rinse); Waterfree Urinal; Vitreous china; ADA compliant. 4. <u>P-6</u>: Haws model 3500D; Hi-Lo Barrier-free, Superior-Duty, 12 ga Type 304 Stainless Steel Pedestal drinking fountain with Pet Fountain; Vandal-resistant; ADA compliant; 100% Lead-free waterways. 5. <u>P-6A</u>: Haws model 1011MS; Hi-Lo Barrier-free, Dual wall mount fountain; 18 gauge Type 304 stainless steel; Satin stainless steel construction; ADA compliant; 100% lead-free waterways. 6. <u>P-6B</u>: Haws model 1920 Bottle filler; ADA Compliant; 14 gauge Type 304 stainless steel; Satin stainless steel construction; 100% lead-free waterways. 7. <u>P-6C</u>: Haws model 3500D; Pet Fountain; 12 gauge Type 302 stainless steel.	CITY OF ST. HELENA PUBLIC RESTROOMS PART 3 - EXECUTION 1. TESTING, INSPECTIONS A. This Contractor shall not allow or cause any work of this Section to be covered or enclosed until it has been inspected, tested, and approved by the Architect and the authorities having jurisdiction over the Work. Should any of this work be enclosed or covered up before such inspection, testing, and approval, this Contractor shall uncover the work, have the necessary inspections, tests, and approvals made and, at NO expense to the Owner, make all repairs necessary to restore both his work and that of other contractors which may have been damaged to be in conformity with the Contract Documents. B. Tests: 1. This Contractor shall make all tests required by all local, state, and federal laws, codes, ordinances, and regulations having jurisdiction over this work. 2. Furnish all necessary labor, materials, and equipment for conducting tests, and pay all expenses in connection therewith. Should leaks develop while testing, repairs shall be made, and tests shall be repeated until a satisfactory test is obtained. 3. Water Piping: Shall be hydrostatically tested for six (6) hours at 150 psi. All equipment shall be tested water tight at utility pressure. 4. Drainage and Vent Piping: Shall be tested for (1) hour by plugging all outlets and filling the pipes with water to the top of vertical sections of pipes. No loss of water shall be permitted. 5. Gas Piping: Shall be tested for twenty-four (24) hours at a pressure of 50 psig with nitrogen or compressed air. NO pressure drop shall be allowed during the last four (4) hours of the test. Tests joints of gas piping with Leak-Tek or Nupro-Snoop solution, while maintaining ten (10) psig minimum internal pressure. 2. CLEANING A. Flush all water piping systems. Remove, clean and replace all strainer baskets prior to final inspection. B. Blow out all compressible fluid piping with compressed air before connecting with regulators or equipment. 3. WATER SYSTEM STERILIZATION (BY WATER TREATMENT CONTRACTOR) A. Upon completion of this work, the domestic water system shall be thoroughly flushed, sterilized and refurnished. Sterilization and refushing shall be performed using the following procedure: 1. All work shall be performed in the presence of the inspector. 2. Introduce chlorine or a solution of sodium hypochlorite, filling the lines slowly and supplying the sterilization agent at a rate of 50 parts of chlorine per million, as determined by residual chlorine tests at the ends of all branches. Open and close all valves while the system is being chlorinated to insure uniform distribution. 3. After the sterilizing agent has been applied for 24 hours, test for residual chlorine at the ends of the branches. If less than 5 PPM is indicated, repeat the sterilization procedure. 4. When tests show at least 5 PPM of residual chlorine, flush out the system until all traces of the chemical are removed. B. After a period of 48 hours minimum, bacteriological tests, using samples from at least 3 representative points, shall be made by recognized testing agency, who shall certify to the Architect that the system is bacteriologically safe and at least equal in safety to that of the principal water supply. The laboratory report and certification shall be transmitted to the Architect. 4. ADJUSTING A. Properly adjust all stops, and controls, and demonstrate safe and satisfactory operation of all equipment. 5. CLEANUP A. Upon completion of the work of this Section, remove all surplus material, debris, and equipment associated with or used in the performance of this work. - END OF SECTION - 5 of 5	

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REVISIONS



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VALLEY ARCHITECTS LLP

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ST. HELENA, CA 94574
Tel 707 963 1466 • Fax 707 963 5027
www.valleyarchitects.com

PROJECT



CITY OF ST.
HELENA

PUBLIC
RESTROOMS

MONEY WAY AND OAK AVENUE,
ST. HELENA, CA 94574

APN 009-240-013-000

SHEET DESCRIPTION

PLUMBING SPECIFICATIONS

DRWN:

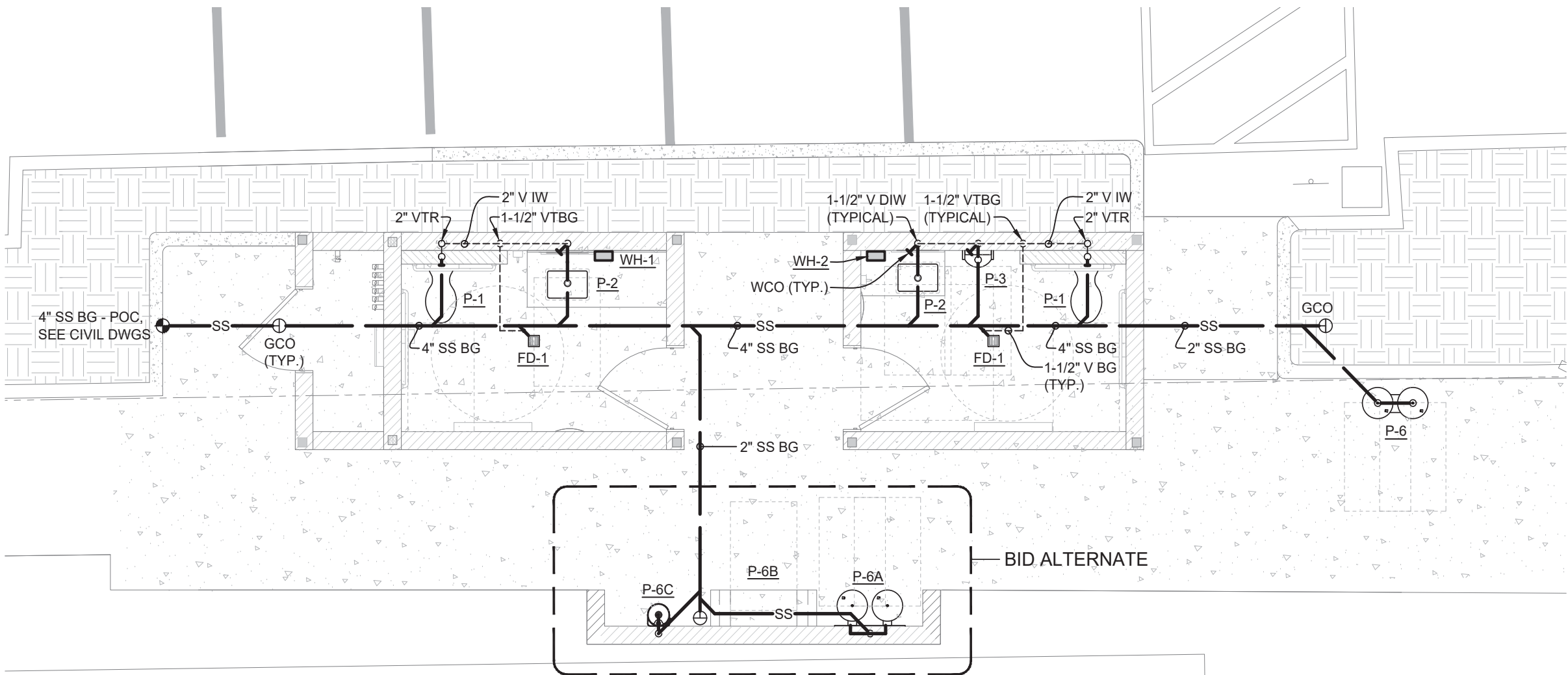
MC.

DATE _____

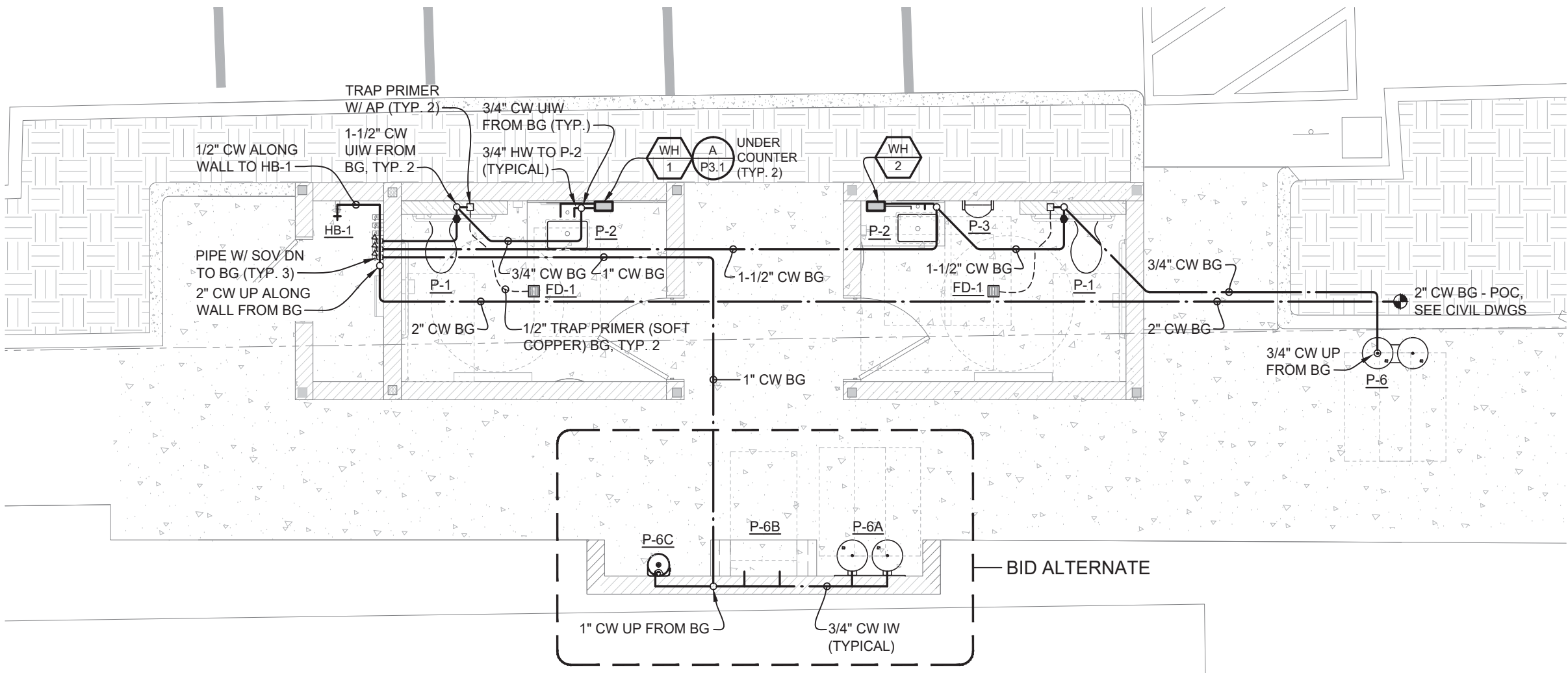
03-23-18

SHEET

P1.2



1 PLUMBING PLAN - WASTE & VENT PIPING
SCALE: 1/4" = 1'-0"



2 PLUMBING PLAN - DOMESTIC WATER PIPING
SCALE: 1/4" = 1'-0"

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PROJECT



CITY OF ST. HELENA

PUBLIC RESTROOMS

MONEY WAY AND OAK AVENUE,
ST. HELENA, CA 94574
APN 009-240-013-000

SHEET DESCRIPTION

PLUMBING PLAN

DRWN: MC.

DATE

CHKD: TC / CD

03-23-18

SHEET

P2.1

STATE OF CALIFORNIA INDOOR LIGHTING - LIGHTING CONTROLS		CALIFORNIA BUREAU OF CONSTRUCTION		NRC-124-0018 (Page 1 of 2)	
CERTIFICATE OF COMPLIANCE Interior Lighting - Lighting Controls				CITY OF ST. HELENA PUBLIC RESTROOMS	
				12-03-2016	
The NRC-124-0018 shall be used to document all <u>mandatory</u> and <u>prescriptive</u> lighting controls that are applicable to the project.					
Mandatory Lighting Control Declaration Statements				(Indicate the measure applies by checking yes or no below.)	
YES	NO	Control Requirements			
X		Lighting controls are controlled by self-contained lighting control devices which are certified to the Energy Commission in accordance to the Title 24 Appendix G requirements in accordance with Section 15027			
	X	Lighting controls are controlled by a lighting control system or energy management control system in accordance with 11618. An Occupancy Certificate shall be submitted in accordance with Section 15048s.			
	X	One or more Task Lighting Integral Control Units shall be installed which have been certified to the Energy Commission in accordance with 11612 and 15013. Additionally, an Occupancy Certificate shall be submitted in accordance with Section 15048s.			
	X	A Task Lighting Occupancy Determination Protocol shall be installed in accordance with Section 11612 and Section 15020. Additionally, an Occupancy Certificate shall be submitted in accordance with Section 15048s.			
X		Lighting controls and equipment shall comply with the applicable requirements in 6-11212 and shall be installed in accordance with the manufacturer's instructions in accordance with Section 15015.			
	X	Alternatives shall be functionally controlled with manually installed ON/OFF lighting controls in accordance with Section 15015s.			
	X	General lighting shall be controlled by a combination of two lighting systems in at least 20 or more sq. ft. of area, within the building, commercial, and public facilities lighting shall be separately controlled on circuits that are 20 or more sq. ft. area, when the lighting is open, general, diffuse, and non-specific lighting and shall be separately controlled.			
	X	The general lighting of any room shall have 100 square feet or larger, with a connected lighting load that exceeds 0.2 watts per square foot shall meet the multi-level lighting control requirement in accordance with Section 15015s.			
	X	All installed indoor lighting shall be equipped with controls that meet the applicable Shut-Off controls requirements in Section 15015s.			
	X	Lighting in Small Zoned shall be controlled in accordance with the requirements in Section 15015 and shall show no more than the (blank).			
X		Lighting power in buildings larger than 10,000 square feet shall be capable of being automatically reduced in response to a Demand Response Signal (DRS) in accordance with Section 15015s.			
X		Below a occupancy sensor is permitted for a newly constructed building or area, or a newly lighting system serving a building area, or is operated in accordance with Section 15048s, the controls required to meet the Acceptance Requirements include automatic daylight controls, advanced task lighting controls, and demand response capabilities.			

CA Building Energy Efficiency Standards - 2013 Nonresidential Compliance

June 2014

STATE OF CALIFORNIA INDOOR LIGHTING - LIGHTING CONTROLS APPROVED BY THE BOARD OF SUPERVISORS										CALIFORNIA ENERGY COMMISSION ENERGY EFFICIENCY DIVISION									
CERTIFICATE OF COMPLIANCE																			
Indoor Lighting - Lighting Control																			
CITY OF ST. HELENA PUBLIC RESTROOMS										DATE SUBMITTED: 12-03-2016									
Project Name:																			
A separate document must be filed out for Conditioned and Unconditioned Spaces. This page is used only for the following: ☒ CONDITIONED SPACES ☐ UNCONDITIONED SPACES																			
MANDATORY AND PRESCRIPTIVE INDOOR LIGHTING CONTROL SCHEDULE, PAF CALCULATION, AND FIELD INSPECTION CHECKLIST																			
Lighting Control Schedule															PAF Calculation Checklist				
															Standards Compliance Y/N ¹ (if All that apply, or enter "N" if Exempted)	Control Type	Initial Control	Final Control	Control Type
A	B	C	D	E	F	G	H	I	J	K	L	M	N	O					
Location in Building	Type/Description of Lighting Control (e.g., automatic dimmer, occupancy sensor, photocell, etc.)	# of Units	# of Units	# of Units	# of Units	# of Units	# of Units	# of Units	# of Units										
SMALL ROOM	MOTION/PHOTOCELL	X	X										X						
														☐					
														☐					
														☐					
														☐					
Control Check Page TOTAL (Sum of Columns M):																			
IF MULTIPLE PAGES ARE USED, ENTER SUB-TOTAL OF Control Check for all pages HERE (Sum of all Columns M):																			
1. Additional lighting controls installed to earn a sum of PAF: (140.6%) = Prescriptive Secondary Glazed Display Cabinet; (140.6%) = Automatic lighting control installed to earn a sum of PAF: (140.6%) = Prescriptive Occupancy Sensor; (130.1%) = Dimmed Responsive; (140.6%) = Additional lighting control installed to earn a sum of PAF: (140.6%) = Prescriptive Secondary Glazed Display Cabinet.															Enter Control Check Total from WECC Test Report Page # _____				
2. Additional lighting controls installed to earn a sum of PAF: (140.6%) = Prescriptive Secondary Glazed Display Cabinet. In addition to earn a PAF, an Installation Certificate is also required to file the report and schedule.																			

[illegible]

STATE OF CALIFORNIA INDOOR LIGHTING Form 100-1 (10/2015)		CALIFORNIA ENERGY COMMISSION NREL/NA-16-001 Page 4 of 10					
CERTIFICATE OF COMPLIANCE Project Lighting:							
CITY OF ST. HELENA PUBLIC RESTROOMS		Date Tested:	12-03-2016				
A separate Lighting Schedule Must Be Filled Out for Conditioned and Unconditioned Spaces. Available Lighting Power Based on this Lighting Schedule is only for:							
☐ CONDITIONED SPACE ☒ UNCONDITIONED SPACE							
C. INDOOR LIGHTING AND FIELD INSPECTION ENERGY CHECKLIST							
Lighting Schedule		Insulated Walls		Location		Field Inspector's	
A	B	C	D	E	F	G	H
Building Name/Use	Condition Lighting Description (A-1 to 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 72						

STATE OF CALIFORNIA INDOOR LIGHTING REGULATORY DIVISION		 NATIONAL RENEWABLE ENERGY COMMISSION NREL-SCALE							
ESTIMATE OF COMPLIANCE Indoor Lighting		Date Inspected: 12-03-2016 Page 4 of 6							
CITY OF ST. HELENA PUBLIC RESTROOMS									
A separate lighting Schedule Must Be Filled Out For Conditioned and Unconditioned Spaces. Installed Lighting Power Based on this Lighting Schedule is subject to: ☐ CONDITIONED SPACES ☐ UNCONDITIONED SPACES									
C. INDOOR LIGHTING SCHEDULE E AND FIELD INSPECTION ENERGY CHECKLIST									
Luminaires Schedule			Installed Fixtures			Location		Field Inspector ¹	
A	B	C	D	E	F	G	H	I	J
Area Type	Condition Luminaires Description (See "Adequate Return Air" table, F227E, one electronic electronic ballast)	Ballast Type (see table)	How wattage was determined	Frequency (see table)	Frequency (see table)	Primary Function area in which these luminaires are installed	Paid	Field	
		☐	☐	☐	☐		☐	☐	
		☐	☐	☐	☐		☐	☐	
		☐	☐	☐	☐		☐	☐	
		☐	☐	☐	☐		☐	☐	
		☐	☐	☐	☐		☐	☐	
		☐	☐	☐	☐		☐	☐	
		☐	☐	☐	☐		☐	☐	
INSTALLED WATTS PAGE TOTAL:						Enter your total # Watts here NRELCA-764-64c Page 2			

CA Building Energy Efficiency Standards – 2013 Nonresidential Compliance June 2016

STATE OF CALIFORNIA INDOOR LIGHTING EFFICIENCY STANDARDS		CALIFORNIA ENERGY COMMISSION NCEC Title 24																																				
PROJECT NAME: CITY OF ST. HELENA PUBLIC RESTROOMS																																						
PROJECT LOCATION: San Jose		PROJECT DATE: 12-03-2016																																				
GENERAL INFORMATION																																						
Climate Zone:	Conditioned Floor Area: 3810 Unconditioned Floor Area:																																					
General Information																																						
Building Type:	☐ Residential ☒ Nonresidential Public Structure ☐ High-Rise Residential ☒ Correctional Facility ☐ Hotel/Motel ☐ Unattended Storage																																					
Phase of Construction:	☐ New Construction ☐ Addition ☐ Alteration																																					
Method of Compliance:	☒ Complete Building ☐ Area Category ☐ Tabulated																																					
LISTED COMPLIANCE DOCUMENTS (select one for each document type):																																						
For detailed instructions on the use of this and all Energy Efficiency Standards compliance documents, refer to the Nonresidential Manual published by the California Energy Commission.																																						
YES	NO	FORM TITLE																																				
☒	☐	INCC-LAT-01 Certificate of Compliance. All projects required on plans for all jurisdictions.																																				
☒	☐	Lighting Control. Combines of Calculations and PER Calculations. All Projects required on plans for all jurisdictions.																																				
☒	☐	INCC-LAT-02 Indoor Lighting Power Allowance																																				
☒	☐	INCC-LAT-03 Tabulated Method Worksheet																																				
☒	☐	INCC-LAT-04 New Volume from Lighting Measurements																																				
Summary of Allowance/Lighting Power																																						
Conditioned and Unconditioned space Lighting must not be calculated from Lighting Measurements																																						
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="3">Indoor Lighting Power for Conditioned Spaces</th> <th colspan="3">Indoor Lighting Power for Unconditioned Spaces</th> </tr> <tr> <th></th> <th>+</th> <th>=</th> <th></th> <th>+</th> <th>=</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td> Breakout Lighting INCC-T-01 (Table 1) </td> <td>-</td> <td> Breakout Lighting INCC-T-01 (Table 1) </td> <td>-</td> <td> 74 </td> </tr> <tr> <td>2.</td> <td> PORTABLE ONLY FOR OFFICES INCC-T-02 (Table 2) </td> <td>-</td> <td></td> <td></td> <td></td> </tr> <tr> <td>3.</td> <td> Area Lighting Control Credits INCC-L-01 (Table 1) </td> <td>-</td> <td> Area Lighting Control Credits INCC-L-01 (Table 1) </td> <td>-</td> <td></td> </tr> <tr> <td>4.</td> <td> Adjusted Allowed Lighting Power (Table 1) (Table 1) (Table 1) </td> <td>=</td> <td> Adjusted Allowed Lighting Power (Table 1) (Table 1) (Table 1) </td> <td>=</td> <td> 74 </td> </tr> </tbody> </table>			Indoor Lighting Power for Conditioned Spaces			Indoor Lighting Power for Unconditioned Spaces				+	=		+	=	1.	Breakout Lighting INCC-T-01 (Table 1)	-	Breakout Lighting INCC-T-01 (Table 1)	-	74	2.	PORTABLE ONLY FOR OFFICES INCC-T-02 (Table 2)	-				3.	Area Lighting Control Credits INCC-L-01 (Table 1)	-	Area Lighting Control Credits INCC-L-01 (Table 1)	-		4.	Adjusted Allowed Lighting Power (Table 1) (Table 1) (Table 1)	=	Adjusted Allowed Lighting Power (Table 1) (Table 1) (Table 1)	=	74
Indoor Lighting Power for Conditioned Spaces			Indoor Lighting Power for Unconditioned Spaces																																			
	+	=		+	=																																	
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STATE OF CALIFORNIA INDOOR AIR QUALITY DEPARTMENT OF PUBLIC HEALTH DIVISION OF ENVIRONMENTAL HEALTH SERVICES CERTIFICATE OF COMPLIANCE		 CALIFORNIA ENERGY COMMISSION NRECA Title 24	
CITY OF ST. HELENA PUBLIC RESTROOMS		Date Issued:	12-03-2016
6.	Complete O&M's Inspected & Monitored	6.	Complete O&M's Inspected & Monitored
6.	Allowed Lighting power Uncontrolled IESNA TM30-1 page 1	6.	Allowed Lighting power Uncontrolled IESNA TM30-1 page 1
			112

Declaration of Required Installation Certificates Declared by selecting one or all Installation Certificates that will be submitted. (Retain copies and verify forms are completed and signed.)

YES	NO	Form/Title	
☒	☐	IEHQA-TS45-GA-Sub must be submitted for all buildings.	☐ Field Inspector
☐	☒	IEHQA-TS45-D-Sub must be submitted for lighting control systems, or for Energy Management Control Systems (EMCS) as recognized for compliance.	☐ Field Inspector
☐	☒	IEHQA-TS45-GA-Sub must be submitted for a shuntwage track lighting integral current limiter, or for a supplementary emergency protection panel used to energize only shuntwage track lighting, to be recognized for compliance.	☐ Field Inspector
☐	☒	IEHQA-TS45-GA-Sub must be submitted for dimmer controlled lighting, a combination timer, a combination timer, or a fixture to be recognized for compliance.	☐ Field Inspector
☐	☒	IEHQA-TS45-GA-Sub must be submitted for a Power Adjustment Factor (PAF) to be recognized for compliance.	☐ Field Inspector
☐	☒	IEHQA-TS45-GA-Sub must be submitted for additional wattage installed in a video conferencing studio to be recognized for compliance.	☐ Field Inspector

Declaration of Required Certificates of Acceptance Declared by checking all of the Certificates of Acceptance that will be submitted. (Retain copies and verify forms are completed and signed.)

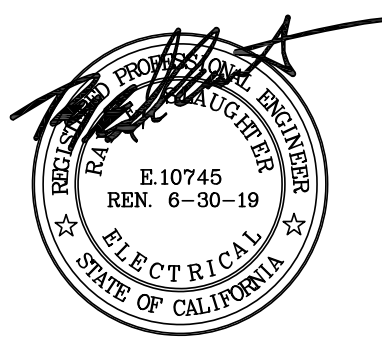
YES	NO	Form/Title	
☒	☐	IEHQA-TS45-GA-Sub must be submitted for occupancy sensors and automatic line switch controls.	☐ Field Inspector
☐	☒	IEHQA-TS45-GA-Sub must be submitted for external output controls.	☐ Field Inspector
☐	☒	IEHQA-TS45-GA-Sub must be submitted for demand responsive lighting controls.	☐ Field Inspector

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RESA JOB NUMBER: 1661

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Tel 707 963 1466 • Fax 707 963 5027
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PROJECT

CITY OF ST.
HELENA

PUBLIC
RESTROOMS

MONEY WAY AND OAK AVENUE,
ST. HELENA, CA 94574
APN 009-240-013-000

SHEET DESCRIPTION

INTERIOR
TITLE 24

DRWN:	DATE
CHKD: RESA	03-28-2018
SHEET	

E0.2

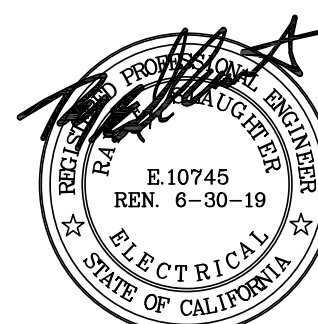
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STATE OF CALIFORNIA INDOOR LIGHTING POWER ALLOWANCE CERTIFICATE OF COMPLIANCE Certificate of Compliance for California Energy Commission Project Name: CITY OF ST. HELENA PUBLIC RESTROOMS		CALIFORNIA ENERGY COMMISSION Project File # 12-03-2016	
ALLOWED LIGHTING POWER: A separate page must be filed out for Conditioned and Unconditioned Spaces. This Page is for only for: ☒ CONDITIONED spaces ☐ UNCONDITIONED spaces			
A. SUMMARY TOTALS OF LIGHTING POWER ALLOWANCES If using Condition Building method for compliance, use only the total allowances in total allowed building watts. If using Area Category Method, Tabular Method, or a Combination of Area Category and Tabular Method for compliance, use only total B column (B) as the total allowed building watts.			
1. Complete Building Method Allowed Watts, Documented in Section B of the NRCCA/TC-404 (below on this page)	(B)	(B)	
2. Area Category Method Allowed Watts, Documented in section C of the NRCCA/TC-404 (below on this page)		74	
3. Tabular Method Allowed Watts, Documented in section D of the NRCCA/TC-404		74	
TOTAL ALLOWED BUILDING WATTS, Enter Number in box correct on NRCCA/TC-404, Page 2, Row 1 ☐ Check here if building contains both conditioned and unconditioned areas.			
B. COMPLETE BUILDING METHOD LIGHTING POWER ALLOWANCE			
A	B	C	D
TYPE OF BUILDING (From table 104.04)	WATTS PER SQUARE FOOT	COMPLETE FLOOR AREA	TOTAL WATTS
	X		
Total Area			
Total Watts, Enter Total Watts into section A, row 1 (above on this page)			
Cat AREA CATEGORY METHOD TOTAL LIGHTING POWER ALLOWANCES (Cat A-D)			
Total from section C-D			74
Total from COMPLETE FLOOR			74
Total Watts, Enter Total Watts into section A, row 2 (above on this page)			

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ST. HELENA, CA 94574

APN 009-240-013-000

SHEET DESCRIPTION

INTERIOR
TITLE 24

DRWN

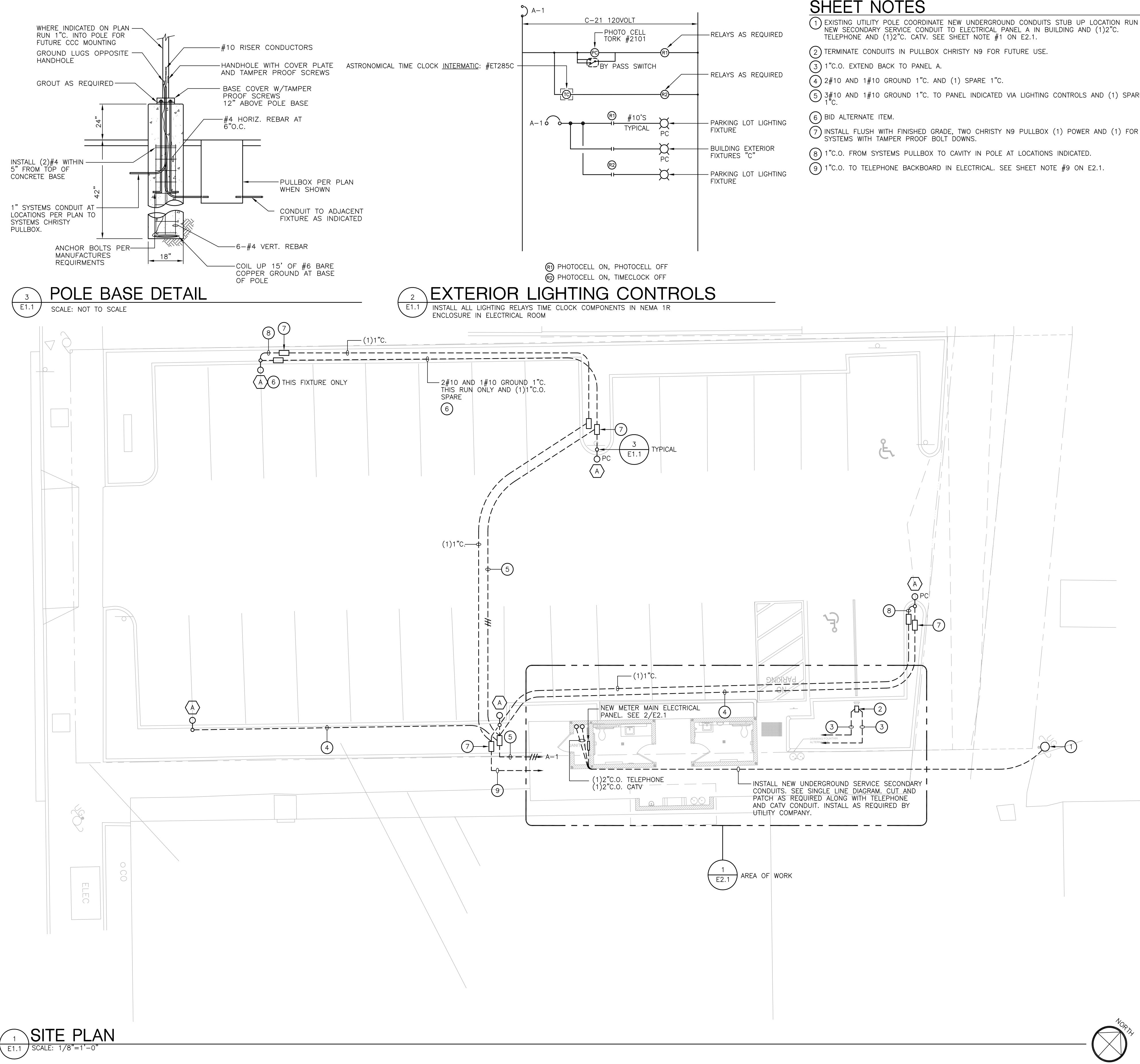
DATE _____

CHKD: RESA

03-28-2018

SHEET

E0.3



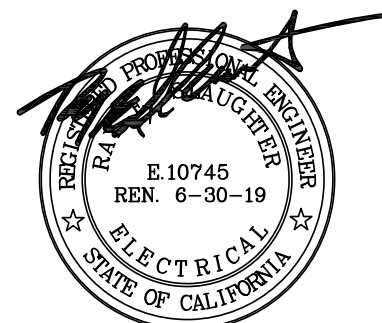
SHEET NOTES

- EXISTING UTILITY POLE COORDINATE NEW UNDERGROUND CONDUITS STUB UP LOCATION RUN NEW SECONDARY SERVICE CONDUIT TO ELECTRICAL PANEL A IN BUILDING AND (1)2"C. TELEPHONE AND (1)2"C. CATV. SEE SHEET NOTE #1 ON E2.1.
- TERMINATE CONDUITS IN PULLBOX CHRISTY N9 FOR FUTURE USE.
- 1"C.O. EXTEND BACK TO PANEL A.
- 2#10 AND 1#10 GROUND 1"C. AND (1) SPARE 1"C.
- 3#10 AND 1#10 GROUND 1"C. TO PANEL INDICATED VIA LIGHTING CONTROLS AND (1) SPARE 1"C.
- BID ALTERNATE ITEM.
- INSTALL FLUSH WITH FINISHED GRADE, TWO CHRISTY N9 PULLBOX (1) POWER AND (1) FOR SYSTEMS WITH TAMPER PROOF BOLT DOWNS.
- 1"C.O. FROM SYSTEMS PULLBOX TO CAVITY IN POLE AT LOCATIONS INDICATED.
- 1"C.O. TO TELEPHONE BACKBOARD IN ELECTRICAL. SEE SHEET NOTE #9 ON E2.1.

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CITY OF ST. HELENA

PUBLIC RESTROOMS

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SHEET DESCRIPTION

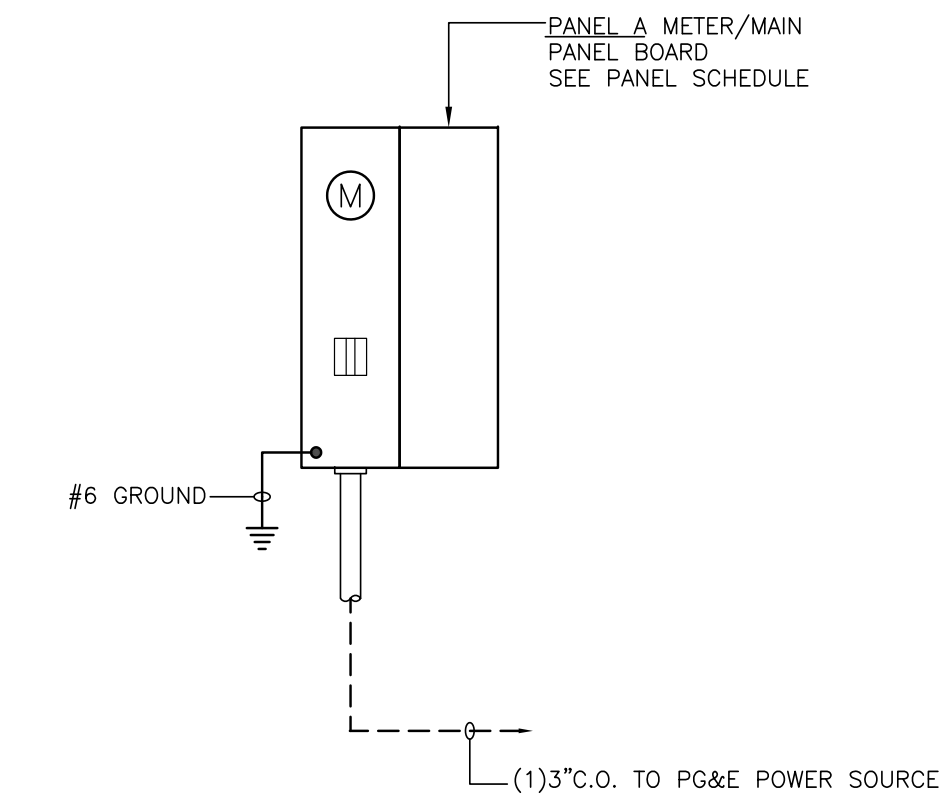
SITE PLAN

DRWN:	DATE
CHKD: RESA	03-28-2018

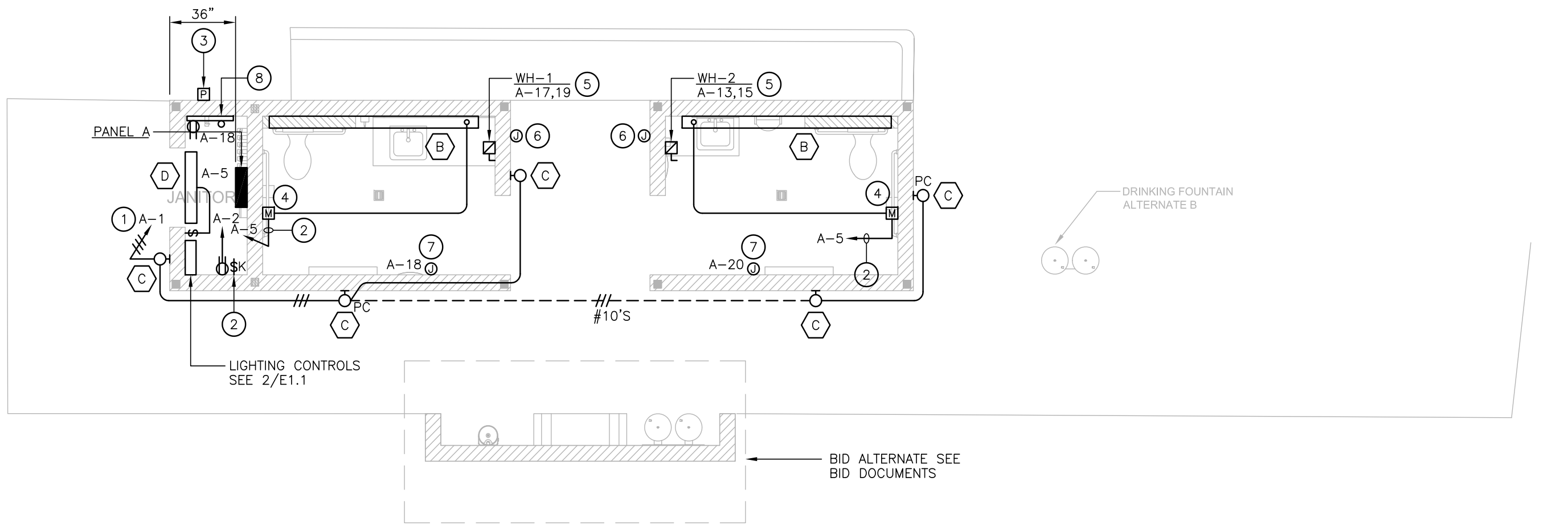
SHEET

E1.1

\\Server\cad\RESA\CAD\2016\1661 St. Helena Public Restrooms\CAD\1661E2.1.dwg, 4/2/2018 8:12:55 AM, Adobe PDF.pc3



2
E2.1
SINGLE LINE DIAGRAM
BOND AND GROUND PER NEC



1
E2.1
FLOOR PLAN POWER AND LIGHTING
SCALE: 1/4"=1'-0"

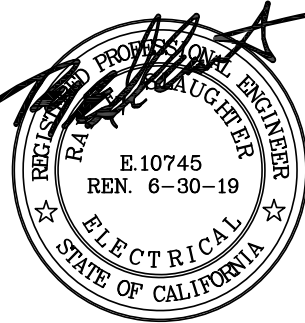
SHEET NOTES

- 1 3#10 AND 1#10 GROUND 3/4"C. TO PANEL INDICATED VIA EXTERIOR LIGHTING CONTROLS.
- 2 2#12 AND 1#12 GROUND 3/4"C. TO PANEL INDICATED VIA PHOTOCELL AND KEY SWITCH SEE 1/E0.1.
- 3 PHOTOCELL WIRE ON LINE SIDE OF MOTION SENSOR SEE DETAIL 1/E0.1 FOR CONTROL OF INTERIOR RESTROOM LIGHTS.
- 4 WALL MOUNTED LINE VOLTAGE MOTION SENSOR B&B: # +8'-0"A.F.F. SET TIME DELAY TO 15 MINUTE SET PHOTOCELL IN UNIT ONLY.
- 5 POWER FOR INSTANT HOT BELOW SINK 240VOLT, 1Ø, 18AMPS, 2#10 AND 1#10 GROUND 3/4"C. TO PANEL SHOWN.
- 6 JUNCTION BOX FOR FUTURE CAMERA VERIFY WITH ARCHITECT LOCATION RUN 3/4"C. BACK TO ELECTRICAL ROOM.
- 7 POWER FOR HAND DRYER 2#12 AND 1#12 GROUND 3/4"C. TO PANEL INDICATED.
- 8 4'-0"HIGH x 2'-0"WIDE x 3/4" PLYWOOD BACKBOARD FOR TELEPHONE/CATV WITH (2)#6 GROUND TO BUILDING GROUND AND RECEPTACLE.

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PROJECT



CITY OF ST.
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MONEY WAY AND OAK AVENUE,
ST. HELENA, CA 94574
APN 009-240-013-000

SHEET DESCRIPTION

FLOOR PLAN
POWER AND
LIGHTING

DRWN:

DATE

CHKD:

RESA

03-28-2018

SHEET

E2.1



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VALLEY ARCHITECTS LLP 1560 RAILROAD AVENUE ST. HELENA, CA 94574 Tel 707 963 1466 • Fax 707 963 5507 www.valleyarchitects.com	
PROJECT	
 CITY OF ST. HELENA PUBLIC RESTROOMS MONEY WAY AND OAK AVENUE, ST. HELENA, CA 94574 APN 009-240-013-000	
SHEET DESCRIPTION	
SPECIFICATIONS	
DRWN: _____ CHKD: RESA SHEET _____	DATE: _____ 03-28-2018
E3.1	

GENERAL NOTES

1. ALL WORKMANSHIP, MATERIALS AND CONSTRUCTION SHALL CONFORM TO THE CITY OF SAINT HELENA STANDARD PLANS, THE CONSTRUCTION SPECIFICATIONS FOR PUBLIC IMPROVEMENTS, THE SPECIAL PROVISIONS FOR THIS PROJECT AND THE STATE OF CALIFORNIA D.O.T STANDARD SPECIFICATIONS AND STANDARD PLANS, 2015 EDITION. THE CONTRACTOR IS RESPONSIBLE FOR UNDERSTANDING ALL STANDARDS PERTAINING TO THIS PROJECT.
2. THE CONTRACTOR SHALL CALL UNDERGROUND SERVICE ALERT (USA) AT 1-800-227-2600 NO LESS THAN 2 WORKING DAYS PRIOR TO ANY EXCAVATION FOR MARKOUTS OF EXISTING UNDERGROUND FACILITIES.
3. THE LOCATIONS OF UNDERGROUND UTILITIES AND OTHER OBSTACLES SHOWN ON THE PLANS ARE BASED ON THE BEST AVAILABLE INFORMATION. THE CONTRACTOR SHALL POT-HOLE AND DETERMINE THE EXACT LOCATION OF ALL POTENTIAL CONFLICTS IN ACCORDANCE WITH U.S.A. LAWS AND THESE SPECIAL PROVISIONS. THE CONTRACTOR IS CAUTIONED THAT THE PLANS MAY NOT INCLUDE ALL EXISTING UTILITIES.
4. EXISTING UTILITIES MAY REQUIRE GRADE OR ALIGNMENT MODIFICATIONS AS PART OF THE PROPOSED CONSTRUCTION. ALL UTILITIES CONFLICTING WITH THE PROPOSED CONSTRUCTION SHALL BE RELOCATED TO THE SATISFACTION OF THE OWNER.
PG&E ELECTRICAL: 800-743-500
4. IF AN UNMARKED UTILITY IS ENCOUNTERED, OR IF UNABLE TO LOCATE A MARKED UTILITY AFTER EXCAVATING TO THE LIMITS SPECIFIED BY U.S.A. LAWS, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE OWNER OF THAT UTILITY AND THE CITY ENGINEER.
5. THE CONTRACTOR SHALL ONLY REMOVE EXISTING TREES OR SHRUBS AS NOTED ON THE PLANS OR AS DIRECTED BY THE ENGINEER.
6. FOR CLARITY OF EXISTING SUBSURFACE CONDITIONS, NOT ALL CROSSWALKS, STOP BARS, OR EXISTING PAVEMENT MARKINGS ARE SHOWN ON THE PLANS. TRAFFIC STRIPES, RAISED PAVEMENT MARKERS AND PAVEMENT MARKINGS DAMAGED DUE TO THE CONTRACTOR'S OPERATIONS SHALL BE REPLACED PER CITY OF SAINT HELENA TRAFFIC STANDARDS PART III, TRAFFIC MARKINGS. PATCHING OF DAMAGED MARKINGS WILL NOT BE ALLOWED WITHOUT PRIOR APPROVAL FROM ENGINEERING. ALL DAMAGED RAISED PAVEMENT (NON-REFLECTIVE) MARKERS MUST BE CERAMIC.
7. OVERHEAD UTILITY SERVICE DROPS ARE NOT SHOWN ON THE PLANS. THE CONTRACTOR SHALL INVESTIGATE THE SITE AND BE AWARE OF LIMITED OVERHEAD CLEARANCES.
8. EXCAVATED MATERIAL SHALL NOT BE PLACED DIRECTLY ON ANY STREET, ALLEY, OR SIDEWALK AT ANY TIME UNLESS APPROVED BY THE ENGINEER. IF SO APPROVED, THE AREA WHERE THE MATERIAL IS PLACED MUST BE COMPLETELY CLEANED BY THE END OF THE WORK DAY OR AS REQUESTED BY THE ENGINEER.

REMOVAL OF EXISTING FACILITIES NOTES

1. REMOVAL OF EXISTING ASPHALT CONCRETE PAVEMENT & CONCRETE CURBS SHALL BE CONDUCTED IN CONFORMANCE WITH SECTION 15, "EXISTING FACILITIES" AND SECTION 17-2, "CLEARING AND GRUBBING" OF THE STATE STANDARD SPECIFICATION.
2. REMOVAL OF EXISTING ASPHALT CONCRETE PAVEMENT & CONCRETE CURB SHALL INCLUDE SAW CUTTING A NET LINE ALONG THE EDGE OF THE PROTIION OF THE ASPHALT CONCRETE & EDGE OF CURB TO REMAIN, INCLUDING REMOVAL OF BASE MATERIAL TO A MINIMUM DEPTH REQUIRED TO INSTALL ASPHALT CONCRETE PAVEMENT AND PCC CURB PER SAINT HELENA STANDARD PLANS & AS SHOWN ON THE PLANS.

SANITARY SEWER NOTES

1. PVC PIPE & INSTALLATION SHALL CONFORM TO SECTION 6-1.03, "POLYVINYL CHLORIDE (PVC) PIPE", SECTION 6-1.07 "PIPE LAYING" & SECTOPM 6-1.09 "TESTING OF SEWERS" OF THE SAINT HELENA STANDARD SPECIFICATIONS.
2. EXCAVATION & BACKFILL SHALL BE AS SHOWN ON STD. NO. 401, "STANDARD TRENCH DETAIL" OF THE SAINT HELENA STANDARD PLANS EXCEPT THAT FINAL BEDDING & BACKFILL SHALL INCLUDE STRUCTURAL SOIL PER THE SANTA ROSA LOW IMPACT DEVELOPMENT TECHNICAL DESIGN MANUAL AT THE BIORETENTION AS SHOWN ON THE PLANS.

STORM DRAIN NOTES

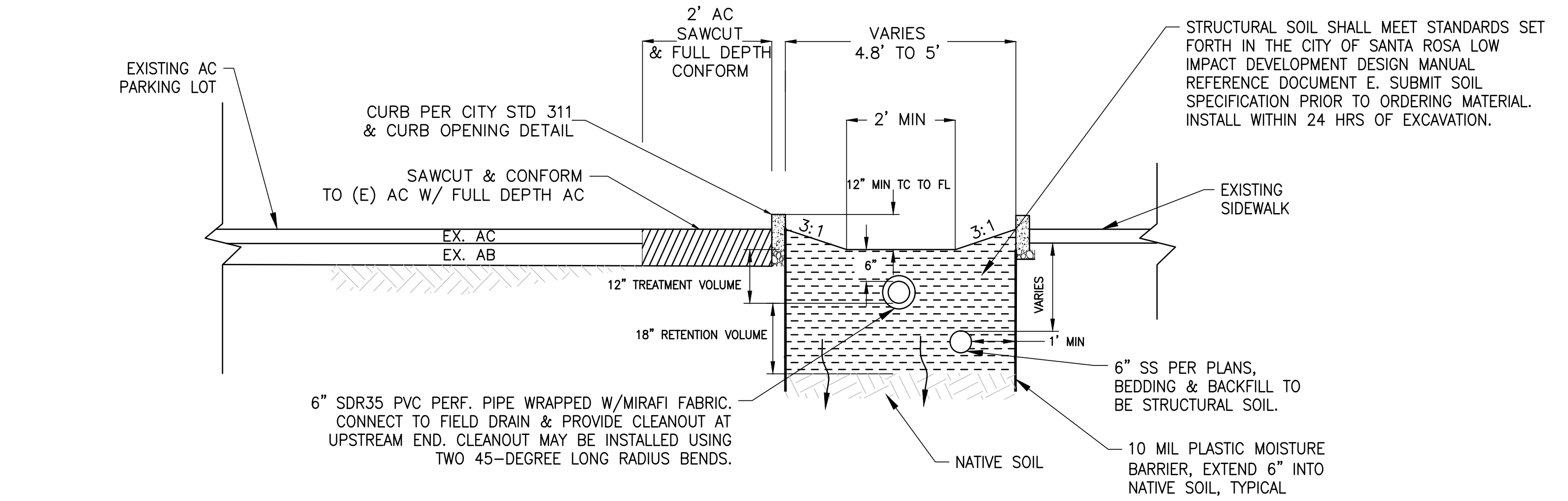
1. HDPE PIPE & INSTALLATION SHALL CONFORM TO SECTION 64, "PLASTIC PIPE" OF THE STATE STANDARD SPECIFICATIONS", & SECTION 5.104 "INSTALLATION OF PIPE" OF THE CITY STANDARD SPECIFICATIONS.
2. BEDDING & BACKFILL SHALL INCLUDE STRUCTURAL SOIL PER THE SANTA ROSA LOW IMPACT DEVELOPMENT TECHNICAL DESIGN MANUAL.

PCC NOTES

1. CONCRETE SHALL BE MINOR CONCRETE CONTAINING AT LEAST 463 LBS OF CEMENTIOUS MATERIAL PER CUBIC YARD CONFORMING TO SECTION 73, "CONCRETE CURBS AND SIDEWALKS", SECTION 90, "CONCRETE" OF THE STATE STANDARD SPECIFICATION AND SECTION 4-1.01 OF THE SAINT HELENA STANDARD SPECIFICATIONS.
2. WEAKENED PLANE JOINTS SHALL BE CONSTRUCTED AT 20-FOOT INTERVALS & EXPANSION JOINTS SHALL BE CONSTRUCTED AT 40-FOOT INTERVALS FOR CURBS. JOINTS SHALL BE CONSTRUCTED AS SHOWN ON STD NO. 310 OF THE SAINT HELENA STANDARD PLANS.

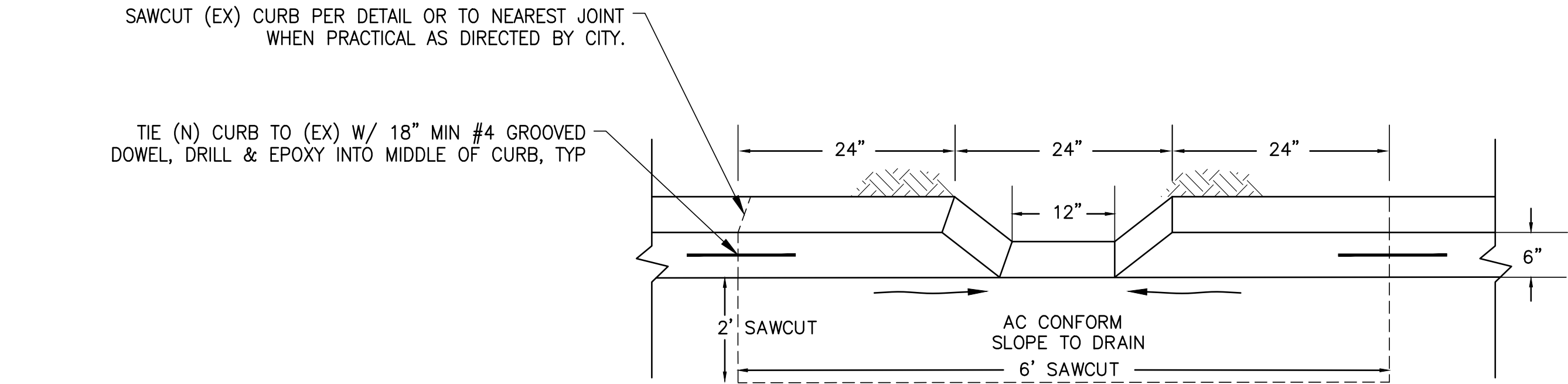
WATER NOTES

1. NEW WATER SERVICE SHALL CONFORM TO SECTION 7-1.05, "HOT TAP EXISTING MAIN" & SECTION 7-1.12, "WATER SERVICE", OF THE SAINT HELENA STANDARD SPECIFICATIONS.
2. TRENCH EXCAVATION & BACKFILL SHALL BE AS SHOWN ON STD. NO. 401, "STANDARD TRENCH DETAIL" OF THE SAINT HELENA STANDARD PLANS.



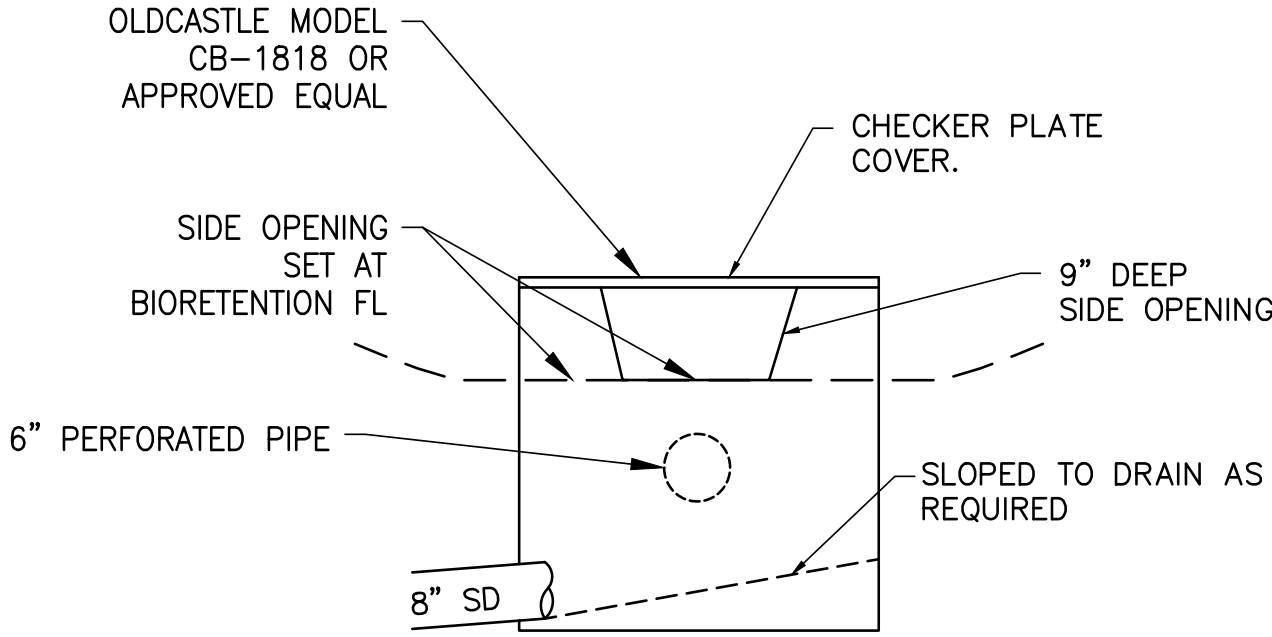
TYPICAL BIORETENTION SECTION

NOT TO SCALE



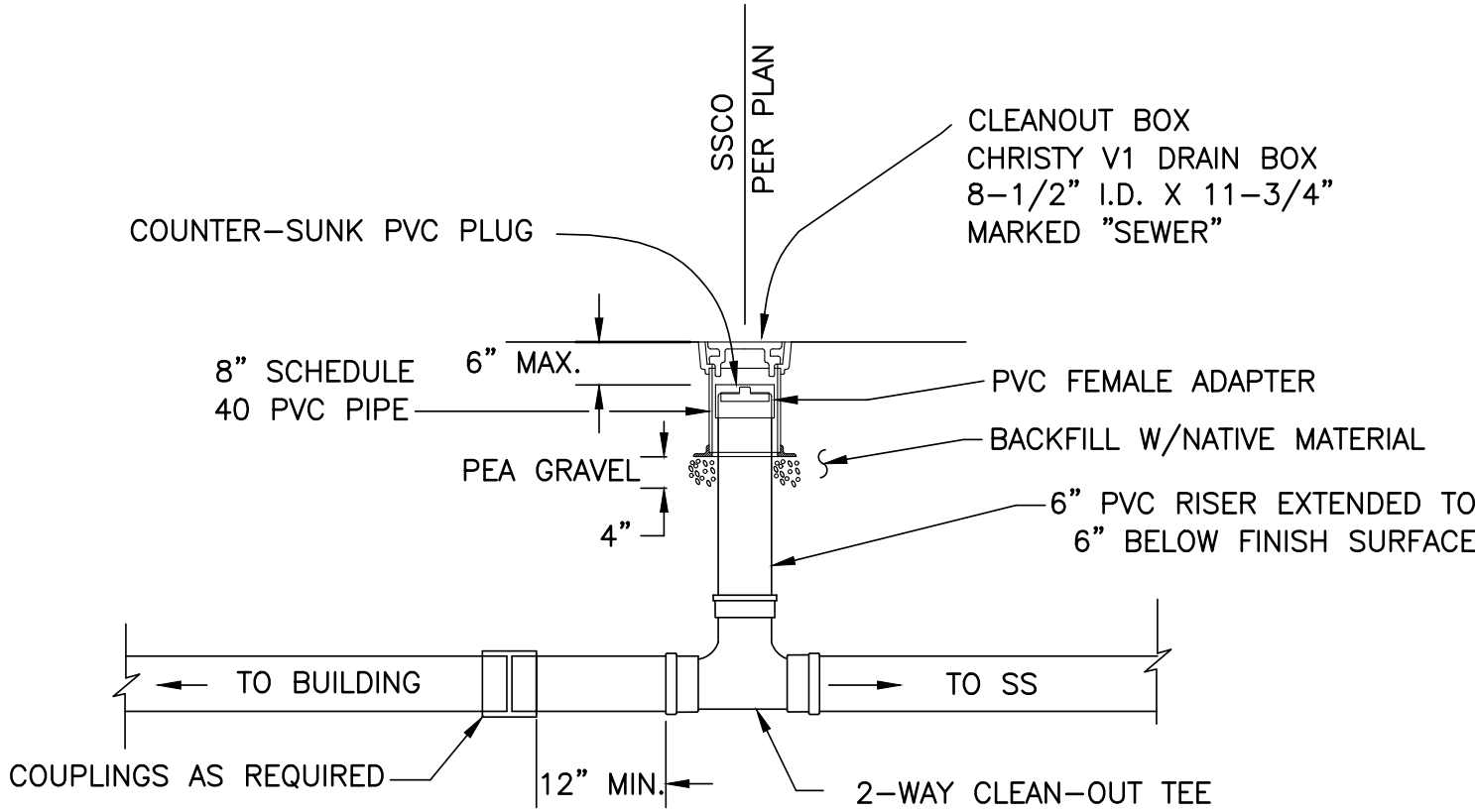
CURB OPENING

NOT TO SCALE



18"x18" FIELD DRAIN

NOT TO SCALE



2-WAY CLEANOUT

NOT TO SCALE

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SHEET DESCRIPTION

CIVIL
DETAILS

DRWN: SF DATE: 03-23-18
CHKD: GW

SHEET

C1.2

St. Helena Downtown Restroom Project Description & History

City residents, downtown businesses and visitors have long expressed the need for a public restroom facility in the central business district of Main Street. On July 26, 2011, the St. Helena Downtown Renaissance Foundation (Renaissance) discussed with Council a plan to move forward with creating a downtown restroom in the Oak Street parking lot. On August 27, 2013, City Council authorized matching funds to start the project and, as a result, the City Council approved \$100,000 of match funding to Renaissance on May 13, 2014 (Resolution 2014-25). However, following the determination that the City would eventually own and maintain the facility, the City suggested that the project should be managed by the City.

On June 23, 2015, City Council authorized Resolution 2015-66, which included the project in the City's 5-year Capital Improvement Program and allocated \$296,000 from the General Fund for the project. Following the approval of the project in the City's Capital Improvement Program, the St. Helena Public Works Department (Public Works) took over the project from Renaissance in the fall of 2015. Renaissance provided their 2013 preliminary plans to the City to move forward with final design. The Fire Department made recommendations to utilize concrete block and there was also a need for detailed plans and specifications in order to meet the public bid process. Therefore, Public Works requested proposals from architects and selected Valley Architects to update the plans and complete detailed specifications needed for building permits and bidding. On February 9, 2016, City staff provided City Council with a presentation on the projects progress, design alternatives, and request for approving a contract with Valley Architects. City Council approved the Professional Services Agreement with Valley Architects for \$50,450 (Resolution 2016-21) and soon after award Valley Architects proceeded with updating the design and preparing final plans and specifications.

The project consists of two 88-square foot block restroom buildings with an adjacent combined water fountain and water bottle filling station. The buildings will be constructed between the Telegraph Alley sidewalk and the public parking lot at 1301 Money Way. In order to preserve parking spaces in the lot and accommodate the building's floor space required by the Americans with Disabilities Act (ADA), the restroom buildings will encroach onto the sidewalk right-of-way (ROW) by approximately 30 inches. The encroachment does not interfere with sidewalk ROW because a 4 foot path of travel along the sidewalk is preserved. The planned combined water bottle filling station and water fountain will be on the edge of the existing sidewalk ROW and primarily on the adjacent AT&T property. This design also preserves the sidewalk as the path of travel is not impacted. Public Works has discussed the structure with AT&T. AT&T has agreed to negotiate an easement for the combined water bottle filling station water fountain. The Public Works Department is currently negotiating this easement. If AT&T and the City of St. Helena are not able to reach an agreement for the easement, the City has an alternative design, which places the water fountain/water bottle filling station between the restroom buildings on City property or adjacent to the restroom buildings on City property. Placing the combination water bottle filling station water fountain structure on AT&T property is the preferred alternative for the project.

During construction, the project will have impact on the availability of parking in the Money Way public parking lot. Portions of the parking spaces in the lot will need to be closed to accommodate the planned construction work. However, the project specifications require the contractor to accommodate as much public parking as feasible during the project, including cleaning the site and moving equipment to different locations, if required, on the weekends. It is anticipated the project will be constructed within 30 working days.

The project was reviewed and unanimously approved by the Planning Commission (Resolution No. PC2017-023) on May 16, 2017.



Five-year Capital Improvement Program 2019-2023

By: Erica Ahmann Smithies
Public Works Director/City Engineer

Public Works Department

May 8, 2018 City Council



Introduction

- Five Year Programming Document
- Maintain and improve City infrastructure
- \$40M over five years
- Four Categories:
 - Civic
 - Streets
 - Wastewater
 - Water



New Projects

- C19-01 Lyman Park Improvements
- C19-02 Rehabilitate Crane Park Tennis Courts
- R19-79 Pavement Restoration
- R19-01 Stormwater Master Plan
- R19-02 Hunt Avenue Sidewalk Gap Closure
- R19-03 Sulphur Creek Erosion Repair
- R19-04 Sulphur Creek Sediment Removal
- R19-05 Grayson and South Crane Rehab



Capital Improvement Program – Funding by Project Category						
FY 2018/19-2022/23						
	FY 18/19	FY 19/20	FY 20/21	FY 21/22	FY 22/23	Five Year Total
Civic	\$470,000	\$103,000	\$103,000	\$103,000	\$103,000	\$882,000
Streets	\$2,173,936	\$1,755,000	\$3,061,000	\$1,755,000	\$1,755,000	\$10,499,936
Water	\$2,692,116	\$7,746,869	\$1,531,807	\$4,050,000	\$600,000	\$16,620,792
Wastewater	\$1,570,410	\$4,194,350	\$4,226,240	\$1,243,000	\$1,400,000	\$12,634,000
Total	\$6,906,462	\$13,799,219	\$8,922,047	\$7,151,000	\$3,858,000	\$40,636,728

Civic				
Project No.	Project Name	Estimated Life to date thru FY 17/18	Proposed Budget FY 18/19	Estimated Total Costs
C-82	Downtown Restrooms	\$59,000	\$237,000	\$296,000
C18-83	ADA Transition Plan - Facilities	\$25,000	\$158,000	\$595,000
C19-01	Lyman Park Improvements	\$0	\$50,000	\$50,000
C19-02	Rehabilitate Crane Park Tennis Courts	\$0	\$25,000	\$25,000
	Totals	\$84,000	\$470,000	\$966,000

Streets

Project No.	Project Name	Estimated Life to date thru FY 17/18	Proposed Budget FY 18/19	Estimated Total Costs
R-29	Curb, Gutter and Sidewalk Repair	\$0	\$20,000	\$100,000
R-77	Railroad Ave Curb Ramp Upgrades	\$19,500	\$134,500	\$154,000
R18-79	2018 Pavement Restoration	\$15,000	\$650,000	\$665,000
R18-80	ADA Transition Plan - Curb Ramps	\$5,753	\$81,247	\$527,000
R18-81	Downtown Sidewalk Improvements	\$0	\$150,000	\$1,706,000
R19-79	Pavement Restoration	\$0	\$753,189	\$6,853,189
R19-01	Stormwater Master Plan	\$0	\$100,000	\$100,000
R19-02	Hunt Avenue Sidewalk Gap Closure	\$0	\$150,000	\$150,000
R19-03	Sulphur Creek Erosion Repair	\$5,000	\$125,000	\$130,000
R19-04	Sulphur Creek Sediment Removal	\$0	\$10,000	\$10,000
R19-05	Grayson and South Crane Rehab	\$0	\$0	\$150,000
	Totals	\$45,253	\$2,173,936	\$10,545,189

Water

Project No.	Project Name	Estimated Life to date thru FY 17/18	Proposed Budget FY 18/19	Estimated Total Costs
W-26	Upper York Creek Dam Removal	\$1,741,000	\$1,295,000	\$6,455,000
W-27	Meadowood Tank Upgrades	\$0	\$50,000	\$500,000
W-35	Bell Canyon Reservoir Improvements	\$0	\$0	\$900,000
W-80	Dwyer Road Booster (Pump Station)	\$102,429	\$0	\$2,590,000
W-85	Bell House Valve Replacement	\$49,030	\$70,000	\$596,135
W-86	Holmes Tank Upgrade	\$115,255	\$10,000	\$1,450,255
W-91	Bell Cyn. Creek Flow Measurement	\$142,645	\$273,990	\$416,635
W-93	Sludge Handling Program	\$0	\$0	\$150,000
W-101	Tank 2 Rehabilitation	\$0	\$60,000	\$750,000
W-106	Pump Station Upgrades	\$0	\$20,000	\$200,000
W-108	Lower Reservoir Rehab (York Creek)	\$146,154	\$64,541	\$210,695
W-109	Bell Cyn. Intake Tower Replacement	\$64,496	\$359,144	\$2,423,640
W-110	Rutherford Pump Upgrade	\$0	\$50,000	\$500,000

Water (continued)

Project No.	Project Name	Estimated Life to date thru FY 17/18	Proposed FY 18/19 Budget	Estimated Total Costs
W18-111	WTP Condition Assessment	\$0	\$0	\$150,000
W18-112	Spill Containment at Bell Creek	\$0	\$75,000	\$75,000
W18-113	SCADA Imp. @ Rutherford & Holmes	\$0	\$0	\$150,000
W18-114	Spill Containment at SB Wells	\$0	\$75,000	\$75,000
W18-115	Remove Restriction at Rutherford PS	\$0	\$50,000	\$150,000
W18-116	Update GIS Maps of Water System	\$0	\$50,000	\$50,000
W18-117	Water Master Plan Update	\$0	\$150,000	\$150,000
W18-118	Replace Mains <6 in Diameter	\$0	\$0	\$1,000,000
W18-119	Bell Canyon Spillway Stability Assessment	\$80,440	\$19,560	\$100,000
W18-120	Bell Canyon Phreatic Surface Monitoring and Assessment	\$45,119	\$19,881	\$65,000
	Totals	\$2,486,568	\$2,692,116	\$19,107,360

Wastewater

Project No.	Project Name	Estimated Life to date thru FY 17/18	Proposed Budget FY 18/19	Estimated Total Costs
S-52	WWTP Phase 1 Upgrades	\$606,254	\$977,260	\$8,430,514
S-53	Reclamation Field Improvements	\$41,760	\$150,000	\$1,400,000
S-62	Facilities Automation	\$0	\$0	\$135,000
S-66	New Well at WWTP	\$0	\$65,000	\$65,000
S18-70	Replace 1% of Sewer Mains Annually	\$0	\$0	\$600,000
S18-71	Crinella Pump Station Upgrade	\$15,000	\$128,150	\$716,500
S18-72	Add Sewer Pump Stations to SCADA	\$0	\$0	\$150,000
S18-73	Wet Weather Flow Monitoring	\$0	\$50,000	\$50,000
S18-74	Update GIS Maps of Sewer System	\$0	\$50,000	\$50,000
S18-75	Sewer Master Plan	\$0	\$150,000	\$150,000
S18-78	Recycled Water Feasibility Study	\$0	\$0	\$150,000
S18-79	Replace Operations Building and Shop	\$0	\$0	\$1,100,000
S18-80	WWTP Phase 2 Upgrades	\$0	\$0	\$300,000
	Totals	\$663,014	\$1,570,410	\$13,297,014



Questions?



Report to the City Council
Council Meeting of May 8, 2018

Agenda Section: New Business

Subject: Consideration and proposed approval of a resolution adopting the Five-Year Capital Improvement Program (Fiscal Years 2018/2019 to 2022/2023)

**CEQA
Determination:**

Prepared By: Erica Ahmann Smithies, Public Works Director and City Engineer

Reviewed By:

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

The proposed City of St Helena Capital Improvement Program (CIP) is a five-year planning tool that identifies anticipated capital improvements and their funding sources for fiscal years 2018/2019 through 2022/2023. The CIP does not appropriate funds but rather functions as a budgeting and planning tool which supports actual appropriations that are made through budget adoption.

DISCUSSION

This staff report summarizes the five-year funding strategy to fund capital improvements to City infrastructure. The expenditures shown for the first year of the CIP in Civic, Streets, Wastewater and Water are consistent with the proposed operating budget in fiscal year 2018/2019. The subsequent four years are subject to change due to more detailed engineering analysis becoming available, City Council direction on project priorities, updates to revenues, and changes in project costs. This is why the Five-Year CIP is updated annually.

CIP programs and projects are dedicated to maintaining and improving City infrastructure in four divisions: Civic, Streets, Wastewater, and Water. The following table summarizes the project funding by division for the Five-Year CIP.

Capital Improvement Plan – Funding by Project Category FY 2018/19-2022/23						
	FY 18/19	FY 19/20	FY 20/21	FY 21/22	FY 22/23	
Civic	\$470,000	\$103,000	\$103,000	\$103,000	\$103,000	\$882,000
Streets	\$2,173,936	\$1,755,000	\$3,061,000	\$1,755,000	\$1,755,000	\$10,499,936
Water	\$2,692,116	\$7,746,869	\$1,531,807	\$4,050,000	\$600,000	\$16,620,792
Wastewater	\$1,570,410	\$4,194,350	\$4,226,240	\$1,243,000	\$1,400,000	\$12,634,000
Total	\$6,906,462	\$13,799,219	\$8,922,047	\$7,151,000	\$3,858,000	\$40,636,728

California Government Code Section 65401 requires that the Planning Commission find that the proposed CIP is consistent with the City's General Plan prior to City Council adoption of the CIP. The Planning Commission made this finding at its meeting on March 20, 2018.

FISCAL IMPACT

The City's 2018/2019 CIP consists of 38 projects in four divisions totaling approximately \$6.9 million. A majority of the fiscal impact to the CIP have been transferred in the prior year and any additional funds have been identified in the proposed operating budget for Fiscal Year 2018/2019. The most notable increase over last year's CIP is in the Streets Division where Measure T revenues are anticipated to come in much higher than originally forecasted in 2012. Measure T revenue deposits will begin approximately in January 2019 and quarterly thereafter.

All funds and expenditures beyond Fiscal Year 2018/2019 have no direct fiscal impact because the CIP is not a financial commitment by City Council, but rather a planning and forecasting tool.

RECOMMENDED ACTION

Approve the attached Resolution adopting the Five-Year Capital Improvement Program (Fiscal Years 2018/2019 to 2022/2023.)

ATTACHMENTS

[Attachment 1: Five-year CIP 2019-2023 DRAFT](#)

[Attachment 2: Five-year CIP Resolution](#)



The City of St. Helena DRAFT



Capital Improvement Program

Fiscal Years 2018/19 - 2022/23 | April 24, 2018

Adopted by City Council on TBD



**City of St. Helena
Proposed Capital Improvement Program
Fiscal Years 2018/19-2022/23**

Copies of this document can be found at <http://cityofstheleena.org/>
or through the Department of Public Works

Department of Public Works
1572 Railroad Avenue
St. Helena, CA 94574
(707) 968-2658

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01. EXECUTIVE SUMMARY

The 2018/19-2022/23 City of St. Helena Capital Improvement Program (CIP) is the City's commitment to building a more resilient and vibrant future for the residents, workers, and visitors of St. Helena. Updated annually, the CIP is a fiscally constrained expenditure plan that lays out infrastructure investments over the next five years. This document includes the most realistic estimates of St. Helena's future needs coupled with known financial constraints.

Projects in the CIP are divided into four Service Areas: General Government (Civic), Streets, Water and Wastewater. Each Service Area chapter describes the associated Budgeted Projects and Deferred Projects. General Fund and Enterprise Funds are both represented to give as full a picture of St. Helena's capital needs as possible. The addition of the new rate structure along with increases in General Fund revenues and debt issuance capacity have allowed St. Helena to fund a higher level of capital projects than in years past. As a result, St. Helena will be better positioned to build a healthy infrastructure program and to meet the challenges ahead.

The five-year CIP is developed by City Staff and adopted by City Council. Once adopted by Council, the CIP becomes the guiding document for the prioritization of projects. The information included in the CIP is based on the current information available and updated annually to reflect changing priorities, funding availability and project completion. Inclusion of a project in the CIP does not commit the City to specific expenditures or appropriations for any particular project.

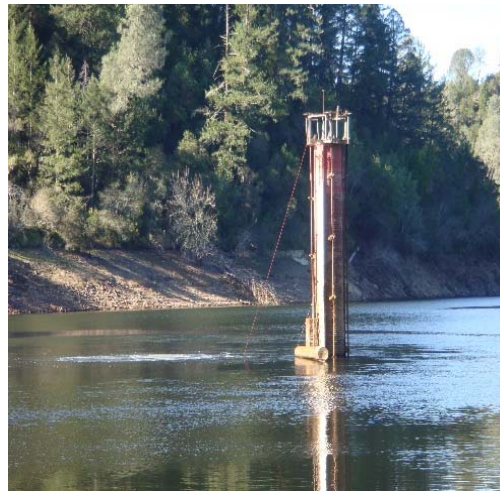


Figure 1.1 Bell Canyon Intake Tower Replacement.
Estimated project cost of \$2,423,640

The CIP includes all projects and programs expected to be undertaken during the next five fiscal years. Projects that do not have an identified funding source are also outlined in the CIP. Specific projects and related schedules are selected based upon:

- Implementation of the City's General Plan
- Regulatory requirements and guidelines
- Availability of funding
- Minimizing disruptions associated with construction activity
- City Council direction

CIP BY THE NUMBERS

The 2018/19-2022/23 Capital Improvement Program generally retains most policies and practices set in prior year plans, including maintaining restrictions around issuing debt and fully funding certain capital programs such as the City's Americans with Disability Act (ADA) transition plans, facilities maintenance, and street resurfacing. The Program also proposes a number of goals that continue key objectives from previous years, including robust funding for both water and wastewater infrastructure projects, and construction on several of other public infrastructure projects to improve services and quality of life.



Figure 1.2 Tank 2 Rehabilitation. Estimated project cost of \$750,000

This Program captures approximately \$40 million in capital improvements citywide. The estimated project expenditures planned for the CIP are broken into four major categories: Civic, Streets, Wastewater, and Water.

Capital Improvement Program – Funding by Project Category						
FY 2018/19-2022/23						
	FY 18/19	FY 19/20	FY 20/21	FY 21/22	FY 22/23	Five Year Total
Civic	\$470,000	\$103,000	\$103,000	\$103,000	\$103,000	\$882,000
Streets	\$2,173,936	\$1,755,000	\$3,061,000	\$1,755,000	\$1,755,000	\$10,499,936
Water	\$2,692,116	\$7,746,869	\$1,531,807	\$4,050,000	\$600,000	\$16,620,792
Wastewater	\$1,570,410	\$4,194,350	\$4,226,240	\$1,243,000	\$1,400,000	\$12,634,000
Total	\$6,906,462	\$13,799,219	\$8,922,047	\$7,151,000	\$3,858,000	\$40,636,728

Table 1.1

PROGRAM PROJECT HIGHLIGHTS

St. Helena has many competing needs, and the capital program is no exception. Major projects with funding identified in this program include:

- Integrated Utility Master Plan (Water, Sewer, and Stormwater)
- Upper York Creek Dam Removal
- Bell Canyon Reservoir Improvements
- Tank Upgrades
- Pump Station Upgrades
- Downtown Restrooms (Construction)
- Downtown Sidewalk Improvements
- Lyman Park Improvements
- Pavement Restoration
- Crinella Pump Station Upgrades
- Phase 1 WWTRP Upgrades

02. CAPITAL PROGRAMMING IN ST. HELENA

A QUICK LOOK AT INFRASTRUCTURE

What is infrastructure, and why is it important?



Figure 2.1 Lyman Park Improvements.
Estimated design cost of \$50,000

The backbone of St. Helena is our horizontal infrastructure; the streets, sidewalks, parks, water, stormwater, and sewer systems that make living in a city possible. Many of these projects function outside of the visibility of many residents. They run underground, are walked over, and are turned on with the flick of a switch or turn of a faucet. Many of the infrastructure systems that the City invests in provide not only basic services, but contribute to City-wide goals of environmental sustainability, pedestrian safety, and a more beautiful and livable City.

It is imperative that the City maintain these assets in a state of good repair given the essential nature of these systems. Proactive maintenance not only ensures the steady provision of services, but is less costly than fixing problems that have degraded beyond repair.

Infrastructure impacts public health, safety, and the quality of life for residents of St. Helena as well as other industries which are an important part of the City's economy. Decisions made regarding infrastructure projects are very important because they are generally large and expensive, and the assets created will require decades of public use.

What infrastructure is within the City's area of responsibility?

The City of St. Helena is responsible for maintaining storm drains, streets, water treatment and distribution system, wastewater collection and treatment system, parks, and City government buildings and facilities. Napa County, State of California, and U.S. governments may also have responsibility for certain assets within the City of St. Helena. For example, the California Department of Transportation (Caltrans) has jurisdiction and responsibility for State Route 29 (Main Street).

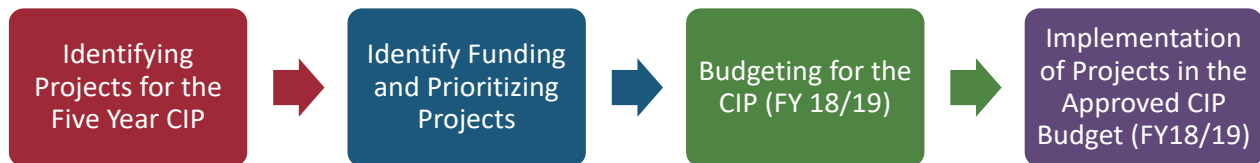
What happens when infrastructure assets are not maintained?

Providing ongoing maintenance and repair, such as resurfacing streets and repairing or replacing water and wastewater piping, is vital for maintaining the condition of assets. When maintenance and repair is not fully funded, deferred maintenance and capital improvement costs increase significantly. The City has not fully

funded maintenance and repair due to tight budgetary constraints and competing priorities for several years. As a result, the City now has a multi-million dollar backlog in deferred maintenance of storm drains, streets, water treatment and distribution system, wastewater collection and treatment system, parks, and City government buildings and facilities. For example, the 2018 Pavement Management Program Update calculated a \$9.2 million backlog for street maintenance in St. Helena. Without adequate investment, these deferred maintenance costs will increase significantly over time.

Compounding the problem, as assets continue to deteriorate, the cost of repair exponentially increases and can result in peripheral damage. For example, deferring roof replacement could later result in needing to replace the roof structural members, walls, and floor of a building.

How does the CIP process work?



FUNDING PRINCIPALS

The funding principles for the Capital Program are the categories used to prioritize competing needs. They help St. Helena to keep our long-term perspective when it comes time to make choices about major projects and offer a consistent and logical framework for some of the City's most difficult conversations.

FUNDING PRINCIPAL 1:



Addresses Legal or Regulatory Mandate Improvements necessary to comply with a federal, state, or local legal or regulatory mandate. The City faces a wide range of directives and requirements for our facilities, some with significant consequences for failure to perform. Action in these cases is required by law, legal judgment, or court order, or it can proactively reduce the City's exposure to legal liability. The legal, financial, operating, and accreditation consequences for failure to perform are all weighed when considering these types of projects.

FUNDING PRINCIPAL 2:



Protects Life Safety and Enhances Resilience Improvement: Provides for the imminent life, health, safety, and/or security of occupants and/or the public or prevents the loss of use of an asset. Life safety projects minimize physical danger to those who use and work in City facilities. Considerations for these projects include the age of a facility, the potential for increased resilience in the face of disaster, and the mitigation of material and environmental hazards for those who visit, use, and work in City facilities.

FUNDING PRINCIPAL 3:



Ensures Asset Preservation and Sustainability Asset: Preservation projects ensure timely maintenance and renewal of existing infrastructure. It is imperative to maintain the City's infrastructure in a state of good repair so that the City's operations are not compromised and resources are not squandered by failing to care for what we own. It is also important to support projects that lessen the City's impact on the environment. Some assets are more critical than others; for example, some facilities provide services that cannot be easily reproduced at another location or serve as emergency operations centers. Considerations for these projects include the effect on the asset's long-term life, importance for government operations, and environmental impact.

FUNDING PRINCIPAL 4:



Serves Programmatic or Planned Needs: This set of projects supports formal programs or objectives of an adopted plan or action by the City's elected officials. Integrated with departmental and Citywide goals and objectives, this funding principle aims to align capital projects with operational priorities. Considerations for this type of project include confirmation that they will contribute to a formally adopted plan or action from City Council.

FUNDING PRINCIPAL 5:



Promotes Economic Development: Economic Development projects enhance the City's economic vitality by stimulating the local economy, increasing revenue, improving government effectiveness, or reducing operating costs. These projects may have a direct or indirect effect on the City's revenues or may help to realize cost savings. Considerations for this type of project include the potential for savings, the level of revenue generation (either direct through leases, fees, service

charges, or other sources; or indirect, such as increased tax base, business attraction or retention, etc.), and any improvements to government service delivery, such as faster response times, improved customer service, or increased departmental coordination.

03. ACCOMPLISHMENTS & COMPLETED PROJECTS

Over the past twelve months the Public Works Department has worked on numerous projects. FY 17/18 included:

- Water and Wastewater Utility Rate Study
- Charter Oak/Allison Overlay: R-78
- Bike Lanes on Pope Street: R-30
- Spillway Safety Assessment of Bell Canyon Reservoir and Lower Reservoir: W18-119 and W-108
- Facilities Conditions Assessment
- Downtown Restrooms (Design Phase Complete): C-82
- 2018 Pavement Restoration (Design Phase Complete): R18-79
- Emergency Storm Drain Repair on Oak Street: R18-82

04. CAPITAL FUNDING SOURCES

The City maintains a diverse variety of funding sources to meet the broad array of infrastructure projects to be implemented each year. These include the General Fund, publicly issued debt, federal and state grants, utility or enterprise funds and other local funding sources. These funds have been used for countless facilities, parks, streetscapes, and transportation initiatives used on a daily basis.

The Five-Year CIP is funded by various unrestricted and restricted funds. Unrestricted funds are free from external restrictions and can be used for any purpose, as directed by the City Council. The City's General Fund is an unrestricted fund. The General Fund is made up of funding from property tax revenues, sales tax, and transient occupancy taxes. Restricted funds are legally required to be used for a specific purpose. For example, water enterprise funds can only be used to operate, maintain, and improve the City's water treatment and distribution system. Other examples of restricted funding sources include local, state, and federal grants; and wastewater enterprise funds. A detailed description of the various funding sources is presented in the following table.



Figure 4.1 Wastewater Treatment Plant Phase I Upgrades.
Estimated project cost of \$8,430,514.

Capital Improvement Program - Funding by Source FY 2018/19-2022/23									
Funding Source	Actual Life to Date thru FY 16/17	Estimated FY 17/18	Estimated Life to date thru FY 17/18	Proposed FY 18/19 Budget	Projected				Total Project Amount
					FY19/20	FY20/21	FY21/22	FY22/23	
Caltrans	\$0	\$0	\$0	\$65,000	\$0	\$0	\$0	\$0	\$65,000
Flood Control Funds	\$0	\$5,000	\$5,000	\$125,000	\$0	\$0	\$0	\$0	\$130,000
Gas Tax Fund	\$2,500	\$16,000	\$18,500	\$228,500	\$51,811	\$51,811	\$51,811	\$51,811	\$454,244
General Fund	\$49,439	\$841,314	\$890,753	\$2,159,936	\$592,189	\$692,189	\$592,189	\$592,189	\$5,519,445
Grant - EPA SFBWQIF	\$24,923	\$5,000	\$29,923	\$50,000	\$907,953			\$0	\$987,876
Grant - OBAG II	\$0	\$0	\$0	\$0	\$0	\$1,206,000	\$0	\$0	\$1,206,000
Grant - Prop 84	\$0	\$0	\$0	\$0	\$800,000	\$0	\$0	\$0	\$800,000
Grant - TDA3	\$0	\$0	\$0	\$51,500	\$0	\$0	\$0	\$0	\$51,500
Grant/Interagency Fund	\$68,286	\$0	\$68,286	\$0	\$0	\$878,381	\$766,667	\$0	\$1,713,334
Measure T	\$0	\$0	\$0	\$600,000	\$1,100,000	\$1,100,000	\$1,100,000	\$1,100,000	\$5,000,000
RMRA Funds	\$0	\$15,000	\$15,000	\$139,000	\$114,000	\$114,000	\$114,000	\$114,000	\$610,000
Park Impact Fees	\$0	\$0	\$0	\$75,000	\$0	\$0	\$0	\$0	\$75,000
State Grant	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$75,000	\$75,000
Wastewater Impact Fee	\$0	\$0	\$0	\$22,500	\$15,750	\$86,286	\$101,700	\$0	\$226,236
Wastewater Utility	\$215,523	\$447,491	\$663,014	\$1,547,910	\$4,178,600	\$4,139,954	\$1,141,300	\$1,325,000	\$12,995,778
Water Bond	\$703,066	\$342,154	\$1,045,220	\$495,000	\$1,714,023	\$0	\$0	\$0	\$3,254,243
Water Impact Fee	\$42,178	\$28,124	\$70,302	\$107,470	\$561,516	\$229,595	\$989,166	\$0	\$1,958,049
Water Utility	\$260,007	\$212,831	\$472,837	\$1,239,646	\$3,763,377	\$423,831	\$2,294,167	\$600,000	\$8,793,858
Total	\$1,365,921	\$1,912,914	\$3,278,835	\$6,906,462	\$13,799,219	\$8,922,047	\$7,151,000	\$3,858,000	\$43,915,563

Table 4.1

GENERAL FUND:

Over the five-year timeframe of this Capital Program, the City will fund many of the ongoing annual needs with funds from the General Fund. The General Fund is comprised of various taxes collected by the City, which include property, sales, business, and hotel taxes, and is the primary funding stream for nearly all City programs and services. The General Fund is an appropriate funding mechanism because St. Helena residents, businesses, and visitors alike benefit from the capital investments laid out in this plan.

Improvements paid through the General Fund tend to be smaller in scale than programs that require debt financing over a multi-year period. By using the General Fund for short-term improvements, the City is less reliant on debt financing, and ultimately spends less money to deliver those projects. Utilizing the General Fund strikes an important balance between paying for improvements today, and issuing debt which will be largely be borne by users of those improvements in the future.



Figure 4.2 Downtown Restrooms. Estimated project cost of \$296,000.

The primary reporting vehicle for current government revenues and operations, this fund accounts for all financial resources not required by law or City Council actions to be accounted for in another fund.

Restrictions: General Fund monies are one of the least restrictive funding sources, funding can be used for salaries, capital improvements, supplies and other municipal related expenses.

GAS TAX:

The Gas Tax Fund collects revenue resulting from a tax on the sale of gasoline. The City's share of gas tax revenue is based on a formula that takes into account vehicle registration, assessed property valuation, and population.

Restrictions: These funds must be used to perform research, planning, construction, improvement, maintenance, and operation of public streets and highways (and their related public facilities for non-motorized traffic), including the mitigation of their environmental effects, the payment for property taken or damaged for such purposes, and the administrative costs necessarily incurred in the foregoing purposes. There are currently five separate Gas Tax funds each with additional specific criteria.

GRANT FUNDING:

Some projects are entirely or partially funded by grants and reimbursements from the State and Federal Government, as well as other agencies.

Restrictions: Funding restrictions related to grant funding can vary greatly, and each grant will have specific project restrictions related to the funding source.

IMPACT FEES:

In 2013, the City retained Colgan Consulting Corporation to prepare an impact fee study, analyze the impact of development on certain capital facilities and to calculate impact fees based on that analysis. The methods used to calculate impact fees in the study were intended to satisfy all legal requirements.

Restrictions: By law impact fees can only be collected to cover the impact of new development on existing infrastructure. Impact fees cannot be used to correct “existing deficiencies”.

Civic Impact Fees: This fund is used to accumulate restricted funds from new development's proportionate share of the depreciated replacement cost of a range of facility types including City Hall, corporation yard facilities, as well as library and recreation facilities.

Public Safety Impact Fees: Section 22.5 of the City Code establishes this fund to accumulate revenues from fees on building permits to be used solely for equipment and facilities' costs for the Police and Fire Departments. Vehicles, capital equipment, and building improvements are approved uses.

Park Impact Fees: This fund is used to accumulate funds from new or proposed residential development solely for park land acquisition and park improvements.

Traffic Mitigation (Street) Impact Fees: This fund is used to accumulate funds from new or proposed development to pay for circulation improvements to reduce the impacts of traffic generated by new development within the City.

Water Impact Fees: This fund is used to accumulate funds from new or proposed development to pay for Water System Capital Improvements needed to support new development.

Wastewater (Sewer) Impact Fees: This fund is established to account for the costs of constructing and improving the Wastewater Treatment Plant and Sewer Collection System in order to support new development.

MEASURE T:

Measure T resulted in a countywide half-cent sales tax increase. Money generated from the sales tax increase will be used for road repairs countywide. The amount raised by the tax is expected to be more than \$300 million countywide and St. Helena will receive 5.9% of the annual revenues. Funding from Measure T will first be available to the City in spring 2019 and the tax will expire in 25 years. The City is required to adopt a five-year street project list and update it at least every two years in order to be eligible for Measure T funds. The City adopted its first five-year street project list on February 13, 2018.

Restrictions: Measure T requires that 99% of the funds raised be spent on street maintenance and rehabilitation and only 1% can be used for administrative and reporting costs. The funds cannot be used for new roads or congestion relief —the tax is only for maintenance of local streets. Funds cannot be used to offset current City funding for road maintenance. In addition, the City must maintain a minimum annual maintenance of effort in the amount of \$379,189 in general funds.

WASTEWATER UTILITY:

This fund is used to account for the costs of providing sewer services to the general public on a continuing basis. The intent is to recover costs through user charges and fees.

Restrictions: The fund is operated in a manner similar to a private business enterprise. Funding must be used to operate, maintain, and improve the sewer system and cannot be used for other purposes.

WATER UTILITY:

This fund is used to account for the costs of providing water services to the general public on a continuing basis. The intent is to recover costs through user charges and fees.

Restrictions: The fund is operated in a manner similar to a private business enterprise. Funding must be used to operate, maintain, and improve the water system and cannot be used for other purposes.

WATER AND WASTEWATER BONDS:

California Statewide Communities Development Authorized Water and Wastewater revenue bonds Series 2012B.

Restrictions: Funds must be expended in accordance with project descriptions in the official Statement for the bond issuance, dated May 30, 2012.

OTHER RESTRICTED FUNDS:

In addition to the funding sources identified above, the City of St. Helena has several other small funding sources that are restricted to strict funding program and guidelines. Occasionally, these funds are used for CIP projects when appropriate.

05. GENERAL GOVERNMENT (CIVIC)

OVERVIEW

The City delivers a wide range of capital-related services, including the maintenance and management of City-owned buildings, real estate, design and construction of capital improvements, capital planning, and technology services. These operations largely support the service delivery efforts of other City departments. Those with projects named in the Five-Year Capital Program are described here.

The Civic Improvements category comprises general government projects that focus on constructing or improving existing facilities and buildings. These projects cover all departments and focus on a variety of improvements. Funding for Civic Improvements is comprised of General Fund, grants and special restricted fund such as: The Bocce Fund or the Ryan Library Trust. At this time, there is minimal funding in the special restricted funds, and no projects are planned to utilize the special restricted funding sources.

DEFERRED PROJECTS

PROJECT NAME	DESCRIPTION
Signorelli Barn	The Signorelli Barn, located on Pope Street, is a historical focal point for the City. The barn was built in 1888, and is in desperate need of repair and rehabilitation. The barn has deteriorated significantly over time. There is no estimated budget for this project at this time. Project Number - C09
City Hall/Police Station	The current City Hall and Police Station Facilities are in need of repair, upgrades and rehabilitation. There is no estimated budget for this project at this time. Project Number – C75
City Hall Roof Replacement	The City Hall roof has been in disrepair for years, and there is currently a tarp protecting sections of the roof from the elements. There is no estimated budget for this project at this time. Project Number – TBD

Civic									
Summary of 5-Year CIP (By Funding Source)									
	Actual Life to Date thru FY 16/17		Estimated FY 17/18		Estimated Life to date thru FY 17/18		Proposed FY 18/19 Budget		Total Funding by Source
General Fund	\$49,439	\$0	\$34,561	\$0	\$84,000	\$0	\$395,000	\$103,000	\$891,000
Impact Fee							\$75,000	\$0	\$75,000
Total	\$49,439	\$0	\$34,561	\$0	\$84,000	\$0	\$470,000	\$103,000	\$966,000

Table 5.1

FY 19/23 Budgeted Projects:

Civic										
Summary of 5-Year CIP (All Funding Sources)										
Project No.	Project Name	Actual Life to Date thru FY 16/17	Estimated		Proposed FY 18/19 Budget	Projected				
			Life to date thru FY 17/18	17/18		FY19/20	FY20/21	FY21/22	FY22/23	Total Project Amount
C-82	Downtown Restrooms	\$49,439	\$59,000	\$9,561	\$237,000	\$0	\$0	\$0	\$0	\$296,000
C18-83	ADA Transition Plan - Facilities	\$0	\$25,000	\$25,000	\$158,000	\$103,000	\$103,000	\$103,000	\$103,000	\$595,000
C19-01	Lyman Park Improvements	\$0	\$0	\$0	\$50,000	\$0	\$0	\$0	\$0	\$50,000
C19-02	Rehabilitate Crane Park Tennis Courts	\$0	\$0	\$0	\$25,000	\$0	\$0	\$0	\$0	\$25,000
Totals		\$49,439	\$84,000	\$34,561	\$470,000	\$103,000	\$103,000	\$103,000	\$103,000	\$966,000

Table 5.2

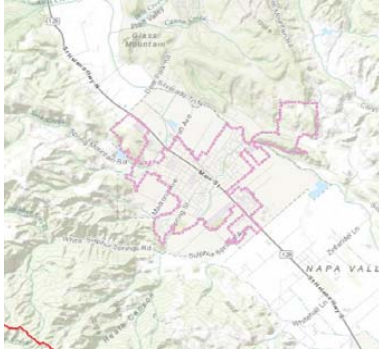
**Project Title: Downtown Restrooms****Address:** Telegraph Alley between Money Way & Oak Ave**Project Number:** C-82**Project Purpose and Description:**

This project will construct two restrooms downtown adjacent to Telegraph Alley between Money Way and Oak Avenue.

Financial Overview:

Phase	Prior Years			2018-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design	\$49,439	\$9,561	\$59,000						\$59,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management				\$20,000					\$20,000
Construction Contract				\$217,000					\$217,000
Contingency									\$0
CIP Overheads									\$0
Total	\$49,439	\$9,561	\$59,000	\$237,000	\$0	\$0	\$0	\$0	\$296,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
General Fund	\$49,439	\$9,561	\$59,000	\$237,000					\$296,000
Total	\$49,439	\$9,561	\$59,000	\$237,000	\$0	\$0	\$0	\$0	\$296,000

**Project Title: ADA Transition Plan - Facilities****Address:** Various Location in St. Helena**Project Number:** C18-83**Project Purpose and Description:**

This project will implement facility improvements identified in the ADA Transition Plan adopted by City Council in 2017.

Financial Overview:

Phase	Prior Years			2018-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated	Proposed	Projected				
	FY 16/17	FY 17/18	Life to date thru FY 17/18	Budget FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design				\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$50,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management									\$0
Construction Contract		\$25,000	\$25,000	\$148,000	\$93,000	\$93,000	\$93,000	\$93,000	\$570,000
Contingency									\$0
CIP Overheads									\$0
Total	\$0	\$25,000	\$25,000	\$158,000	\$103,000	\$103,000	\$103,000	\$103,000	\$620,000
Funding Sources	Actual Life to Date thru	Estimated	Estimated	Proposed	Projected				
	FY 16/17	FY 17/18	Life to date thru FY 17/18	Budget FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
General Fund		\$25,000	\$25,000	\$158,000	\$103,000	\$103,000	\$103,000	\$103,000	\$620,000
Total	\$0	\$25,000	\$25,000	\$158,000	\$103,000	\$103,000	\$103,000	\$103,000	\$620,000

**Project Title: Lyman Park Improvements****Address:** 1498 Main Street**Project Number:** C19-01**Project Purpose and Description:**

This project will rehabilitate the existing park and bathrooms.

Financial Overview:

Phase	Prior Years			2018-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated	Proposed	Projected				
	FY 16/17	FY 17/18	Life to date thru FY 17/18	Budget FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design				\$50,000					\$50,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management									\$0
Construction Contract									\$0
Contingency									\$0
CIP Overheads									\$0
Total	\$0	\$0	\$0	\$50,000	\$0	\$0	\$0	\$0	\$50,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated	Proposed	Projected				
	FY 16/17	FY 17/18	Life to date thru FY 17/18	Budget FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
General Fund									\$0
Impact Fee				\$50,000					\$50,000
Total	\$0	\$0	\$0	\$50,000	\$0	\$0	\$0	\$0	\$50,000

**Project Title: Rehabilitate Crane Park Tennis Courts****Address:** 360 Crane Avenue**Project Number:** C19-02**Project Purpose and Description:**

This project will rehabilitate the existing tennis courts at Crane Park.

Financial Overview:

Phase	Prior Years			2018-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated	Proposed	Projected				
	FY 16/17	FY 17/18	Life to date thru FY 17/18	Budget FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design				\$25,000					\$25,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management									\$0
Construction Contract									\$0
Contingency									\$0
CIP Overheads									\$0
Total	\$0	\$0	\$0	\$25,000	\$0	\$0	\$0	\$0	\$25,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated	Proposed	Projected				
	FY 16/17	FY 17/18	Life to date thru FY 17/18	Budget FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
General Fund									
Impact Fee				\$25,000					\$25,000
Total	\$0	\$0	\$0	\$25,000	\$0	\$0	\$0	\$0	\$25,000

06. INFRASTRUCTURE: STREETS

OVERVIEW

The Streets category includes projects that upgrade and maintain pavement, striping, curb and gutter, street lighting, access ramps, sidewalks and storm drain infrastructure. Funding for Streets is comprised of General Fund, Gas Tax, grants, sales tax, Measure T (funding beginning in 2019), Road Maintenance and Rehabilitation Account (SB 1) and development impact fees. Table 6.1 summarizes the funding source for Streets projects by fiscal year.

Street improvement projects programmed in the Capital Improvement Program, 2018/19-2022/23 are listed on the following pages. A project is only listed if there is funding planned to be programmed in the five-year period.

STREET PROJECTS FUNDED IN FUTURE YEARS

PROJECT NAME	DESCRIPTION
Pratt Avenue and/or Elmhurst Intersection Enhancements on Main Street	In 2017/18, City Council directed staff to review the area of Pratt Avenue at Main Street with the focus on improving pedestrian access, but also reviewing additional needs. The project is still in the planning process and will be brought back to City Council with recommendations and staff direction in early 2018/19.
	There is no estimated budget for this project at this time.

Streets									
Summary of 5-Year CIP (By Funding Source)									
	Actual Life to Date thru FY 16/17	Estimated		Proposed FY 18/19 Budget	Projected			Total Funding by Source	
		Estimated FY 17/18	Life to date thru FY 17/18		FY19/20	FY20/21	FY21/22	FY22/23	Source
General Fund	\$0	\$6,753	\$6,753	\$964,936	\$489,189	\$589,189	\$489,189	\$489,189	\$3,028,445
Gas Tax Fund	\$2,500	\$16,000	\$18,500	\$228,500	\$51,811	\$51,811	\$51,811	\$51,811	\$454,244
Grant - TDA3	\$0	\$0	\$0	\$51,500	\$0	\$0	\$0	\$0	\$51,500
Grant - OBAG II	\$0	\$0	\$0	\$0	\$0	\$1,206,000	\$0	\$0	\$1,206,000
Measure T	\$0	\$0	\$0	\$600,000	\$1,100,000	\$1,100,000	\$1,100,000	\$1,100,000	\$5,000,000
Caltrans	\$0	\$0	\$0	\$65,000	\$0	\$0	\$0	\$0	\$65,000
RMRA Funds	\$0	\$15,000	\$15,000	\$139,000	\$114,000	\$114,000	\$114,000	\$114,000	\$610,000
Flood Control Funds	\$0	\$5,000	\$5,000	\$125,000	\$0	\$0	\$0	\$0	\$130,000
Total	\$2,500	\$42,753	\$45,253	\$2,173,936	\$1,755,000	\$3,061,000	\$1,755,000	\$1,755,000	\$10,545,189

Table 6.1

FY 19/23 Budgeted Projects:

Streets										
Summary of 5-Year CIP (Project List)										
Project No.	Project Name	Actual Life to Date thru FY 16/17	Estimated FY 17/18	Estimated Life to date thru FY 17/18	Proposed FY 18/19 Budget	FY19/20	FY20/21	FY21/22	FY22/23	Total Project Amount
R-29	Curb, Gutter and Sidewalk Repair	\$0	\$0	\$0	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$100,000
R-77	Railroad Ave Curb Ramp Upgrades	\$2,500	\$17,000	\$19,500	\$134,500	\$0	\$0	\$0	\$0	\$154,000
R18-79	2018 Pavement Restoration	\$0	\$15,000	\$15,000	\$650,000	\$0	\$0	\$0	\$0	\$665,000
R18-80	ADA Transition Plan - Curb Ramps	\$0	\$5,753	\$5,753	\$81,247	\$110,000	\$110,000	\$110,000	\$110,000	\$527,000
R18-81	Downtown Sidewalk Improvements	\$0	\$0	\$0	\$150,000	\$1,406,000	\$0	\$0	\$0	\$1,706,000
R19-79	Pavement Restoration	\$0	\$0	\$0	\$753,189	\$1,325,000	\$1,525,000	\$1,625,000	\$1,625,000	\$6,853,189
R19-01	Stormwater Master Plan	\$0	\$0	\$0	\$100,000	\$0	\$0	\$0	\$0	\$100,000
R19-02	Hunt Avenue Sidewalk Gap Closure	\$0	\$0	\$0	\$150,000	\$0	\$0	\$0	\$0	\$150,000
R19-03	Sulphur Creek Erosion Repair	\$0	\$5,000	\$5,000	\$125,000	\$0	\$0	\$0	\$0	\$130,000
R19-04	Sulphur Creek Sediment Removal	\$0	\$0	\$0	\$10,000	\$0	\$0	\$0	\$0	\$10,000
R19-05	Grayson and South Crane Rehab	\$0	\$0	\$0	\$0	\$150,000	\$0	\$0	\$0	\$150,000
Totals		\$2,500	\$42,753	\$45,253	\$2,173,936	\$1,755,000	\$3,061,000	\$1,755,000	\$1,755,000	\$10,545,189

Table 6.2

**Project Title: Curb, Gutter and Sidewalk Repair****Address:** Various**Project Number:** R-29**Project Purpose and Description:**

Current conditions will be evaluated and prioritized. Following prioritization, will be the installation and replacement of damaged curb, gutter and sidewalk.

Financial Overview:

Phase	Prior Years			2018-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated	Proposed Budget	Projected				
	FY 16/17	FY 17/18	Life to date thru FY 17/18		FY19/20	FY20/21	FY21/22	FY22/23	Total
Design									\$0
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management									\$0
Construction Contract				\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$100,000
Contingency									\$0
CIP Overheads									\$0
Total	\$0	\$0	\$0	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$100,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated	Proposed Budget	Projected				
	FY 16/17	FY 17/18	Life to date thru FY 17/18		FY19/20	FY20/21	FY21/22	FY22/23	Total
	FY 16/17	FY 17/18	Life to date thru FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Gas Tax Fund				\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$100,000
Total	\$0	\$0	\$0	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$100,000



Project Title: Railroad Ave Curb Ramp Upgrades

Address: Railroad Avenue: Fulton to Hunt

Project Number: R-77

Project Purpose and Description:

This project will remove and replace approximately 8 existing non-compliant ADA ramps on Railroad Avenue between Fulton Lane and Hunt Avenue.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated	Proposed	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design	\$2,500	\$17,000	\$19,500						\$19,500
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management				\$10,000					\$10,000
Construction Contract				\$106,000					\$106,000
Contingency				\$18,500					\$18,500
CIP Overheads									\$0
Total	\$2,500	\$17,000	\$19,500	\$134,500	\$0	\$0	\$0	\$0	\$154,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated	Proposed	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
General Fund		\$1,000	\$1,000	\$67,000					\$68,000
Gas Tax Fund	\$2,500	\$16,000	\$18,500	\$16,000					\$34,500
Grant - TDA3				\$51,500					\$51,500
Total	\$2,500	\$17,000	\$19,500	\$134,500	\$0	\$0	\$0	\$0	\$154,000

**Project Title: 2018 Pavement Restoration****Address:** St. Helena, CA 94574**Project Number:** R18-79**Project Purpose and Description:**

This project will include an overlay to El Bonita Avenue, Kennedy Court, and La Quinta Way. The project will include accessibility improvements to sidewalks and curb ramps as part of the paving project. In addition, the project will include a sidewalk gap closure along Highway 29 at Charter Oak Street that will be reimbursed by Caltrans separate to the other work.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated	Proposed	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design		\$15,000	\$15,000						\$15,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management				\$80,000					\$80,000
Construction Contract				\$505,000					\$505,000
Contingency				\$65,000					\$65,000
CIP Overheads									\$0
Total	\$0	\$15,000	\$15,000	\$650,000	\$0	\$0	\$0	\$0	\$665,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated	Proposed	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
General Fund				\$327,500					\$327,500
Gas Tax Fund				\$192,500					\$192,500
Caltrans				\$65,000					\$65,000
RMRA Funds		\$15,000	\$15,000	\$65,000					\$80,000
Total	\$0	\$15,000	\$15,000	\$650,000	\$0	\$0	\$0	\$0	\$665,000

**Project Title: ADA Transition Plan - Curb Ramps****Address:** St. Helena, CA 94574**Project Number:** R18-80**Project Purpose and Description:**

This project will implement ADA curb ramp improvements identified in the ADA Transition Plan adopted by City Council in 2017.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated	Proposed	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design		\$5,753	\$5,753		\$10,000	\$10,000	\$10,000	\$10,000	\$45,753
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management				\$10,000	\$5,000	\$5,000	\$5,000	\$5,000	\$30,000
Construction Contract				\$60,000	\$85,000	\$85,000	\$85,000	\$85,000	\$400,000
Contingency				\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$50,000
CIP Overheads									\$0
Total	\$0	\$5,753	\$5,753	\$80,000	\$110,000	\$110,000	\$110,000	\$110,000	\$525,753

Funding Sources	Actual Life to Date thru	Estimated	Estimated	Proposed	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
General Fund		\$5,753	\$5,753	\$81,247	\$110,000	\$110,000	\$110,000	\$110,000	\$527,000
Total	\$0	\$5,753	\$5,753	\$81,247	\$110,000	\$110,000	\$110,000	\$110,000	\$527,000

**Project Title: Downtown Sidewalk Improvements****Address:** St. Helena, CA 94574**Project Number:** R18-81**Project Purpose and Description:**

This is a sidewalk improvement project funded by One Bay Area Grant II program and local funds. The project will replace sidewalks, trees, and implement traffic calming devices on Main Street between Mitchell Drive and Pine Street. Approximately 3,609 linear feet of sidewalk and 17 ADA curb ramps will be replaced.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design				\$147,500	\$147,500				\$295,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services				\$2,500	\$2,500				\$5,000
Construction Management						\$100,000			\$100,000
Construction Contract						\$1,206,000			\$1,206,000
Contingency						\$100,000			\$100,000
CIP Overheads									\$0
Total	\$0	\$0	\$0	\$150,000	\$150,000	\$1,406,000	\$0	\$0	\$1,706,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
General Fund				\$75,000		\$100,000			\$175,000
Grant - OBAG II						\$1,206,000			\$1,206,000
Measure T				\$75,000	\$150,000	\$100,000			\$325,000
Total	\$0	\$0	\$0	\$150,000	\$150,000	\$1,406,000	\$0	\$0	\$1,706,000



Project Title: Pavement Restoration

Address: St. Helena, CA 94574

Project Number: R19-79

Project Purpose and Description:

This annual project will reduce the continued degradation of the City's street system through a combination of paving, crack sealing, slurry seals, and/or microsurfacing various streets eligible for Measure T funding (street list adopted by City Council.) Accessibility improvements to sidewalks and curb ramps will be included as part of the project whenever applicable. It is anticipated that there will be one various streets project per year.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design				\$30,000	\$75,000	\$75,000	\$75,000	\$75,000	\$330,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management				\$50,000	\$100,000	\$100,000	\$125,000	\$125,000	\$500,000
Construction Contract				\$620,000	\$1,050,000	\$1,225,000	\$1,300,000	\$1,300,000	\$5,495,000
Contingency				\$50,000	\$100,000	\$125,000	\$125,000	\$125,000	\$525,000
CIP Overheads									\$0
Total	\$0	\$0	\$0	\$750,000	\$1,325,000	\$1,525,000	\$1,625,000	\$1,625,000	\$6,850,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
General Fund				\$284,189	\$379,189	\$379,189	\$379,189	\$379,189	\$1,800,945
Gas Tax Fund					\$31,811	\$31,811	\$31,811	\$31,811	\$127,244
Measure T				\$395,000	\$800,000	\$1,000,000	\$1,100,000	\$1,100,000	\$4,395,000
RMRA Funds				\$74,000	\$114,000	\$114,000	\$114,000	\$114,000	\$530,000
Total	\$0	\$0	\$0	\$753,189	\$1,325,000	\$1,525,000	\$1,625,000	\$1,625,000	\$6,853,189

**Project Title: Stormwater Master Plan****Address:** St. Helena, CA 94574**Project Number:** R19-01**Project Purpose and Description:**

The Stormwater Master Plan will not only update the 2000 document, but will be integrated with the Water Master Plan and the Stormwater Master Plan which will include recommendations for system improvements, replacement and estimated project costs.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design				\$100,000					\$100,000
Environmental/Planning									
Land & Easements									
Legal Services									
Construction Management									
Construction Contract									
Contingency									
CIP Overheads									
Total	\$0	\$0	\$0	\$100,000	\$0	\$0	\$0	\$0	\$100,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
General Fund				\$100,000					\$100,000
Total	\$0	\$0	\$0	\$100,000	\$0	\$0	\$0	\$0	\$100,000

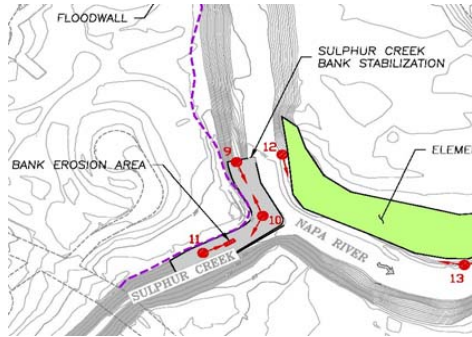
**Project Title: Hunt Avenue Sidewalk Gap Closure****Address:** St. Helena, CA 94574**Project Number:** R19-02**Project Purpose and Description:**

This project will construct sidewalk in order to close a pedestrian gap that currently exists on the southside of Hunt Avenue between Monte Vista Avenue and June Lane.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design				\$20,000					\$20,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management				\$15,000					\$15,000
Construction Contract				\$100,000					\$100,000
Contingency				\$15,000					\$15,000
CIP Overheads									\$0
Total	\$0	\$0	\$0	\$150,000	\$0	\$0	\$0	\$0	\$150,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
General Fund				\$20,000					\$20,000
Measure T				\$130,000					\$130,000
Total	\$0	\$0	\$0	\$150,000	\$0	\$0	\$0	\$0	\$150,000



Project Title: Sulphur Creek Erosion Repair

Address: St. Helena, CA 94574

Project Number: R19-03

Project Purpose and Description:

This project will implement bank repairs that were caused during the 16/17 storm year and identified in the 2017 Flood Control Project post-construction monitoring and reporting year. The repairs will be made utilizing funds from the Flood Control Project adaptive management program. The area is located at the base of a mature valley oak, approximately 100 feet upstream of the confluence with the Napa River.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design		\$5,000	\$5,000	\$20,000					\$25,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management				\$15,000					\$15,000
Construction Contract				\$75,000					\$75,000
Contingency				\$15,000					\$15,000
CIP Overheads									\$0
Total	\$0	\$5,000	\$5,000	\$125,000	\$0	\$0	\$0	\$0	\$130,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Flood Control Funds		\$5,000	\$5,000	\$125,000					\$130,000
Total	\$0	\$5,000	\$5,000	\$125,000	\$0	\$0	\$0	\$0	\$130,000

**Project Title: Sulphur Creek Sediment Removal****Address:** St. Helena, CA 94574**Project Number:** R19-04**Project Purpose and Description:**

This project will remove sediment build-up in Sulphur Creek beneath the bridge structure at Valley View and the City owned creek section in front of the City Public Works Corporation Yard on Charter Oak. The City plans to coordinate permitting and work efforts with private landowners along Sulphur Creek between the Valley View bridge and the City Corporation Yard.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design				\$10,000					\$10,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management									\$0
Construction Contract									\$0
Contingency									\$0
CIP Overheads									\$0
Total	\$0	\$0	\$0	\$10,000	\$0	\$0	\$0	\$0	\$10,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
General Fund				\$10,000					\$10,000
Total	\$0	\$0	\$0	\$10,000	\$0	\$0	\$0	\$0	\$10,000

**Project Title: Grayson and South Crane Rehab****Address:** St. Helena, CA 94574**Project Number:** R19-05**Project Purpose and Description:**

This project will reconstruct Grayson and South Crane Avenues. Accessibility improvements to sidewalks and curb ramps will be included as part of the project whenever applicable.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design					\$150,000				\$150,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management									\$0
Construction Contract									\$0
Contingency									\$0
CIP Overheads									\$0
Total	\$0	\$0	\$0	\$0	\$150,000	\$0	\$0	\$0	\$150,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Measure T					\$150,000				\$150,000
Total	\$0	\$0	\$0	\$0	\$150,000	\$0	\$0	\$0	\$150,000

07. INFRASTRUCTURE: WATER

OVERVIEW

The Water category includes projects that support delivery of water throughout the city, upgrading infrastructure and improvements to existing water system. The City complies with all applicable local, state and federal regulations related to water. Funding for Water is comprised of Water rates (paid by consumers), bonds, grants, and development impact fees. Water is an enterprise fund and all improvements are planned to be constructed without General Fund contributions. The table below summarizes the funding source for Water projects by fiscal year.

Water improvement projects programmed in the Capital Improvement Program, 2018/19-2022/23 are listed on the following pages. A project is only listed if there is funding programmed in the five-year period.

WATER PROJECTS FUNDED IN FUTURE YEARS

PROJECT NAME	DESCRIPTION
Raw Water Metering Station	Installation of a new metering station located at Elmhurst Ave and Spring Mountain Rd. This metering station would only be utilized for untreated (raw) water from the lower reservoir. Currently, all water provided at this located is based on an honor system. The estimated budget for this project is \$500,000, and it is planned to be funded in FY 24/25. Project Number – W97
Replace 12" Water Transmission	Replace 12" Water Transmission Main from Rutherford Pump Station to the City of Napa Meter at Rutherford Road/Niebaum Lane. The estimated budget for this project is \$400,000, and it is planned to be funded in FY 22/23. Construction is anticipated to start in FY 22/23. Project Number – W107
Replace 1% of Water Mains Annually	Replace 1% of all the water mains throughout the water distribution system. This will become an annual maintenance program, updating many of the decades old infrastructure. The estimated budget for this project is \$150,000 annually, and it is planned to begin funding in FY 26/27.
Additional Storage	Current water storage tanks and facilities will be evaluated. Existing storage may be upgraded or new water storage facilities may be created dependent on the evaluation. The estimated budget for this project is \$1 million, and it is planned to be funded in FY 23/24.

DEFERRED (UNFUNDED) PROJECTS

PROJECT NAME	DESCRIPTION
Recycled Water Mains	Reclaimed or recycled water from the WWTRP is the process of converting wastewater into water that can be reused for other purposes. The project would create the infrastructure to deliver recycled water to various customers. There is no estimated budget for this project at this time. Project Number – W70
Install Smart Meters	New technology is available to allow real time information to customers on water consumption. Smart water promote conservation, provide a higher level of customer service and minimize the staff time required during monthly meter reads. There is no estimated budget for this project at this time. Project Number – TBD
Software Upgrade for Meters	The current meter reading system is based on a Windows 7 platform. As various Windows upgrades have occurred the software for the City's meter reading system will no longer be supported by the manufacturer. The City will have to upgrade the software to receive support. There is no estimated budget for this project at this time. Project Number – TBD

Water									
Summary of 5-Year CIP (By Funding Source)									
	Actual Life to Date thru FY 16/17	Estimated FY 17/18	Estimated Life to date thru FY 17/18	Projected					
				Proposed FY 18/19 Budget	FY 19/20	FY20/21	FY21/22	FY22/23	Total Funding by Source
General Fund	\$0	\$800,000	\$800,000	\$800,000	\$0	\$0	\$0	\$0	\$1,600,000
Gas Tax Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Grant - Prop 84	\$0	\$0	\$0	\$0	\$800,000	\$0	\$0	\$0	\$800,000
Grant - EPA SFBWQIF	\$24,923	\$5,000	\$29,923	\$50,000	\$907,953	\$0	\$0	\$0	\$987,876
Water Impact Fee	\$42,178	\$28,124	\$70,302	\$107,470	\$561,516	\$229,595	\$989,166	\$0	\$1,958,049
Measure T	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Wastewater Utility	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Wastewater Bond	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Water Bond	\$703,066	\$342,154	\$1,045,220	\$495,000	\$1,714,023	\$0	\$0	\$0	\$3,254,243
Water Utility	\$260,007	\$212,831	\$472,837	\$1,239,646	\$3,763,377	\$423,831	\$2,294,167	\$600,000	\$8,793,858
Grant/Interagency Funds	\$68,286	\$0	\$68,286	\$0	\$0	\$878,381	\$766,667	\$0	\$1,713,334
Unfunded	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$1,098,459	\$1,388,109	\$2,486,568	\$2,692,116	\$7,746,869	\$1,531,807	\$4,050,000	\$600,000	\$19,107,360

Table 7.1

FY 19/23 Budgeted Projects:

Water										
Summary of 5-Year CIP (Project List)										
Project No.	Project Name	Actual Life to Date thru FY 16/17	Estimated FY 17/18	Estimated Life to date thru FY 17/18	Proposed FY 18/19 Budget	FY 19/20	FY 20/21	FY 21/22	FY 22/23	Total Project Amount
W-26	Upper York Creek Dam Removal	\$593,846	\$1,147,154	\$1,741,000	\$1,295,000	\$3,399,764	\$19,236	\$0	\$0	\$6,455,000
W-27	Meadowood Tank Upgrades	\$0	\$0	\$0	\$50,000	\$450,000	\$0	\$0	\$0	\$500,000
W-35	Bell Canyon Reservoir Improvements	\$0	\$0	\$0	\$0	\$0	\$0	\$900,000	\$0	\$900,000
W-80	Dwyer Road Booster (Pump Station)	\$102,429	\$0	\$102,429	\$0	\$0	\$1,337,571	\$1,150,000	\$0	\$2,590,000
W-85	Bell House Valve Replacement	\$49,030	\$0	\$49,030	\$70,000	\$477,105	\$0	\$0	\$0	\$596,135
W-86	Holmes Tank Upgrade	\$84,355	\$30,900	\$115,255	\$10,000	\$0	\$0	\$1,325,000	\$0	\$1,450,255
W-91	Bell Cyn. Creek Flow Measurement	\$122,645	\$20,000	\$142,645	\$273,990	\$0	\$0	\$0	\$0	\$416,635
W-93	Sludge Handling Program	\$0	\$0	\$0	\$0	\$0	\$150,000	\$0	\$0	\$150,000
W-101	Tank 2 Rehabilitation	\$0	\$0	\$0	\$60,000	\$690,000	\$0	\$0	\$0	\$750,000
W-106	Pump Station Upgrades	\$0	\$0	\$0	\$20,000	\$180,000	\$0	\$0	\$0	\$200,000
W-108	Lower Reservoir Rehab (York Creek)	\$146,154	\$0	\$146,154	\$64,541	\$0	\$0	\$0	\$0	\$210,695
W-109	Bell Cyn. Intake Tower Replacement	\$0	\$64,496	\$64,496	\$359,144	\$2,000,000	\$0	\$0	\$0	\$2,423,640
W-110	Rutherford Pump Upgrade	\$0	\$0	\$0	\$50,000	\$450,000	\$0	\$0	\$0	\$500,000
W18-111	WTP Condition Assessment	\$0	\$0	\$0	\$0	\$0	\$0	\$150,000	\$0	\$150,000
W18-112	Spill Containment at Bell Creek	\$0	\$0	\$0	\$75,000	\$0	\$0	\$0	\$0	\$75,000
W18-113	SCADA Imp. @ Rutherford & Holmes	\$0	\$0	\$0	\$0	\$0	\$25,000	\$125,000	\$0	\$150,000
W18-114	Spill Containment at SB Wells	\$0	\$0	\$0	\$75,000	\$0	\$0	\$0	\$0	\$75,000
W18-115	Remove Restriction at Rutherford PS	\$0	\$0	\$0	\$50,000	\$100,000	\$0	\$0	\$0	\$150,000
W18-116	Update GIS Maps of Water System	\$0	\$0	\$0	\$50,000	\$0	\$0	\$0	\$0	\$50,000
W18-117	Water Master Plan Update	\$0	\$0	\$0	\$150,000	\$0	\$0	\$0	\$0	\$150,000
W18-118	Replace Mains <6 in Diameter	\$0	\$0	\$0	\$0	\$0	\$0	\$400,000	\$600,000	\$1,000,000
W18-119	Bell Canyon Spillway Stability Assessment	\$0	\$80,440	\$80,440	\$19,560	\$0	\$0	\$0	\$0	\$100,000
W18-120	Bell Canyon Phreatic Surface Monitoring and Assessment	\$0	\$45,119	\$45,119	\$19,881	\$0	\$0	\$0	\$0	\$65,000
Totals		\$1,098,459	\$1,388,109	\$2,486,568	\$2,692,116	\$7,746,869	\$1,531,807	\$4,050,000	\$600,000	\$19,107,360

Table 7.2

**Project Title: Upper York Creek Dam Removal****Address:** Spring Mtn Rd. (APN 022-180-013)**Project Number:** W-26**Project Purpose and Description:**

Complete collaboration with the US Army Corp of Engineers, NOAA-Fisheries, the California department of Fish and Game, and the California regional Water Quality Control Board to remove the dam and restore fish passage in York Creek.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated	Proposed	Projected				
	FY 16/17	FY 17/18	Life to date thru FY 17/18	Budget FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design	\$568,923	\$222,077	\$791,000	\$150,000					\$941,000
Environmental/Planning		\$100,000	\$100,000	\$45,000					\$145,000
Land & Easements		\$45,000	\$45,000						\$45,000
Legal Services									\$0
Construction Management				\$50,000	\$265,000	\$59,000	\$150,000	\$150,000	\$674,000
Construction Contract				\$200,000	\$4,000,000	\$450,000			\$4,650,000
Contingency									\$0
CIP Overheads									\$0
Total	\$568,923	\$367,077	\$936,000	\$445,000	\$4,265,000	\$509,000	\$150,000	\$150,000	\$6,455,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated	Proposed	Projected				
	FY 16/17	FY 17/18	Life to date thru FY 17/18	Budget FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
General Fund		\$800,000	\$800,000	\$800,000					\$1,600,000
Grant - Prop 84					\$800,000				\$800,000
Grant - EPA SFBWQIF	\$24,923	\$5,000	\$29,923	\$50,000	\$907,953				\$987,876
Water Bond	\$568,923	\$342,154	\$911,077	\$445,000	\$1,643,923				\$3,000,000
Water Utility					\$47,888	\$19,236			\$67,124
Total	\$593,846	\$1,147,154	\$1,741,000	\$1,295,000	\$3,399,764	\$19,236	\$0	\$0	\$6,455,000



Project Title: Meadowood Tank Upgrades

Address: APN 025-080-029

Project Number: W-27

Project Purpose and Description:

Replace and upgrade the three Meadowood tanks and associated water delivery systems.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design				\$50,000					\$50,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services					\$3,000				\$3,000
Construction Management					\$47,000				\$47,000
Construction Contract					\$350,000				\$350,000
Contingency					\$50,000				\$50,000
CIP Overheads									\$0
Total	\$0	\$0	\$0	\$50,000	\$450,000	\$0	\$0	\$0	\$500,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Water Impact Fee					\$189,950				\$189,950
Water Bond				\$50,000	\$70,100				\$120,100
Water Utility					\$189,950				\$189,950
Total	\$0	\$0	\$0	\$50,000	\$450,000	\$0	\$0	\$0	\$500,000

**Project Title: Bell Canyon Reservoir Improvements****Address:** 410 Crystal Springs Rd. (APN 021-420-019)**Project Number:** W-35**Project Purpose and Description:**

Dredging of Bell Canyon Reservoir will return the storage capacity to design limits.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design							\$50,000		\$50,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management							\$50,000		\$50,000
Construction Contract							\$750,000		\$750,000
Contingency							\$50,000		\$50,000
CIP Overheads									\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0	\$900,000	\$0	\$900,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Impact Fee							\$135,000		\$135,000
Water Utility							\$765,000		\$765,000
Total	\$0	\$0	\$0	\$0	\$0	\$0	\$900,000	\$0	\$900,000

**Project Title: Dwyer Road Booster (Pump Station)****Address:****Project Number:** W-80**Project Purpose and Description:**

This is a shared facility between St. Helena, Napa, and Calistoga for moving water up valley. The project will improve system reliability and increase pressure in the southern end of the system.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design	\$102,429					\$187,571			\$187,571
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management						\$150,000	\$150,000		\$300,000
Construction Contract						\$1,000,000	\$1,000,000		\$2,000,000
Contingency									\$0
CIP Overheads									\$0
Total	\$102,429	\$0	\$0	\$0	\$0	\$1,337,571	\$1,150,000	\$0	\$2,590,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Water Impact Fee						\$229,595	\$191,666		\$421,261
Water Bond	\$34,143		\$34,143						\$34,143
Water Utility						\$229,595	\$191,667		\$421,262
Grant/Inter-Agency Funds	\$68,286		\$68,286			\$878,381	\$766,667		\$1,713,334
Total	\$102,429	\$0	\$102,429	\$0	\$0	\$1,337,571	\$1,150,000	\$0	\$2,590,000

*City of Napa lead project. Other funds will come from the other parties sharing in the cost for the upgrades

**Project Title: Bell House Valve Replacement****Address:** APN 021-420-019**Project Number:** W-85**Project Purpose and Description:**

Required by the Division of Safety of Dams (DSOD), replacement is necessary for emergency operation. In the event of an emergency and by order of DSOD that we release water from the reservoir, there is significant risk that the City would not be able to close the valve and stop the water, resulting in draining all of Bell Canyon.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17		FY 17/18		FY19/20	FY20/21	FY21/22	FY22/23	Total
Design	\$49,030		\$49,030	\$70,000					\$119,030
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management					\$50,000				\$50,000
Construction Contract					\$377,105				\$377,105
Contingency					\$50,000				\$50,000
CIP Overheads									\$0
Total	\$49,030	\$0	\$49,030	\$70,000	\$477,105	\$0	\$0	\$0	\$596,135

Funding Sources	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17		FY 17/18		FY19/20	FY20/21	FY21/22	FY22/23	Total
Water Impact Fee				\$7,500	\$71,566				\$79,066
Water Utility	\$49,030		\$49,030	\$62,500	\$405,539				\$517,069
Total	\$49,030	\$0	\$49,030	\$70,000	\$477,105	\$0	\$0	\$0	\$596,135

**Project Title: Holmes Tank Upgrade****Address:** APN 009-131-029 & 019**Project Number:** W-86**Project Purpose and Description:**

Upgrade and integrate Holmes and Elmhurst water delivery systems.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design	\$84,355	\$30,900	\$115,255	\$10,000					\$125,255
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management							\$150,000		\$150,000
Construction Contract							\$1,000,000		\$1,000,000
Contingency							\$175,000		\$175,000
CIP Overheads									\$0
Total	\$84,355	\$30,900	\$115,255	\$10,000	\$0	\$0	\$1,325,000	\$0	\$1,450,255

Funding Sources	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Water Impact Fee	\$42,178	\$15,450	\$57,628	\$5,000			\$662,500		\$725,128
Water Utility	\$42,178	\$15,450	\$57,628	\$5,000			\$662,500		\$725,128
Total	\$84,355	\$30,900	\$115,255	\$10,000	\$0	\$0	\$1,325,000	\$0	\$1,450,255

**Project Title: Bell Cyn. Creek Flow Measurement****Address:** APN 021-420-019 & 012**Project Number:** W-91**Project Purpose and Description:**

Required for measurement of flow into the reservoir to instantaneously release same amount downstream of reservoir. Project to design, permit and construct structure in the creek, includes mitigation. Necessary to achieve compliance with current regulations.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated FY 17/18	Estimated Life to date thru	Proposed Budget FY 18/19	Projected				
	FY 16/17		FY 17/18		FY19/20	FY20/21	FY21/22	FY22/23	Total
Design	\$122,645	\$20,000	\$142,645	\$91,240					\$233,885
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management				\$15,000					\$15,000
Construction Contract				\$167,750					\$167,750
Contingency									\$0
CIP Overheads									\$0
Total	\$122,645	\$20,000	\$142,645	\$273,990	\$0.00	\$0	\$0	\$0	\$416,635

Funding Sources	Actual Life to Date thru	Estimated FY 17/18	Estimated Life to date thru	Proposed Budget FY 18/19	Projected				
	FY 16/17		FY 17/18		FY19/20	FY20/21	FY21/22	FY22/23	Total
Water Impact Fee		\$3,000	\$3,000	\$41,099					\$44,099
Water Bond	\$100,000		\$100,000						\$100,000
Water Utility	\$22,645	\$17,000.00	\$39,645	\$232,892					\$272,537
Total	\$122,645	\$20,000	\$142,645	\$273,990	\$0	\$0	\$0	\$0	\$416,635

**Project Title: Sludge Handling Program****Address:** APN 021-420-005**Project Number:** W-93**Project Purpose and Description:**

Facility to hold and dry inert sludge prior to proper disposal. Necessary for Storm water regulatory compliance. The MS4 NPDES permits require regulated municipalities to use Best Management Practices to reduce pollutants to the "Maximum Extent Practicable". Under NPDES, SFRWQCB can issue administrative orders against violators, and seek civil or criminal penalties when necessary.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design						\$150,000			\$150,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management									\$0
Construction Contract									\$0
Contingency									\$0
CIP Overheads									\$0
Total	\$0	\$0	\$0	\$0	\$0	\$150,000	\$0	\$0	\$150,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Water Utility						\$150,000			\$150,000
Total	\$0	\$0	\$0	\$0	\$0	\$150,000	\$0	\$0	\$150,000

**Project Title: Tank 2 Rehabilitation****Address:** APN 022-420-019**Project Number:** W-101**Project Purpose and Description:**

Rehabilitate Tank 2 at Lower Reservoir.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design				\$60,000					\$60,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management					\$60,000				\$60,000
Construction Contract					\$570,000				\$570,000
Contingency					\$60,000				\$60,000
CIP Overheads									\$0
Total	\$0	\$0	\$0	\$60,000	\$690,000	\$0	\$0	\$0	\$750,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Water Utility				\$60,000	\$690,000				\$750,000
Total	\$0	\$0	\$0	\$60,000	\$690,000	\$0	\$0	\$0	\$750,000



Project Title: Pump Station Upgrades

Address: Various

Project Number: W-106

Project Purpose and Description:

Upgrade existing pump stations with back-up power in the event of a power outage as required by the State Department of Health.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design				\$20,000					\$20,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management					\$20,000				\$20,000
Construction Contract					\$160,000				\$160,000
Contingency									\$0
CIP Overheads									\$0
Total	\$0	\$0	\$0	\$20,000	\$180,000	\$0	\$0	\$0	\$200,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Water Utility				\$20,000	\$180,000				\$200,000
Total	\$0	\$0	\$0	\$20,000	\$180,000	\$0	\$0	\$0	\$200,000

**Project Title: Lower Reservoir Rehab (York Creek)****Address:** APN 009-131-013**Project Number:** W-108**Project Purpose and Description:**

Rehab Lower York Creek Dam as required by the Division of Dam Safety. Repair 12" diameter gate in the outlet tower, repair 24" diameter spillway gate, geotechnical investigation and stability analysis, seismic stability analysis of intake tower and survey and rehab 12 " diameter low level outlet pipe.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17		FY 17/18		FY19/20	FY20/21	FY21/22	FY22/23	Total
Design	\$162,475	\$3,679	\$166,154	\$44,541					\$210,695
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management									\$0
Construction Contract									\$0
Contingency									\$0
CIP Overheads									\$0
Total	\$162,475	\$3,679	\$166,154	\$44,541	\$0	\$0	\$0	\$0	\$210,695

Funding Sources	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17		FY 17/18		FY19/20	FY20/21	FY21/22	FY22/23	Total
Water Utility	\$146,154		\$146,154	\$64,541					\$210,695
Total	\$146,154	\$0	\$146,154	\$64,541	\$0	\$0	\$0	\$0	\$210,695

**Project Title: Bell Cyn. Intake Tower Replacement****Address:** APN 021-420-019**Project Number:** W-109**Project Purpose and Description:**

Immediate repairs slated are required to be in compliance. Non compliance constitutes a violation of the City's Division of Dam Safety permitted use of Bell Canyon is grounds for enforcement action, for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application by the State of California Department of Water Resources Division of Dam Safety.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated	Proposed Budget	Projected				
	FY 16/17		Life to date thru FY 17/18		FY19/20	FY20/21	FY21/22	FY22/23	Total
Design		\$64,496	\$64,496	\$359,144					\$423,640
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services					\$3,000				\$3,000
Construction Management					\$174,750				\$174,750
Construction Contract					\$1,650,000				\$1,650,000
Contingency					\$172,250				\$172,250
CIP Overheads									\$0
Total	\$0	\$64,496	\$64,496	\$359,144	\$2,000,000	\$0	\$0	\$0	\$2,423,640

Funding Sources	Actual Life to Date thru	Estimated	Estimated	Proposed Budget	Projected				
	FY 16/17		Life to date thru FY 17/18		FY19/20	FY20/21	FY21/22	FY22/23	Total
Water Impact Fee		\$9,674	\$9,674	\$53,872	\$300,000				\$363,546
Water Utility		\$54,822	\$54,822	\$305,272	\$1,700,000				\$2,060,094
Total	\$0	\$64,496	\$64,496	\$359,144	\$2,000,000	\$0	\$0	\$0	\$2,423,640

**Project Title: Rutherford Pump Upgrade****Address:** 1851 St Helena Hwy.**Project Number:** W-110**Project Purpose and Description:**

Upgrade electrical equipment and install permanent structure.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17		FY 17/18		FY19/20	FY20/21	FY21/22	FY22/23	Total
Design				\$50,000					\$50,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management					\$50,000				\$50,000
Construction Contract					\$350,000				\$350,000
Contingency					\$50,000				\$50,000
CIP Overheads									\$0
Total	\$0	\$0	\$0	\$50,000	\$450,000	\$0	\$0	\$0	\$500,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17		FY 17/18		FY19/20	FY20/21	FY21/22	FY22/23	Total
Water Utility				\$50,000	\$450,000				\$500,000
Total	\$0	\$0	\$0	\$50,000	\$450,000	\$0	\$0	\$0	\$500,000

**Project Title: WTP Condition Assessment****Address:** APN 021-420-019**Project Number:** W18-111**Project Purpose and Description:**

This is an assessment to develop short and long term needs of the Louis Stralla Water Treatment Plant.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design							\$150,000		\$150,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management									\$0
Construction Contract									\$0
Contingency									\$0
CIP Overheads									\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0	\$150,000	\$0	\$150,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Water Utility							\$150,000		\$150,000
Total	\$0	\$0	\$0	\$0	\$0	\$0	\$150,000	\$0	\$150,000

**Project Title: Spill Containment at Bell Creek****Address:****Project Number:** W18-112**Project Purpose and Description:**

Develop spill containment at the chemical building located at the base of the Bell Canyon Dam.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design				\$10,000					\$10,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management				\$10,000					\$10,000
Construction Contract				\$50,000					\$50,000
Contingency				\$5,000					\$5,000
CIP Overheads									\$0
Total	\$0	\$0	\$0	\$75,000	\$0	\$0	\$0	\$0	\$75,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Water Utility				\$75,000					\$75,000
Total	\$0	\$0	\$0	\$75,000	\$0	\$0	\$0	\$0	\$75,000



Project Title: SCADA Imp. @ Rutherford & Holmes

Address:

Project Number: W18-113

Project Purpose and Description:

This project will apply power and instrumentation upgrades to integrate the City's water pump stations into Supervisory, Control and Data Acquisition System (SCADA). SCADA is utilized to monitor and control a plant and/or equipment.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17		FY 17/18		FY19/20	FY20/21	FY21/22	FY22/23	Total
Design						\$25,000			\$25,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management							\$25,000		\$25,000
Construction Contract							\$100,000		\$100,000
Contingency									\$0
CIP Overheads									\$0
Total	\$0	\$0	\$0	\$0	\$0	\$25,000	\$125,000	\$0	\$150,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17		FY 17/18		FY19/20	FY20/21	FY21/22	FY22/23	Total
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Water Utility						\$25,000	\$125,000		\$150,000
Total	\$0	\$0	\$0	\$0	\$0	\$25,000	\$125,000	\$0	\$150,000

**Project Title: Spill Containment at SB Wells****Address:** APN 009-070-027**Project Number:** W18-114**Project Purpose and Description:**

Develop spill containment at the chemical building located adjacent to the Stonebridge Wells.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design				\$10,000					\$10,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management				\$10,000					\$10,000
Construction Contract				\$50,000					\$50,000
Contingency				\$5,000					\$5,000
CIP Overheads									\$0
Other									\$0
Total	\$0	\$0	\$0	\$75,000	\$0	\$0	\$0	\$0	\$75,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Water Utility				\$75,000					\$75,000
Total	\$0	\$0	\$0	\$75,000	\$0	\$0	\$0	\$0	\$75,000

**Project Title: Remove Restriction at Rutherford PS****Address:** 1851 St Helena Hwy.**Project Number:** W18-115**Project Purpose and Description:**

There is a restriction in the 12" water main between the Dwyer Pump Station and Rutherford Pump Station that reduces the amount of water being pumped to the City. This project will locate and remove the restriction(s) in order to maximize water delivery.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design				\$25,000					\$25,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management					\$25,000				\$25,000
Construction Contract				\$25,000	\$75,000				\$100,000
Contingency									\$0
CIP Overheads									\$0
Other									\$0
Total	\$0	\$0	\$0	\$50,000	\$100,000	\$0	\$0	\$0	\$150,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Water Utility				\$50,000	\$100,000				\$150,000
Total	\$0	\$0	\$0	\$50,000	\$100,000	\$0	\$0	\$0	\$150,000

**Project Title: Update GIS Maps of Water System****Address:****Project Number:** W18-116**Project Purpose and Description:**

This project will update the current GIS Maps of the City water system.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design				\$50,000					\$50,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management									\$0
Construction Contract									\$0
Contingency									\$0
CIP Overheads									\$0
Other									\$0
Total	\$0	\$0	\$0	\$50,000	\$0	\$0	\$0	\$0	\$50,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Water Utility				\$50,000					\$50,000
Total	\$0	\$0	\$0	\$50,000	\$0	\$0	\$0	\$0	\$50,000

**Project Title: Water Master Plan Update****Address:****Project Number:** W18-117**Project Purpose and Description:**

The Water Master Plan will not only update the 2006 comprehensive document, but will be integrated with the Sewer Master Plan and the Stormwater Master Plan which will include recommendations for system improvements, replacement and estimated project costs.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17		FY 17/18		FY19/20	FY20/21	FY21/22	FY22/23	Total
Design				\$150,000					\$150,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management									\$0
Construction Contract									\$0
Contingency									\$0
CIP Overheads									\$0
Other									\$0
Total	\$0	\$0	\$0	\$150,000	\$0	\$0	\$0	\$0	\$150,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17		FY 17/18		FY19/20	FY20/21	FY21/22	FY22/23	Total
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Water Utility				\$150,000					\$150,000
Total	\$0	\$0	\$0	\$150,000	\$0	\$0	\$0	\$0	\$150,000

**Project Title: Replace Mains <6 in Diameter****Address:** Various locations in St. Helena**Project Number:** W18-118**Project Purpose and Description:**

This annual project will begin the replacement of City water mains. It is anticipated that there will be one project per year.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design							\$30,000	\$40,000	\$70,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management							\$30,000	\$40,000	\$70,000
Construction Contract							\$300,000	\$465,000	\$765,000
Contingency							\$40,000	\$55,000	\$95,000
CIP Overheads									\$0
Other									\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0	\$400,000	\$600,000	\$1,000,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Water Utility							\$400,000	\$600,000	\$1,000,000
Total	\$0	\$0	\$0	\$0	\$0	\$0	\$400,000	\$600,000	\$1,000,000



Project Title: Bell Canyon Phreatic Surface Monitoring and Assessment

Address: APN 021-420-019

Project Number: W18-120

Project Purpose and Description:

The Bell Canyon Phreatic Surface Monitoring and Assessment is a new requirement of the Division of Dam Safety as a direct result of the 2017 Oroville Dam incident.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17		FY 17/18		FY19/20	FY20/21	FY21/22	FY22/23	Total
Design		\$45,119	\$45,119	\$19,881					\$65,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management									\$0
Construction Contract									\$0
Contingency									\$0
CIP Overheads									\$0
Other									\$0
Total	\$0	\$45,119	\$45,119	\$19,881	\$0	\$0	\$0	\$0	\$65,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17		FY 17/18		FY19/20	FY20/21	FY21/22	FY22/23	Total
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Water Utility		\$45,119	\$45,119	\$19,881					\$65,000
Total	\$0	\$45,119	\$45,119	\$19,881	\$0	\$0	\$0	\$0	\$65,000



Project Title: Bell Canyon Spillway Stability Assessment

Address: APN 021-420-019

Project Number: W18-119

Project Purpose and Description:

The Bell Canyon Spillway Stability Assessment is a new requirement of the Division of Dam Safety as a direct result of the 2017 Oroville Dam incident. Work will include a reconnaissance-level assessment of the spillway reviewing the geologic, structural or performance issues that could jeopardize its ability during a flood event.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design		\$80,440	\$80,440	\$19,560					\$100,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management									\$0
Construction Contract									\$0
Contingency									\$0
CIP Overheads									\$0
Other									\$0
Total	\$0	\$80,440	\$80,440	\$19,560	\$0	\$0	\$0	\$0	\$100,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Water Utility		\$80,440	\$80,440	\$19,560					\$100,000
Total	\$0	\$80,440	\$80,440	\$19,560	\$0	\$0	\$0	\$0	\$100,000

08. INFRASTRUCTURE: WASTEWATER

OVERVIEW

Wastewater collection and treatment includes projects focused on upgrading and improving the infrastructure of the wastewater system. Many of the improvements that have been identified as maintenance needs were identified through the Sewer System Management Plan (SSMP) updated in 2014. In addition to the needs identified in the SSMP, the City complies with all Regional Water Quality Control Board directives and regulatory permits. Funding for Wastewater is comprised of Wastewater rates (paid by consumers) and development impact fees. Wastewater is an enterprise fund and all improvements are planned to be constructed without General Fund contributions. The table below summarizes the funding source for Wastewater projects by fiscal year.

Wastewater improvement projects programmed in the Capital Improvement Program, 2018/19-2022/23 are listed on the following pages. A project is only listed if there is funding programmed in the five-year period.

PROJECTS FUNDED IN FUTURE YEARS

PROJECT NAME	DESCRIPTION
Upgrade Chemical Storage Facilities	Provide a chemical storage facility at the WWTRP that meets the current needs of the facility. The estimated budget for this project is \$500,000, and it is planned to be funded in FY 22/23.

DEFERRED (UNFUNDED) PROJECTS

PROJECT NAME	DESCRIPTION
Recycled Water (Tertiary Treatment)	A study will be conducted in FY 21/22 to determine the feasibility of Tertiary Treatment at the WWTRP. This project would include the necessary improvements to provide Tertiary Treatment at the WWTRP. There is no estimated budget for this project at this time. Project Number: S-09
Oak Ave Sewer Line & Storm Drain Replacement	Historically, the area along Oak Avenue cannot handle the high hydraulic water pressure during a large rain storm. Additionally, the sewer line in this area is not large enough to handle the current wastewater flow rates. The City was forced to do emergency storm drain repairs for a 300' segment on Oak Avenue in 17/18. There is no estimated budget for this project at this time. Project Number: S-64

Wastewater Summary of 5-Year CIP (By Funding Source)									
	Actual Life to Date thru FY 16/17	Estimated FY 17/18	Estimated Life to date thru FY 17/18	Proposed FY 18/19 Budget	Projected				
					FY 19/20	FY20/21	FY21/22	FY22/23	Total Funding by Source
Wastewater Impact Fee	\$0	\$0	\$0	\$22,500	\$15,750	\$86,286	\$101,700	\$0	\$226,236
Wastewater Utility	\$215,523	\$447,491	\$663,014	\$1,547,910	\$4,178,600	\$4,139,954	\$1,141,300	\$1,325,000	\$12,995,778
State Grant	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$75,000	\$75,000
Total	\$215,523	\$447,491	\$663,014	\$1,570,410	\$4,194,350	\$4,226,240	\$1,243,000	\$1,400,000	\$13,297,014

Table 8.1

FY 19/23 Budgeted Projects:

Wastewater Summary of 5-Year CIP (Project List)										
Project No.	Project Name	Actual Life to Date thru FY 16/17	Estimated FY 17/18	Estimated Life to date thru FY 17/18	Proposed FY 18/19 Budget	FY 19/20	FY20/21	FY21/22	FY22/23	Total Project Amount
S-52	WWTP Phase 1 Upgrades	\$203,763	\$402,491	\$606,254	\$977,260	\$3,441,000	\$3,406,000	\$0	\$0	\$8,430,514
S-53	Reclamation Field Improvements	\$11,760	\$30,000	\$41,760	\$150,000	\$30,000	\$500,240	\$678,000	\$0	\$1,400,000
S-62	Facilities Automation	\$0	\$0	\$0	\$0	\$0	\$20,000	\$115,000	\$0	\$135,000
S-66	New Well at WWTP	\$0	\$0	\$0	\$65,000	\$0	\$0	\$0	\$0	\$65,000
S18-70	Replace 1% of Sewer Mains Annually	\$0	\$0	\$0	\$0	\$150,000	\$150,000	\$150,000	\$150,000	\$600,000
S18-71	Crinella Pump Station Upgrade	\$0	\$15,000	\$15,000	\$128,150	\$573,350	\$0	\$0	\$0	\$716,500
S18-72	Add Sewer Pump Stations to SCADA	\$0	\$0	\$0	\$0	\$0	\$50,000	\$100,000	\$0	\$150,000
S18-73	Wet Weather Flow Monitoring	\$0	\$0	\$0	\$50,000	\$0	\$0	\$0	\$0	\$50,000
S18-74	Update GIS Maps of Sewer System	\$0	\$0	\$0	\$50,000	\$0	\$0	\$0	\$0	\$50,000
S18-75	Sewer Master Plan	\$0	\$0	\$0	\$150,000	\$0	\$0	\$0	\$0	\$150,000
S18-78	Recycled Water Feasibility Study	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$150,000	\$150,000
S18-79	Replace Operations Building and Shop	\$0	\$0	\$0	\$0	\$0	\$0	\$100,000	\$1,000,000	\$1,100,000
S18-80	WWTP Phase 2 Upgrades	\$0	\$0	\$0	\$0	\$0	\$100,000	\$100,000	\$100,000	\$300,000
Totals		\$215,523	\$447,491	\$663,014	\$1,570,410	\$4,194,350	\$4,226,240	\$1,243,000	\$1,400,000	\$13,297,014

Table 8.2

**Project Title: WWTP Phase 1 Upgrades****Address:** 1 Chaix Ln**Project Number:** S-52**Project Purpose and Description:**

Per the State Cease and Desist Order, upgrade the plant to meet compliance requirements by 2021. In addition, to compliance requirements, levee repairs and sludge removal will be incorporated into construction of this project.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated	Proposed	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design	\$203,763	\$402,491	\$606,254	\$972,260					\$1,578,514
Environmental/Planning					\$35,000				\$35,000
Land & Easements									\$0
Legal Services				\$5,000	\$2,500	\$2,500			\$10,000
Construction Management					\$268,500	\$268,500			\$537,000
Construction Contract					\$3,135,000	\$3,135,000			\$6,270,000
Contingency									\$0
CIP Overheads									\$0
Total	\$203,763	\$402,491	\$606,254	\$977,260	\$3,441,000	\$3,406,000	\$0	\$0	\$8,430,514

Funding Sources	Actual Life to Date thru	Estimated	Estimated	Proposed	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Wastewater Impact Fee					\$ 11,250	\$ 11,250			\$ 22,500
Wastewater Utility	\$ 203,763	\$ 402,491	\$ 606,254	\$ 977,260	\$ 3,429,750	\$ 3,394,750			\$ 8,408,014
Total	\$203,763	\$402,491	\$606,254	\$977,260	\$3,441,000	\$3,406,000	\$0	\$0	\$8,430,514



Project Title: Reclamation Field Improvements

Address: 1 Chaix Ln

Project Number: S-53

Project Purpose and Description:

Replace the spray field irrigation system on approximately 80 acres in order to adequately discharge secondary treated water as part of the Wastewater Reclamation and Treatment Plant permit.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated	Proposed	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design	\$11,760		\$11,760		\$30,000				\$41,760
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services						\$2,000	\$2,000		\$4,000
Construction Management						\$60,000	\$60,000		\$120,000
Construction Contract		\$30,000	\$30,000	\$150,000		\$380,240	\$558,000		\$1,118,240
Contingency						\$58,000	\$58,000		\$116,000
CIP Overheads									\$0
Total	\$11,760	\$30,000	\$41,760	\$150,000	\$30,000	\$500,240	\$678,000	\$0	\$1,400,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated	Proposed	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Wastewater Impact Fee				\$22,500	\$4,500	\$75,036	\$101,700		\$203,736
Wastewater Utility	\$11,760	\$30,000	\$41,760	\$127,500	\$25,500	\$425,204	\$576,300		\$1,196,264
Total	\$11,760	\$30,000	\$41,760	\$150,000	\$30,000	\$500,240	\$678,000	\$0	\$1,400,000

**Project Title: Facilities Automation****Address:** 1 Chaix Ln**Project Number:** S-62**Project Purpose and Description:**

Integrate Wastewater Treatment and Reclamation Plant facilities with Supervisory, Control and Data Acquisition System (SCADA). SCADA is utilized to monitor and control a plant and/or equipment.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated	Proposed	Projected				
	FY 16/17	FY 17/18	Life to date thru FY 17/18	Budget FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design						\$20,000			\$20,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management							\$1,000		\$1,000
Construction Contract							\$100,000		\$100,000
Contingency							\$14,000		\$14,000
CIP Overheads									\$0
Total	\$0	\$0	\$0	\$0	\$0	\$20,000	\$115,000	\$0	\$135,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated	Proposed	Projected				
	FY 16/17	FY 17/18	Life to date thru FY 17/18	Budget FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
	FY 16/17	FY 17/18	Life to date thru FY 17/18	Budget FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Wastewater Utility						\$20,000	\$115,000		\$135,000
Total	\$0	\$0	\$0	\$0	\$0	\$20,000	\$115,000	\$0	\$135,000



Project Title: New Well at WWTP

Address: 1 Chaix Ln

Project Number: S-66

GL Code(s):

Project Purpose and Description:

The purpose of this project is to install a new well for domestic water use. If the well is not feasible, the alternative option is to tie into the City's 12" water main on Main Street/Highway 29 and bring a water line down Chaix Lane to the Wastewater Treatment and Reclamation Plant.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design				\$10,000					\$10,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management				\$5,000					\$5,000
Construction Contract				\$50,000					\$50,000
Contingency									\$0
CIP Overheads									\$0
Total	\$0	\$0	\$0	\$65,000	\$0	\$0	\$0	\$0	\$65,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Wastewater Utility				\$65,000					\$65,000
Total	\$0	\$0	\$0	\$65,000	\$0	\$0	\$0	\$0	\$65,000



Project Title: Replace 1% of Sewer Mains Annually

Address: Various

Project Number: S18-70

Project Purpose and Description:

This annual project will begin the replacement of City sewer mains. It is anticipated that there will be one project per year.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated	Proposed	Projected				
	FY 16/17	FY 17/18	Life to date thru FY 17/18	Budget FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design					\$15,000	\$15,000	\$15,000	\$15,000	\$60,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management					\$20,000	\$20,000	\$20,000	\$20,000	\$80,000
Construction Contract					\$100,000	\$100,000	\$100,000	\$100,000	\$400,000
Contingency					\$15,000	\$15,000	\$15,000	\$15,000	\$60,000
CIP Overheads									\$0
Total	\$0	\$0	\$0	\$0	\$150,000	\$150,000	\$150,000	\$150,000	\$600,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated	Proposed	Projected				
	FY 16/17	FY 17/18	Life to date thru FY 17/18	Budget FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Wastewater Utility					\$150,000	\$150,000	\$150,000	\$150,000	\$600,000
Total	\$0	\$0	\$0	\$0	\$150,000	\$150,000	\$150,000	\$150,000	\$600,000

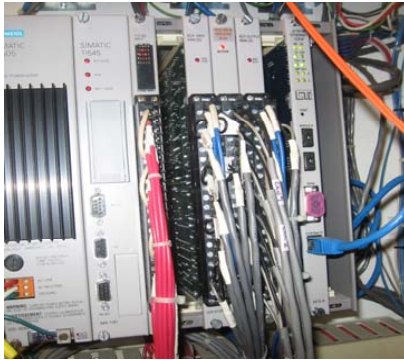
**Project Title: Crinella Pump Station Upgrade****Address:****Project Number:** S18-71**Project Purpose and Description:**

The Crinella Pump Station is located within the Crinella residential neighborhood. It pumps raw wastewater out of Crinella to a gravity sewer main on Railroad Avenue which then goes to the City's wastewater treatment plant. This project will update the structure and pumping systems. It will also include construction of a filter system to control odors.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated	Proposed	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design		\$15,000	\$15,000	\$128,150					\$143,150
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services					\$2,000				\$2,000
Construction Management					\$71,350				\$71,350
Construction Contract					\$450,000				\$450,000
Contingency					\$50,000				\$50,000
CIP Overheads									\$0
Total	\$0	\$15,000	\$15,000	\$128,150	\$573,350	\$0	\$0	\$0	\$716,500

Funding Sources	Actual Life to Date thru	Estimated	Estimated	Proposed	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Wastewater Utility		\$15,000	\$15,000	\$128,150	\$573,350				\$716,500
Total	\$0	\$15,000	\$15,000	\$128,150	\$573,350	\$0	\$0	\$0	\$716,500



Project Title: Add Sewer Pump Stations to SCADA

Address:

Project Number: S18-72

Project Purpose and Description:

This project will apply power and instrumentation upgrades to integrate the City's two wastewater pump stations into Supervisory, Control and Data Acquisition System (SCADA). SCADA is utilized to monitor and control a plant and/or equipment.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design						\$50,000			\$50,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management									\$0
Construction Contract							\$100,000		\$100,000
Contingency									\$0
CIP Overheads									\$0
Total	\$0	\$0	\$0	\$0	\$0	\$50,000	\$100,000	\$0	\$150,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Wastewater Utility						\$50,000	\$100,000		\$150,000
Total	\$0	\$0	\$0	\$0	\$0	\$50,000	\$100,000	\$0	\$150,000

**Project Title: Wet Weather Flow Monitoring****Address:** 1 Chaix Ln**Project Number:** S18-73**Project Purpose and Description:**

This project will provide the City with a sanitary sewer flow monitoring and inflow/infiltration study that identifies areas of storm water and groundwater inflows into the City's sewer system.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated	Proposed	Projected				
	FY 16/17	FY 17/18	Life to date thru FY 17/18	Budget FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design				\$50,000					\$50,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management									\$0
Construction Contract									\$0
Contingency									\$0
CIP Overheads									\$0
Total	\$0	\$0	\$0	\$50,000	\$0	\$0	\$0	\$0	\$50,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated	Proposed	Projected				
	FY 16/17	FY 17/18	Life to date thru FY 17/18	Budget FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Wastewater Utility				\$50,000					\$50,000
Total	\$0	\$0	\$0	\$50,000	\$0	\$0	\$0	\$0	\$50,000



Project Title: Update GIS Maps of Sewer System

Address:

Project Number: S18-74

Project Purpose and Description:

This project will update the current GIS Maps of the City sewer system.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated	Proposed	Projected				
	FY 16/17	FY 17/18	Life to date thru FY 17/18	Budget FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design				\$50,000					\$50,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management									\$0
Construction Contract									\$0
Contingency									\$0
CIP Overheads									\$0
Total	\$0	\$0	\$0	\$50,000	\$0	\$0	\$0	\$0	\$50,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated	Proposed	Projected				
	FY 16/17	FY 17/18	Life to date thru FY 17/18	Budget FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Wastewater Utility				\$50,000					\$50,000
Total	\$0	\$0	\$0	\$50,000	\$0	\$0	\$0	\$0	\$50,000

**Project Title: Sewer Master Plan****Address:** 1 Chaix Ln**Project Number:** S18-75**Project Purpose and Description:**

The primary objective of the Sewer Master Plan is to create a comprehensive document identifying estimated sewer collection capacity, the age and capability of the existing collection system. The Master Plan will be integrated with the Water Master Plan and the Stormwater Master Plan which will include recommendations for system improvements, replacement and estimated project costs.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design				\$150,000					\$150,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management									\$0
Construction Contract									\$0
Contingency									\$0
CIP Overheads									\$0
Total	\$0	\$0	\$0	\$150,000	\$0	\$0	\$0	\$0	\$150,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated Life to date thru	Proposed Budget	Projected				
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
	FY 16/17	FY 17/18	FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Wastewater Utility				\$150,000					\$150,000
Total	\$0	\$0	\$0	\$150,000	\$0	\$0	\$0	\$0	\$150,000

**Project Title: Recycled Water Feasibility Study****Address:** 1 Chaix Ln**Project Number:** S18-78**Project Purpose and Description:**

This study will determine the feasibility of using recycled water to offset the use of fresh/potable water from local supplies.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated	Proposed	Projected				
	FY 16/17	FY 17/18	Life to date thru FY 17/18	Budget FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design								\$150,000	\$150,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management									\$0
Construction Contract									\$0
Contingency									\$0
CIP Overheads									\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$150,000	\$150,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated	Proposed	Projected				
	FY 16/17	FY 17/18	Life to date thru FY 17/18	Budget FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Wastewater Utility								\$75,000	\$75,000
State Grant								\$75,000	\$75,000
Total	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$150,000	\$150,000



Project Title: Replace Operations Building and Shop

Address: 1 Chaix Ln

Project Number: S18-79

Project Purpose and Description:

This project will replace the existing operations building and equipment shop at the Wastewater Treatment and Reclamation Plant.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated	Proposed	Projected				
	FY 16/17	FY 17/18	Life to date thru FY 17/18	Budget FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Design							\$98,000		\$98,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services							\$2,000		\$2,000
Construction Management								\$50,000	\$50,000
Construction Contract								\$900,000	\$900,000
Contingency								\$50,000	\$50,000
CIP Overheads									\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0	\$100,000	\$1,000,000	\$1,100,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated	Proposed	Projected				
	FY 16/17	FY 17/18	Life to date thru FY 17/18	Budget FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
	FY 16/17	FY 17/18	Life to date thru FY 17/18	Budget FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Wastewater Utility							\$100,000	\$1,000,000	\$1,100,000
Total	\$0	\$0	\$0	\$0	\$0	\$0	\$100,000	\$1,000,000	\$1,100,000

**Project Title: WWTP Phase 2 Upgrades****Address:** 1 Chaix Ln**Project Number:** S18-80**Project Purpose and Description:**

Wastewater Treatment and Reclamation Plant Phase 2 Upgrades will upgrade the Supervisory, Control and Data Acquisition System (SCADA). SCADA is utilized to monitor and control a plant and/or equipment.

Financial Overview:

Phase	Prior Years			2019-2023 CIP BUDGET					
	Actual Life to Date thru	Estimated	Estimated	Proposed Budget	Projected				
	FY 16/17	FY 17/18	Life to date thru FY 17/18		FY19/20	FY20/21	FY21/22	FY22/23	Total
Design						\$100,000			\$100,000
Environmental/Planning									\$0
Land & Easements									\$0
Legal Services									\$0
Construction Management									\$0
Construction Contract							\$100,000	\$100,000	\$200,000
Contingency									\$0
CIP Overheads									\$0
Total	\$0	\$0	\$0	\$0	\$0	\$100,000	\$100,000	\$100,000	\$300,000

Funding Sources	Actual Life to Date thru	Estimated	Estimated	Proposed Budget	Projected				
	FY 16/17	FY 17/18	Life to date thru FY 17/18		FY19/20	FY20/21	FY21/22	FY22/23	Total
	FY 16/17	FY 17/18	Life to date thru FY 17/18	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23	Total
Wastewater Utility						\$100,000	\$100,000	\$100,000	\$300,000
Total	\$0	\$0	\$0	\$0	\$0	\$100,000	\$100,000	\$100,000	\$300,000

CITY OF ST. HELENA

RESOLUTION NO. 2018-

**Adopting the Five Year Capital Improvement Program for Fiscal Years
2018/2019 To 2022/2023**

RECITALS

- A. The City of St Helena has prepared a Five Year Capital Improvement Program (CIP) which sets forth a funding strategy for proposed capital projects.
- B. The CIP is a planning tool that identifies anticipated capital improvements for fiscal years 2018/2019 to 2022/2023.
- C. The CIP also identifies the funding sources to finance the capital improvements proposed to be undertaken in the next five fiscal years and includes recommended time schedules and cost estimates of the various capital improvement projects.
- D. The expenditures shown for the first year of the CIP comprise the Capital Budget starting in fiscal year 2018/2019. Subsequent years are also included in the CIP, although these "future years" are subject to change due to more detailed engineering analysis becoming available, possible changes in project priorities, updates or revisions to anticipated revenues, and/or changes in cost and funding projections.
- E. The CIP is anticipated to be updated annually, as a whole, and amendments can be considered by the City Council at any time.
- F. City Council of the City of St Helena has designated the City Planning Commission as the planning agency for the City of St Helena.
- G. State Law requires that designated planning agencies review their agency's capital improvement plan to ensure compliance with the adopted General Plan.
- H. On March 20, 2018 the Planning Commission, during a regularly scheduled meeting, considered the projects and programs for FY 2018/19 in the City's Capital Improvement Program and their conformity to the adopted City General Plan.
- I. A majority of the fiscal impact to the CIP have been transferred in prior years and any additional funds have been identified in the proposed operating budget for Fiscal Year 2018/2019.

RESOLUTION

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

- A. The Five Year Capital Improvement Program for Fiscal Years 2018/2019 to 2022/2023 is hereby adopted.

Approved at a Regular Meeting of the St. Helena City Council on May 8, 2018 by the following vote:

Mayor Galbraith: _____

Vice Mayor White: _____

Councilmember Dohring: _____

Councilmember Ellsworth: _____

Councilmember Koberstein: _____

APPROVED:

ATTEST:

Alan Galbraith
Mayor

Cindy Tzafopoulos
City Clerk



Report to the City Council
Council Meeting of May 8, 2018

Agenda Section: New Business

Subject: Consideration and Approval of a Resolution approving City of St. Helena City Council Policy P-CC-0001 - Policy on the Management of Legal Services

**CEQA Exempt
Determination:**

Prepared By: Mark T. Prestwich, City Manager

Reviewed By:

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

City Council Member Dohring recently requested the City Council consider establishing a policy on the management of its legal services to ensure the City receives and manages general legal and litigation services in accordance with best practices. A working group of Council Member Dohring and Mayor Galbraith was subsequently established to begin drafting a recommended policy in coordination with the City Manager for City Council consideration.

DISCUSSION

The City Attorney serves as the chief legal officer of the City and is appointed by, and responsible to, the City Council. The proposed policy (attached) formally establishes policies related to the appointment and duties of the City Attorney, litigation policies and procedures, billing and other matters.

FISCAL IMPACT

Not applicable.

RECOMMENDED ACTION

It is recommended the City Council review and approve City of St. Helena City Council Policy P-CC-0001 - Policy on the Management of Legal Services.

ATTACHMENTS

[P-CC-0001 Management of Legal Services](#)

	City of St. Helena Administrative Policy City Council	Policy Management of Legal Services
		Page 1 of 11

Title: Policy on the Management of Legal Services	Policy #	P-CC-0001
	Revision #	Release
	Implementation Date	
	Last Update Date	
Approval by City Council	<wet signature>	Date Approved

I. Purpose, Overview and Scope of this Policy

The City Attorney is the chief legal officer of the City of St. Helena and is appointed by, and responsible to, the City Council. The policies stated herein are to ensure that the City receives and manages general legal and litigation services in accordance with best practices.

II. Authority

The City Council has authority to update this policy.

III. Policy – City Attorney Appointment and Duties

A. Appointment of City Attorney

The City contracts out the position of City Attorney through a request-for-proposal process. The City Attorney appointed by a majority vote of the City Council shall be experienced in legal issues affecting municipal government. The City Attorney shall provide legal services pursuant to a legal services agreement that defines the scope of services and the basis of compensation. Unless otherwise determined by the Council, the City Attorney shall be the primary contact for all legal matters and is charged with oversight of assisting attorneys, including in litigation matters.

B. Extended Absence or Disability

The City Council may designate a duly qualified attorney to perform the duties of the City Attorney in the event of the extended absence or disability of the City Attorney. The City Attorney may designate an attorney covered by the legal services agreement during short absences of the City Attorney.

C. Professional Liability Insurance

The City Attorney shall carry professional liability insurance satisfactory to the City Council.

D. General Duties and Responsibilities

The general duties of the City Attorney include but are not limited to the following:

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1. Legal Counsel

The City Attorney shall serve as the general legal counsel and advisor to the City Council and City Manager on all items of legal municipal concern, as requested by the City Council or City Manager.

2. Special Counsel

The City Attorney may request the appointment of counsel with specialized expertise. Such appointment shall be subject to approval by the City Council.

3. Litigation

Unless exception is made, the City Attorney shall be attorney of record or oversee civil litigation or criminal actions initiated by or brought against the City and/or its elected officials, appointed officials, officers, or employees.

4. Attendance at Meetings

The City Attorney shall attend meetings of the City Council, commissions, and committees that require legal counsel or advice. Decisions regarding the attendance of the City Attorney at meetings other than City Council meetings shall be determined by the City Manager.

5. Opinions

The City Attorney shall provide legal opinions when requested by the City Council or City Manager. Such opinions may be oral or written as appropriate.

6. Legal Developments

The City Attorney shall keep the City Council apprised of judicial decisions and federal and state legislation that could significantly impact the City.

7. Preparation of Documents

As determined by the City Manager, the City Attorney shall oversee the drafting or review of ordinances, resolutions, contracts, agreements, settlements, and other legal documents.

8. Legal Project Budgeting

The City Attorney shall submit a budget to the City Council for legal projects that appear likely to require more than \$25,000 in legal expense. If it appears that the initial project budget is likely to be exceeded, an updated budget must be submitted for approval. If the project budget has been exceeded, no further payments will be made until a revised budget has been approved.

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9. FPPC Activities

The City Attorney shall provide advice relating to issues under the purview of California Fair Political Practices Commission (FPPC). The City Attorney may direct any elected or appointed official to consult directly with the FPPC.

10. Risk Management.

The City Attorney shall provide advice on risk management, liability, personnel and insurance matters including, on an as needed basis, in cooperation with the Redwood Empire Municipal Insurance Fund, a joint powers authority, of which the City is a member or any successor risk management authority.

11. Council and City Attorney Relationship.

The City Council shall address legal matters through the City Attorney. If a Councilmember has a City-related legal question, the Councilmember may contact the City Attorney directly for advice. If the City Attorney advises that more than one hour of attorney time will be needed, the City Attorney may not address the question until the Council has approved the legal work.

E. Evaluation

The City Council shall evaluate the City Attorney (and his/her office) not less than bi-annually. The Council and the City Attorney will jointly establish the schedule for the evaluation. Council members will be asked to complete an evaluation form and forward it to the Mayor. The Mayor and Council members will meet in closed session to discuss the Attorney's performance and to assimilate the individual performance evaluations. The Council will then conduct a closed session evaluation with the City Attorney to discuss general legal and litigation services, performance issues, and objectives.

F. Removal

The following procedure shall be followed in the removal of the City Attorney:

1. Vote

The removal of the City Attorney shall require a majority vote of the City Council.

2. Legal Services Agreement

Removal shall be in accordance with the legal services contract.

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IV. Litigation Policies and Procedures

A. Assignment of the Case

The City Manager, working in cooperation with the City Attorney, shall prepare an assignment letter with respect to matters in active litigation. The letter shall identify counsel of record. It shall identify any other member of the legal team. The letter shall also specify City employees who are to be copied on status reports from litigation counsel.

for The City Manager will comment in the assignment letter on the outcome objective each case. For example, if the case is one of questionable liability and a relatively low level of exposure, it may be the City's objective to limit discovery and try the case. On the other hand, it may be the intention of the City to defend vigorously a low exposure case that has significant precedential implications for the City.

B. Acknowledgement of the Case

Litigation counsel shall acknowledge in writing acceptance of the assignment upon receipt of the assignment letter. Acceptance of the assignment confirms that litigation counsel has no conflict of interest or other disability precluding effective representation of the City.

C. Preliminary Liability Report

Within 45 days of receipt of assignment, principal litigation counsel shall provide the City Manager with a preliminary liability report. Based on the report, the City Council shall undertake to evaluate its potential financial exposure and assess whether to litigate actively the case, try to settle the case, or to limit its discovery based upon the exposure. The preliminary report must be received before the City authorizes payment for legal services in connection with the litigation matter.

The first report should contain the following captions:

1. Facts

Litigation counsel should give a synopsis of the facts giving rise to the lawsuit.

2. Status of Pleadings

Litigation counsel should review the status of the formal pleadings. If a third party's pleading can be challenged by demurrer or motion to dismiss, or if a motion for change of venue or removal to federal court seems desirable, the pros and cons of such a filing should be discussed. Any recommendations for cross-complaints, including issues of solvency or potential insurance coverage of cross-defendants, should also be discussed.

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3. Relief

Litigation counsel should summarize the relief sought by the complaint. Any claim for damages should be summarized.

4. Liability Analysis and Plan of Action

Litigation counsel should provide an initial impression of the City's potential exposure. This should be quantified by the use of percentages when possible. If counsel cannot meaningfully assess the City's potential exposure, counsel should provide a brief discussion of what is required before a meaningful assessment can be made.

5. Legal Opinion

Litigation counsel should provide a brief discussion of governing legal principles, highlighting uncertainties in the law that could affect the outcome of the case.

6. Request for Investigation/Professional Consultation

Any request for field investigation or professional consultation should be requested in the preliminary liability report. This includes a recommendation for an investigator or professional consultant. Counsel should identify fieldwork or evidence collection that may be required and advise whether City staff can be of assistance. Litigation counsel is not authorized, without permission from the City Manager, to assign field investigation to associates, law clerks or paralegals.

7. Discovery Plan

Litigation counsel should briefly identify what discovery is anticipated for more definitive evaluation of the City's potential exposure. Litigation counsel should list the person(s) the City should depose or are likely to be deposed by adverse parties. If the case calls for early retention of experts, that issue should be noted in the report. The report should describe any other site investigation, witness interviews, or other needed investigation. The report should outline the City's proposed discovery.

8. Litigation Budget

Litigation counsel must attach a litigation budget to the report. In preparing the budget, litigation counsel should take into account the litigation cost of any prior similar cases. As soon as it is reasonably foreseeable that the case is under budgeted, an updated litigation budget

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should be completed for approval by the City Council. The City will not pay fees except in accordance with an approved litigation budget.

9. Remarks/Recommendations

Litigation counsel should include in this section other pertinent information, such as any settlement demand, the availability of alternative dispute resolution or arbitration, or possible simplification of issues.

10. Report Length

The ideal report length should not be greater than five pages, not including the attached litigation budget.

D. Ongoing Litigation Reports

1. Updated Status Reports

Litigation counsel must provide the City Manager with updated status reports every 90 days. Counsel should report only on new developments since the last report. Litigation counsel should flag at the top of the first page any items that are urgent or require an immediate reply. It is not necessary to restate information previously reported. If there has been no material activity in the 90-day period, a report so stating is sufficient.

Status reports should include a periodic reevaluation of the litigation plan and should specifically address the following:

- a. The ongoing strategy for defense, prosecution or resolution of the case, including a factual analysis of developments related to liability and damages.
- b. A description of planned discovery with a timetable for completion.
- c. A brief synopsis of the discovery completed since the last report.
- d. A listing of filed papers (pleadings, motions, and memoranda) that may be of material importance to the outcome of the litigation.
- e. Court actions or calendar dates, including but not necessarily limited to mandatory settlement conferences, trial setting conferences, discovery hearings, arbitration and trial dates.
- f. Anticipated changes in the litigation budget.

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g. New settlement demands or other material communications from opposing counsel.

h. A list of upcoming “to do” tasks.

2. Depositions & Deposition Reports

Absent authorization from the City Manager, a single attorney shall represent the City in all depositions.

Litigation counsel should prepare short reports on depositions, including counsel’s impressions of the witness and the witness’s role or impact in the case. Such reports can be included or attached to updated status reports.

3. Timely Major Development Reports

Litigation counsel must promptly report to the City Manager major developments, including settlement demands, any settlement conference date, hearing dates on major motions, especially those with the potential to be outcome determinative, and trial, arbitration, or mediation dates.

4. Trial/Arbitration Reports

No later than 60 days prior to trial (or binding arbitration or mediation), litigation counsel will provide a report, which shall include:

- a. An assessment of the City's liability.
- b. An assessment of opposing parties’ claims.
- c. An assessment of the legal defenses (and probability of prevailing).
- d. An assessment of the chances of prevailing at trial.
- e. The verdict value in compensatory damages case, assuming full liability.
- f. An assessment of any other factors affecting the items above, including demeanor or credibility of important witnesses, evidentiary disputes, tendencies of local juries, the judge or opposing counsel, liability and solvency/coverage of co-defendants, or similar important issues.
- g. An appraisal of settlement value, considering verdict value and chances of prevailing.

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- h. Status of settlement discussions.
- i. Estimated future fees and costs through trial (since last billing).
- j. The City Manager may request a daily oral report during a trial, arbitration, or mediation.

3. Final Reports

A brief report should be sent to the City Manager. Closing papers (such as the judgment, arbitration award, or settlement agreement) and final billing should be attached.

E. Significant Strategy Decisions

A primary goal of these policies and procedures is to enable the City to stay involved in significant litigation decisions. Many actions are routine, such as sending out standard discovery requests or granting an extension of time to opposing counsel. But some are not. For example, when the opposing party seeks multiple extensions of time, the City Manager should be consulted. Similarly, deciding whether some discovery undertakings should be delayed pending settlement discussions are strategy decisions that should be discussed with the City Manager. Selection of an arbitrator or mediator, or waiver of a jury trial, must be done in consultation with the City Manager. Decisions such as filing indemnity cross complaints, conducting informal exchanges of discovery materials with co-defendants or the claimant, or sharing discovery costs with co-defendants, must also be made in consultation with the City Manager.

F. Discovery

To facilitate prompt discovery responses involving the City, litigation counsel should provide the maximum possible lead-time for preparation of responses, particularly for answers to interrogatories. Unless directed otherwise, such discovery requests should be provided to the department or employee involved with a copy to the City Manager so that the City Manager can assure timely follow-up. Litigation counsel should review discovery requests in advance for objectionable items so that City staff does not spend unnecessary time preparing responses.

G. Settlement Authority

Litigation counsel has no authority to settle cases without prior authorization from the City Council. There are many cases that require that litigation counsel handle negotiations directly. In all such circumstances the City Manager must be kept apprised at each step of negotiations.

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H. Extraordinary Expenses

Litigation counsel should obtain prior City Council approval before incurring expenses in the following areas: Special counsel, experts, professional consultants, investigative services, independent medical exams, and out-of-area travel. Litigation counsel should provide a *curriculum vitae* and discuss the pros and cons of hiring with the City Manager. Litigation counsel shall also submit an estimated cost for the services.

I. Motion Practice

Careful consideration must be given to the value of any motion before it is filed. Except in unusual circumstances, time and effort should not be spent preparing, filing and arguing a motion unless the motion will significantly shorten or terminate the suit or gain a distinct advantage in the litigation.

J. Legal Research (including time on Lexis and Westlaw)

The City's litigation attorneys are expected to have knowledge in the area of claim requirements, writ of mandate proceedings, CEQA actions, government immunities and tort and contract defenses. Therefore, the City Council expects extended legal research billings to be limited to out of the ordinary legal issues.

If a legal research project is expected to exceed four hours, prior approval by the City Manager is required. A copy of the work product from such project should be forwarded to the City Manager.

V. Billing Statements

A. Statement Content

1. Each activity must be separately dated and itemized, with a description of the work along with the initials of the attorney performing the work. Block billing (multiple daily descriptive explanations of activities with a single time entry) is not acceptable.
2. The amount of time to perform the task must be recorded to the nearest tenth of an hour.
3. The rate and hours charged by each attorney or paralegal working on legal issues or a case must be stated in the bill.

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4. Interoffice conferencing among attorneys is not compensable unless it is a necessary strategy meeting related to a significant legal event (such as an upcoming trial).
5. Duplicate entries for reviewing and analyzing the same documentation or legal research are not compensable.
6. General overhead and administrative costs (including secretarial time, word processing time) are not separately compensable except to the extent that they are included as a standard administrative charge in the legal services agreement.
7. Time to "organize file" is a secretarial function and not compensable.
8. Case docketing activities should not be duplicated or repeated by several attorneys.
9. Actual charges or rates for charges should be shown (FAX, photocopy, out of area telephone, postage, etc.) unless covered by the standard administrative charged as stated in the legal services agreement.
10. Telephone calls should specify the participants and the subject matter discussed.
11. Billings should be submitted monthly but must be submitted no less than quarterly unless no activity has occurred.

B. Other Billing Matters

1. Unless otherwise specified in the legal services agreement, bills from vendors or other contractors under \$10,000 should typically be paid by the firm and included on the attorney's bill for reimbursement. Bills of \$10,000 or over should be sent directly to the City for payment. Use of vendors or independent contractors must be previously approved.
2. Routine use of overnight mail or messenger service is strongly discouraged unless included in the standard administrative charge in the legal services agreement.
3. Absent prior approval by the City Manager, the City will not pay for more than one attorney to attend hearings (court, arbitration, or mediation) or trials.

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4. The City Manager will review and approve all billings for payment. Any questions regarding charges will be directed to the principal attorney on the matter. Payments will not be remitted until any disputes on billings are resolved.

5. Unilateral fee rate increases by law firms will not be accepted. Any proposed fee increase must be approved by the City Council prior to implementation.

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Report to the City Council
Council Meeting of May 8, 2018

Agenda Section: New Business

Subject: Introduction and First Reading of an Ordinance Granting the City Manager Authority to Execute Settlement Agreements, Waive Otherwise Applicable Fees and Penalties up to \$2,000, and Resolve Appeals Subject to Chapter 1.16 of this Code and Other Disputes Involving City Codes

CEQA Determination: Exempt from the requirements of CEQA under the "General Rule", Section 15061 (b)(3), in that it can be seen with certainty that the proposed action will have no impact on the environment.

Prepared By: Mark T. Prestwich, City Manager

Reviewed By: Noah Housh, Planning & Community Improvement Director

Approved By:

BACKGROUND

The City of St. Helena Municipal Code currently does not provide any means of resolving minor Municipal Code disputes, including administrative appeals, without a formal Council review of individual requests. Providing the City Manager with authority to resolve these often time-consuming issues will reduce the time necessary to resolve some disputes and create administrative efficiencies.

DISCUSSION

There are occasions when minor administrative appeals are required to be brought to the City Council in a formal meeting for consideration because the City does not currently have procedures that might allow an expedited solution.

FISCAL IMPACT

The proposed ordinance provides the City Manager with the authority to executive settlement agreements and/or waive fees and/or penalties up to \$2,000 for various Municipal Code violation disputes, including administrative appeals that otherwise would

be required to be brought to the City Council for consideration. There is a possibility of some minor loss of revenue due to either waiver of fees or waiver of penalties that otherwise would be collected.

RECOMMENDED ACTION

Staff recommends the City Council introduce and conduct first reading of the ordinance, by title only and waive further reading.

ATTACHMENTS

[St. Helena Ordinance Granting City Manager Fee Waiver Authority](#)

CITY OF ST. HELENA

ORDINANCE NO. _____

**AMENDING SECTION 2.12.060 OF THE ST. HELENA MUNICIPAL CODE TO
GRANT THE CITY MANAGER AUTHORITY TO EXECUTE SETTLEMENT
AGREEMENTS, WAIVE FEES AND PENALTIES UP TO \$2,000 AND RESOLVE
SPECIFIED APPEALS AND CODE DISPUTES**

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

SECTION 1. Section 2.12.060 Amended. Section 2.12.060 of the St. Helena Municipal Code is hereby amended to add number 24 to subsection B, and to make additional non-substantive changes, to read in its entirety as shown on Exhibit A, attached hereto and incorporated herein by reference.

SECTION 2. CEQA. The City Council hereby finds that the action to adopt this Ordinance to amend Section 2.12.060 of the St. Helena Municipal Code is not a project subject to the provisions of the California Environmental Quality Act (Public Resources Code section 21000, et seq.) (CEQA).

SECTION 3: General Plan Consistency. The City Council finds this ordinance is consistent with the St. Helena General Plan.

SECTION 4. Severability. The City Council hereby declares every section, paragraph, sentence, cause and phrase is severable. If any section, paragraph, sentence, clause or phrase of this ordinance is for any reason found to be invalid or unconstitutional, such invalidity, or unconstitutionality shall not affect the validity or constitutionality of the remaining sections, paragraphs, sentences, clauses or phrases.

SECTION 5: Inclusion in the St. Helena Municipal Code. It is the intention of the St. Helena City Council that the text in Exhibit A of this ordinance be made a part of the St. Helena Municipal Code and that the text may be renumbered or relettered and the word "Ordinance" may be changed to "Section," "Chapter," or such other appropriate word or phrase to accomplish this intention.

SECTION 6: Ordinance Applicability. The City Council finds and intends that this ordinance shall apply to disputes and matters currently active as of the effective date of the ordinance.

SECTION 7: Effective Date. This ordinance shall take effect and be in force (thirty) 30 days after its adoption, and a summary of this ordinance shall be published once with the names of the members of the Council voting for and against the ordinance in the St. Helena Star, a newspaper of general circulation published in the city of St. Helena.

THE FOREGOING ORDINANCE was introduced at a regular meeting of the St. Helena City Council on the ____ day of _____ 2018, and was adopted at a regular meeting of the St. Helena City Council on the ____ day of _____, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Alan Galbraith, Mayor

ATTEST:

CITY OF ST. HELENA

Cindy Black, City Clerk

I, CINDY TZAFPOPOULOS, CITY CLERK of the City of St. Helena, California, do hereby certify that the foregoing Ordinance was regularly introduced and placed upon its first reading at a regular meeting of the City Council on the ____ day of _____, 2018. That thereafter said Ordinance was duly adopted and passed at a regular meeting of the City Council on the ____ day of _____, 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Cindy Tzafopoulos, City Clerk

APPROVED AS TO FORM:

Thomas B. Brown, City Attorney

| [OAK #4831-0288-4705 v1](#)

EXHIBIT A

2.12.060 Powers and duties.

A. The city manager shall be the administrative head of the government of the city, under the direction and control of the council. The manager shall be responsible for the efficient administration of all the affairs of the city, which affairs are under his or her control.

B. In addition to the general powers as administrative head, and not as a limitation thereon, the city manager shall have the following powers and duties:

1. General Supervision. To execute on behalf of the council, its administrative supervision and control of such affairs of the city as may be placed in his or her charge, or which are not otherwise provided for the council;
2. Personnel and Organization. To appoint competent, qualified officers and employees to all positions in city employment except the city attorney and the fire chief; to dismiss, suspend and discipline such officers and employees in accordance with such policies as may from time to time be set forth by the council; to transfer such employees from one department to another consistent with the policies of the council; to recommend to the council such reorganization of officers, departments or divisions as may be indicated in the interests of the efficient, effective and economical conduct of the city's business, and to effect such reorganization when authorized by appropriate ordinance, resolution or motion of the council. The city manager shall have the authority to appoint department heads other than the city attorney and fire chief subject to ratification by the council at its next regular meeting.
3. Authority Over Officers and Employees. To control, order, and give direction to all heads of departments and subordinate officers and employees of the city, except in matters which by state law are confined to their exclusive and uncontrolled jurisdiction, and except the city attorney. Department heads shall include: public works director/city engineer, finance director, planning director, police chief, library director, recreation director, fire chief;
4. Rules and Regulations. To prescribe such rules, regulations and policies as he or she deems necessary or expedient for the conduct of administrative services, and to revoke, suspend, or amend any rule, regulation or policy established by any officer, department head or other person in administrative service;
5. Shift Work. To temporarily direct any department or division of the city to perform work for any other department, division or office of the city;

6. Compensation Plan. To prepare and to recommend to the council, from time to time, desirable revisions of the compensation plan of the city;
7. Assist the Council. To attend meetings of the council and to report upon and discuss any matters concerning the affairs of the departments, services or activities under his or her supervision upon which, in his or her judgment, the council shall be informed, or upon which his or her views or opinions are requested by the council;
8. Carry Out Council Decision. To carry out, on behalf of the council, its policies, rules, regulations and laws relating to the administration of the affairs of the city, its departments, divisions and services;
9. Budget. To supervise the preparation of a detailed, proposed municipal budget and submit the same to the council on or before May 15th of each year, and to offer his or her recommendations as to such increases, decreases, cancellations, transfers, or changes in any of the items included in the proposed budget as in his or her judgment should be made before adoption of the budget after its final adoption; and to keep the council informed with respect thereto;
10. Public Improvements. To supervise public improvement projects and programs, and to aid and assist the council and the various departments, services, and offices of the city in carrying the same through to a successful conclusion;
11. Recommendations to the Council. To recommend to the council for adoption such measures and ordinances as he or she deems necessary or expedient;
12. Studies and Reports. To make such surveys, studies, reports and recommendations as he or she may deem desirable on any matter affecting the interest of the people or city as budgeted or as may be requested by the council;
13. Council Agenda. To supervise the preparation of the agenda for all regular, special, or adjourned meetings of the council in accordance with the laws establishing rules for the council meetings;
14. Other City Offices. To serve in any appointed office within the city government to which he or she may be qualified when appointed thereto by the council, and to hold and perform the duties thereof at the pleasure of the council and without further compensation except as expressly provided by the council at the time of such appointment or thereafter;
15. Mail. To supervise the receipt and opening of all mail addressed in whole or in part to the council, or the mayor or mayor pro tem by title only, and to give immediate attention thereto, to the end that all administrative business referred to in such communications, and not necessarily requiring action by the council, may be disposed of in an expeditious manner; provided, however, all actions taken pursuant to such communications shall be reported to the council at its next regular meeting thereafter or by separate communication to each member of the council;

16. Enforcement of Laws. To see to the enforcement within the city of the laws of the state and the city;

17. Contracts, Franchises, Permits and Licenses. To investigate and see to the faithful performance and observation of all contracts of the city and of all franchises, permits, licenses, and privileges granted by the city;

18. Citizens' Complaints. To appropriately investigate all complaints in relation to matters concerning the administration of city government; to adjust all proper grievances within the scope of authority provided by city laws and policies, and to report to the council all injustices suffered by reason of defects or omissions in the laws, policies, or practices of the city which he or she is not authorized to rectify;

19. Public Property. To exercise general supervision over all public buildings, public parks and other public property which is under the control and jurisdiction of the council, when the general supervision thereof is not specifically delegated to a particular officer;

20. Community Relations. To explain to the public the actions, purposes and policies of the city government;

21. Contracts. To execute in the name of the council and city any contract authorized or approved by the council unless the council expressly provided for another manner of execution of such contract; and

22. Owner Powers and Duties. To perform such other duties and exercise such other powers as are necessary, incident to the powers set forth in this section or as may be assigned or delegated to him or her from time to time, by action of the council.

23. Treasurer Functions. Assume all functions of the treasurer as set forth in this code and in California Government Code Sections 41000 to 41007.

24. Execute Settlements, Waive Fees and Resolve Specified Disputes and Appeals. To execute settlement agreements, waive otherwise applicable fees and penalties up to \$2,000, and resolve appeals subject to Chapter 1.16 of this Code and other disputes involving City codes.



Report to the City Council
Council Meeting of May 8, 2018

Agenda Section: New Business

Subject: Discussion of establishing a working group to review and make recommendations to possible amendment to the Non-Profit Grant Program; and

Consideration and approval of a Resolution approving:

- 1. Funding for 17 Non-Profit grant awards in the FY 2018/19 Operations Budget; \$133,700 from General Fund and \$10,000 from the Affordable Housing Trust Fund; and**
- 2. Waive \$1,500 City Permit Fees from the Vailima Foundation for the Non-Profit project outlined in their FY 2018/19 Application**

CEQA Not a CEQA project
Determination:

Prepared By: Mandy Kellogg, Admin Services Mgr

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

In October 2015, the City Council adopted Resolution 2015-130, adopting a Non Profit Funding Policy and Related Program Application Guidelines. The purpose of the policy is to create a framework for how the City provides financial assistance to nonprofit agencies who provide direct programs, projects or services to St. Helena residents and promote the City's mission and goals.

City staff received 17 applications requesting funding for the fiscal year (FY) 2018/19 budget cycle for a total of \$145,200. All applications were deemed eligible and were presented to City Council for consideration at the April 24, 2018 City Council meeting.

DISCUSSION

During the April 24, 2018 meeting, City Council agreed to fully fund all 17 of the non-profit applications submitted for consideration in the FY 2018/19 Operations Budget, with the exception of \$1,500 of the \$6,500 requested by the Vailima Foundation which was intended to be used for City permit fees. The total impact to the FY 2018/19 budget is \$143,700; \$133,700 from General Fund and \$10,000 from the Affordable Housing Trust Fund. The following chart shows the organization, the fund impacted by the grant award, the award amount:

Grantee	Fund Impacted	Award
Boys & Girls Club of St Helena and Calistoga	General Fund	10,000.00
California Federation of Women/St Helena Junior Women's Club	General Fund	1,300.00
Friends of the Cameo	General Fund	10,000.00
Kiwanis Foundation of St. Helena	General Fund	3,000.00
Lincoln Theater	General Fund	10,000.00
Native Sons of the Golden West St Helena Parlor 53	General Fund	10,000.00
Nimbus Arts	General Fund	10,000.00
OLE Health - St. Helena Health Center	General Fund	10,000.00
Our Town St Helena	Affordable Housing Fund	10,000.00
Rianda House	General Fund	10,000.00
Saint Helena Farmers Market	General Fund	6,400.00
Saint Helena Historical Society	General Fund	8,000.00
St. Helena Community Band	General Fund	10,000.00
St. Helena Little League	General Fund	10,000.00
St Helena Preschool for All	General Fund	10,000.00
UpValley Family Center	General Fund	10,000.00
Vailima Foundation (Robert Louis Stevenson Museum)	General Fund	5,000.00
Total Grant Award		\$ 143,700.00

Fee Waiver for Vailima Foundation (Robert Louis Stevenson Museum)

During Council discussion of the non-profit applications it was noted by Council Member Koberstein that \$1,500 of the \$6,500 grant requested by the Vailima Foundation was for City of St. Helena issued permits. It was further discussed that rather than issuing the grant at the full request the City could waive the permit fees and reduce the grant award by \$1,500. The City Council agreed that it would be beneficial to waive City fees in these circumstances.

Establish a Working Group

During the review of the non-profit applications at the April 24, 2018 City Council meeting, it was identified that there were several areas of the current nonprofit policy and application that needed review and clarification. The current policy does not establish specific guidelines that require the non-profit agencies to align their requests with the City's mission statement. In addition the application does not ask the applicant to explain how their project or program will meet Council goals.

City Council expressed the desire to establish a working group to review the policy and application prior to the FY 2019/20 funding cycle. City staff is seeking direction for the formation of the working group.

FISCAL IMPACT

The fiscal impact to the FY 2018/19 Operations Budget is \$133,700 from General Fund and \$10,000 from the Affordable Housing Fund.

RECOMMENDED ACTION

Staff recommends City Council discuss and establish a working group to review and make recommendations to amend the Non-Profit Grant Program; and approve a Resolution approving:

1. Funding for 17 Non-Profit grant awards in the FY 2018/19 Operations Budget; \$133,700 from General Fund and \$10,000 from the Affordable Housing Trust Fund; and
2. Waiving \$1,500 City Permit Fees for the Vailima Foundation Non-Profit project outlined in their FY 2018/19 Application.

ATTACHMENTS

[Attachment 1 - Resolution](#)

[Attachment 2 - Vailima Foundation \(Robert Louis Stevenson Museum\) Application](#)

Attachment 1

CITY OF ST. HELENA

RESOLUTION NO. 2018-_____

Resolution approving: (1) funding for 17 Non-Profit grant awards in the FY 2018/19 Operations Budget; \$133,700 from General Fund and \$10,000 from the Affordable Housing Trust Fund; and (2) waiving \$1,500 in City Permit Fees for the Vailima Foundation for the Non-Profit project outlined in their FY 2018/19 Application

RECITALS

WHEREAS, The City Council reviewed 17 Non-Profit applications for the FY 2018/19 budget cycle at the April 24, 2018 meeting; and

WHEREAS, City Council agreed to fully fund all 17 Non-Profit applications with the exception of \$1,500 requested by the Vailima Foundation which was intended to be used for City permit fees; and

WHEREAS, The City Council further discussed the benefits of waiving city fees for Non-Profit grant requesters.

RESOLUTION

The City Council of the City of St. Helena hereby resolves as follows:

1. Approve funding for 17 Non-Profit grant awards in the FY 2018/19 Operations Budget; \$133,700 from General Fund and \$10,000 from the Affordable Housing Trust Fund.
2. Approve a fee waiver of \$1,500 in City Permit Fees for the Vailima Foundation Non-Profit project outlined in their FY 2018/19 Application.

Approved at a Regular Meeting of the St. Helena City Council on May 8, 2018, by the following vote:

Mayor Galbraith: _____

Vice Mayor White: _____

Councilmember Dohring: _____
Councilmember Koberstein: _____
Councilmember Ellsworth: _____

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Tzaopoulos, City Clerk

Attachment 2

ROBERT LOUIS STEVENSON  **MUSEUM**

**Treasure Island Mural Project Grant Proposal
City of St. Helena Nonprofit Funding Program
Grant Application FY2018 – 2019**

**Mandy Kellogg
Attn: 2018/19 Nonprofit Grant Program
1480 Main Street
St. Helena, CA 94574**

**City of St. Helena Nonprofit Funding Program
Grant Application and Budget FY 2018/19**

Please answer the following questions as they apply to your project/program/service. Responses are limited to **five single-sided pages with 12-point font. Please include page numbers on all pages.** Drawings and photographs must be included within the page limit.

Organizational Overview

Organization Name:	Vailima Foundation (Robert Louis Stevenson Museum)
Organization Mailing Address:	1490 Library Lane, St. Helena, CA 94574
Organization Telephone Number:	(707) 963-3757
Organization Website:	www.StevensonMuseum.org
Federal Tax ID Number and Status:	94-1673783
How long has your organization been in operation:	49 Years

List of Board Members

Gerry Working, Board Chair	Alexandra Marston
Annelise Lawson, Vice Chair	Mario Sculatti
Dianne Fraser, Secretary	John Heflebower
Fred Zammataro, Treasurer	Mary Givens

Contact Information

Name: Barrett Dahl
Address: 1490 Library Lane, St. Helena, CA 94574
Phone: (707) 963-3757
Email: director@stevensonmuseum.org

Authorized Representative

I represent that this Application Packet describes the intended use of the requested City Grant funds to complete the Project or Program identified above and the elements listed in the Project Budget. I declare under penalty of perjury, under the laws of the State of California, that the information contained in this Application Packet, including required attachments, is accurate.

Print Name: Barrett M Dahl Signature: Barrett M Dahl
Title: Executive Director Date: March 29, 2018

Grant Request

Project or Program Name:	<i>Treasure Island</i> Mural Project
Address of Project or Program:	1490 Library Lane and 649 Main Street, St. Helena, CA
Requested Grant Amount:	\$6,500.00
Matching Funds:	TBD
Total Project or Program Cost:	\$6,500.00

Application Questions

1. Describe your project/service/program including objectives and goals and explain how you will meet these goals.

The Robert Louis Stevenson Museum (RLSM) respectfully requests support from the City of St. Helena Nonprofit Funding Program in the amount of \$6,500.00 for their *Treasure Island* Mural (TIM) project. The completed mural, which will be on public exhibition from August to October, will be developed in collaboration with Nimbus Arts, created by students participating in the Nimbus Arts Summer Arts Camp, and will be an educational and artistic exploration of the classic story by Robert Louis Stevenson.

The first objective of the TIM project is to introduce young generations to the work, life, and times of RLS. To achieve this goal and create the mural the RLSM will partner with Nimbus Arts and its professional artists to supervise their summer art camps. The camp, which will involve approximately 20-30 students aged 6-13, will first be guided through the museum and the life of RLS, his time in Napa, and the story *Treasure Island* by RLS Director, Barrett Dahl. Students will then be supervised by Nimbus Artists, Anne Pentland and Melissa Baker, learning techniques on mural development and creation before working to paint the final mural. It is the intention of the RLSM that through this interactive and immersive project, participating students will experience a more tangible understanding of Stevenson that will bring him off the page and turn him into an author, alive in their mind and imagination.

The second goal of the project is to present a public art installation that inspires and engages all members of the public in a conversation about RLS, his life, his work, and his time in St. Helena. Stevenson has an intimate and fascinating connection to early St. Helena which translates into some of the imagery of *Treasure Island* itself forever connecting the Valley to this iconic piece of literature.

The final goal of this project is to inspire audiences to approach Stevenson through new and unexpected means as well as visit the RLS Museum. Approaching our 50th anniversary in 2019, this mural will offer a tremendous opportunity for both the community and visitors to view Stevenson through a fun and approachable medium.

2. Describe the community support for your project/

- a. What organizations, neighborhood associations, nonprofits, residents, etc. are involved in the project?

The TIM project will be collaborated on and executed with fellow nonprofit, Nimbus Arts in St. Helena.

- b. What roles are they playing and how collaborative is the project.

The TIM project is an extremely collaborative project as it is essential that the students participating receive a well-rounded experience in knowing the subject and creating the finished mural.

RLSM: Will be responsible for working with Nimbus Arts artists to develop a concept mural design which will be added to and created by students in the summer art camp. RLSM Director, Barrett Dahl, will design an interactive tour and activity for the students at the RLSM to educate the students about RLS, his life in Napa Valley, and the influence of Napa and the surrounding landscape on the story *Treasure Island*.

Nimbus Arts: Will be responsible for procuring the materials required to construct the mural. Will collaborate with RLSM staff on the best design concept and layout for the mural. Under the supervision of Anne Pentland and Melissa Baker, students will be guided through the mural creation process, learning artistic techniques and methods, honing their individual artistic talents.

- c. What other support exists for your project?

As the TIM project is a first collaboration between the RLSM and Nimbus Arts, no other outside support currently exists for the project. However, the opportunity for funding will be offered to supporters of the Robert Louis Stevenson Museum. Donor names will be included and recognized online for their contribution to the project.

3. The beneficiaries of this project will be twofold; the students and the broader public. The first beneficiaries of this project will be the participating students. Not only will they benefit from the cultural, historical, and literary information provided by working with the RLS Museum, but also through the opportunity of artistic expression provided by Nimbus Arts. Lastly, they will also benefit in the sense of pride which will be felt in viewing the completed mural in a section of town which is heavily trafficked by the community. The TIM project will benefit these students in giving them a feeling of accomplishment and taking a unique project from beginning to end for the enjoyment of their friends, family, and community.

The public will be the second beneficiary and as the finished mural will be a public installation it will be difficult to quantify how many people will be impacted. However, given the population of Napa Valley and the number of visitors throughout summer and fall to the area, it can be estimated that the impact of such a unique piece of art will be widespread and lasting given the subject, its reputation with audiences, and the popularity of social media. Onlookers will be encouraged to take photos of and with the piece thus promoting the work, the RLSM, and St. Helena as a destination with a lot to offer to residents and visitors.

4. The completed Treasure Island mural project will be displayed on the outer west-facing wall of the RLSM building. As the mural will be displayed openly to the public it will be accessible throughout the summer and into the early fall, being temporarily removed when weather requires. The piece will be painted on canvas and secured with grommets allowing it to be transferred and displayed in other locations and at events around St. Helena and Napa Valley if so chosen.
5. The creation and fabrication of the TIM project will be completed before the end of summer 2018. Due to the timeframe of the Nimbus Arts summer art camp the timeline will be as follows:

Date	Activity/Schedule
July 1 – July 30 th 2018	Concept and development of project finalized with RLSM and supervising Nimbus Arts artist/staff and laid out for students
July 30, 2018	Nimbus Arts summer camp begins – field trip to RLS Museum and RLS
July 31 – August 3, 2018	Mural laid out and painted by Nimbus Arts students incorporating any feasible suggestions from students
August 4, 2018	Mural completed and sealed to protect from weather conditions
August 6, 2018	Mural installed on RLS Museum exterior west wall

6. In 2016 the Robert Louis Stevenson Museum was awarded the Arts and Culture Capacity Building grant in the amount of \$10,000.00 from the Napa County Arts & Culture Advisory Committee. The funding was used to assist the RLS Museum to hire a professional fundraising advisor to assist in developing the Annual Appeal process and training board members in fundraising and best practices of development.

In receiving funding for the TIM project from the City of St. Helena, the City will demonstrate an investment in an institution that has a longstanding reputation within the community. This project will directly benefit members of the community as it will be displayed in a location that is central to the activity of residents – the Library Lane corner where the RLSM and St. Helena Public Library are located. Based on the activity of the

area we believe the mural will attract more local attention thereby boosting activity at both free facilities on Library Lane.

7. The Robert Louis Stevenson Museum did not receive any funding in the 2017/18 grant cycle from the Rudd Foundation.
8. The Robert Louis Stevenson Museum did not receive any funding in the 2017/18 grant cycle from the City of St. Helena.

Concept Artwork

The following is concept artwork for the proposed mural. The mural design will be supervised by Nimbus Art artist, Anne Pentland. The completed mural will be 6' x 12' to ensure maximum visibility. The completed mural will be displayed on the outer west wall of the RLS Museum over the current museum sign.



Anne Pentland Mural Concept Art



Desired Mural Location on RLSM Building

Cost Estimate/Budget

Below is an estimated budget based off the costs provided by Nimbus Arts from previous mural projects.

Description	Amount
Concept and Design	
Design	\$500.00
Layout and Prime Canvas	\$300.00
Finishing (clean up painting) and Clear Coating	\$750.00
Camp Instructors: 2 Artists (5 hours x 5 days)	\$2,500.00
Materials	
Canvas (6' x 10')	\$350.00
Gesso Primer	\$100.00
Roller Covers, Brushes	\$50.00
Paint – Exterior grade latex (6 gallons/6 quarts assorted palette)	\$450.00
City Issued Permits	
Design Review Exemption	\$1,000.00
Building Permit – for displaying sign on City owned building	\$500.00
TOTAL	\$6,500.00



Department of the Treasury
Internal Revenue Service

P.O. Box 2508
Cincinnati OH 45201

In reply refer to: 0248567568
Sep. 29, 2009 LTR 4168C EO
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00012112
BODC: TE

VAILIMA FOUNDATION
1490 LIBRARY LN
ST HELENA CA 94574-1143

015989

Employer Identification Number: 94-1673783
Person to Contact: Bill Bortram
Toll Free Telephone Number: 1-877-829-5500

Dear Taxpayer:

This is in response to your request of Sep. 21, 2009, regarding your tax-exempt status.

Our records indicate that a determination letter was issued in SEPTEMBER 1968, that recognized you as exempt from Federal income tax, and discloses that you are currently exempt under section 501(c)(3) of the Internal Revenue Code.

Our records also indicate you are a private operating foundation described in section 4942(j)(3) of the Code.

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely yours,

Michele M. Sullivan, Oper. Mgr.
Accounts Management Operations I

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03/22/18

Accrual Basis

Robert Louis Stevenson Museum
Profit & Loss Budget Overview
 January through December 2018

	Jan - Dec 18
Ordinary Income/Expense	
Income	
Development Income	
Donations	
Annual Fund	15,000.00
Board Donations	10,000.00
Corporate Donations	13,100.00
Event Fundraising Donations	10,000.00
Individual Donations	3,750.00
Total Donations	51,850.00
Events	
Event Expense	
Horan Dinner	0.00
Pirate Fest	100.00
Sonoma County Book Festival	0.00
Treasure Hunt	300.00
Total Event Expense	400.00
Event Revenue	
Horan Dinner	0.00
Pirate Fest	50.00
Sonoma County Book Festival	0.00
Treasure Hunt	100.00
Event Revenue - Other	64,050.00
Total Event Revenue	64,200.00
Total Events	64,800.00
Grants	
Government Grants	26,500.00
Total Grants	26,500.00
Total Development Income	142,950.00
Gift Shop	
Book & Card Sales - Resale	2,000.00
Book & Card Sales - Retail	3,000.00
Total Gift Shop	5,000.00
Interest	0.17
Miscellaneous Income	250.00
Research Fees	250.00
Transfers from Endowment Fund	0.00
Trunk Show	0.00
Total Income	148,450.17
Cost of Goods Sold	
Cost of Books	2,000.00
Cost of Goods Sold	0.00
Cost of Other Merchandise	20.00
Cost of Publication	6,215.00
Total COGS	8,235.00
Gross Profit	140,215.17
Expense	
Acquisitions	
Travel	100.00
Acquisitions - Other	0.00
Total Acquisitions	100.00

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03/22/18

Accrual Basis

Robert Louis Stevenson Museum
Profit & Loss Budget Overview
 January through December 2018

	Jan - Dec 18
Administrative Expenses	
Computer Services	500.00
Contract Labor	0.00
Credit Card Fees	0.00
Dues and Subscriptions	1,000.00
Insurance	8,000.00
Internet Services	720.00
Legal & Accounting	4,500.00
Meals & Entertainment	0.00
Meetings	0.00
Mileage	80.00
Office Supplies	1,200.00
Payroll Processing Fees	870.00
Payroll Tax	6,000.00
Pest Control	30.00
Petty Cash	0.00
PO Box	90.00
Postage	50.00
Printing	250.00
Professional Development	100.00
Repairs	500.00
Salaries	66,000.00
Security	
Volunteers	0.00
Security - Other	1,120.00
Total Security	1,120.00
Storage	2,135.00
Telephone	1,200.00
Utilities	5,400.00
Total Administrative Expenses	99,745.00
Collections	
Appraisals	0.00
Cataloging	0.00
Materials	100.00
Safe Deposit Box	700.00
Total Collections	800.00
Development	
Annual Fund	1,250.00
Total Development	1,250.00
Events	
Board Recruitment Cocktail Hour	0.00
Friends of RLSM Cocktail Party	0.00
RLSM Gala Fundraiser	10,000.00
Total Events	10,000.00
Exhibitions	
Displays	100.00
Printing - Exhibits	500.00
Total Exhibitions	600.00
Marketing/Communications	
Advertising & Promotion	1,000.00
Awards/Rewards	100.00
Website	30.00
Total Marketing/Communications	1,130.00

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03/22/18
Accrual Basis

Robert Louis Stevenson Museum
Profit & Loss Budget Overview
January through December 2018

	Jan - Dec 18
Programs / Education	
Festivals - Offsite	0.00
Lectures	100.00
Spooky Story Saturday	0.00
Stevenson Week	2,500.00
Trunk Show	0.00
Total Programs / Education	2,600.00
RLSM Gallery Floor Replacement	15,000.00
Special Projects	
Annual Fund Project	0.00
Capacity Building Project	0.00
Compact Collection Storage	0.00
NEH PAG Grant 2018-2019	2,500.00
RLSM Barrel Project/Fundraiser	0.00
Sinage 2015	0.00
TI Mural with Nimbus Arts	6,500.00
Website Redesign	0.00
Special Projects - Other	0.00
Total Special Projects	9,000.00
Total Expense	140,225.00
Net Ordinary Income	-9.83
Net Income	-9.83

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03/29/18

Accrual Basis

**Robert Louis Stevenson Museum
Profit & Loss Budget vs. Actual
January through December 2017**

	Jan - Dec 17	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
Development Income				
Donations				
Annual Fund	13,967.17	9,000.00	4,967.17	155.4%
Board Donations	1,100.00	8,000.00	-4,900.00	18.3%
Corporate Donations	541.55	2,000.00	-1,458.45	27.1%
Event Fundraising Donations	1,311.35	0.00	1,311.35	100.0%
Individual Donations	13,838.47	5,000.00	8,838.47	278.8%
Spring Appeal	193.90	3,000.00	-2,806.10	6.5%
Donations - Other	969.00			
Total Donations	<u>32,061.44</u>	<u>25,000.00</u>	<u>7,061.44</u>	<u>128.2%</u>
Events				
Event Revenue	0.00	40,000.00	-40,000.00	0.0%
Total Events	<u>0.00</u>	<u>40,000.00</u>	<u>-40,000.00</u>	<u>0.0%</u>
Grants				
Government Grants	0.00	2,500.00	-2,500.00	0.0%
Total Grants	<u>0.00</u>	<u>2,500.00</u>	<u>-2,500.00</u>	<u>0.0%</u>
Total Development Income	<u>32,061.44</u>	<u>67,500.00</u>	<u>-35,438.56</u>	<u>47.5%</u>
Dividends	42,677.57			
Gift Shop				
Book & Card Sales - Resale	2,250.00	2,000.00	250.00	112.5%
Book & Card Sales - Retail	2,275.82	3,000.00	-724.18	75.9%
Total Gift Shop	<u>4,525.82</u>	<u>5,000.00</u>	<u>-474.18</u>	<u>90.5%</u>
Interest	9.49	0.00	9.49	100.0%
Research Fees	149.85	400.00	-250.12	37.5%
Transfers from Endowment Fund	0.00	40,000.00	-40,000.00	0.0%
Total Income	<u>79,424.20</u>	<u>112,900.00</u>	<u>-33,475.80</u>	<u>70.3%</u>
Cost of Goods Sold				
Cost of Books	687.37	3,250.00	-2,562.63	21.1%
Cost of Publication	6,215.00	0.00	6,215.00	100.0%
Inventory Adjustment	-4,181.71			
Total COGS	<u>2,720.66</u>	<u>3,250.00</u>	<u>-529.34</u>	<u>83.7%</u>
Gross Profit	<u>76,703.54</u>	<u>109,650.00</u>	<u>-32,946.46</u>	<u>70.0%</u>
Expenses				
Acquisitions				
Travel	0.00	200.00	-200.00	0.0%
Total Acquisitions	<u>0.00</u>	<u>200.00</u>	<u>-200.00</u>	<u>0.0%</u>
Administrative Expenses				
5% Office Expense Allocation	52.22			
Computer Services	281.98	500.00	-218.02	52.4%
Dues and Subscriptions	954.00	882.00	72.00	137.9%
Federal Excise Tax	1,171.00	892.00	279.00	189.2%
Insurance	6,854.00	7,755.00	-901.00	88.4%
Internet Services	324.00	720.00	-396.00	45.0%
Legal & Accounting	4,300.00	4,400.00	-100.00	97.7%
Meals & Entertainment	80.70			
Mileage	0.00	50.00	-50.00	0.0%
Office Supplies	992.08	1,200.00	-207.92	82.7%
Payroll Processing Fees	978.08	720.00	258.08	135.6%
Payroll Tax	4,987.12	18,600.00	-13,612.88	26.8%
Pest Control	39.98	30.00	9.98	133.3%
PO Box	90.00	90.00	0.00	100.0%
Postage	77.84	35.00	42.84	222.4%
Printing	231.66	80.00	151.66	289.8%
Repairs	0.00	500.00	-500.00	0.0%
Salaries	62,834.39	53,739.00	9,095.39	116.9%
Security	1,045.25	1,100.00	-54.74	95.0%
Storage	2,080.00	2,070.00	-10.00	99.5%
Taxes & Licenses	35.00	1,810.00	-1,775.00	1.9%
Telephone	1,487.42	1,200.00	287.42	124.0%
Utilities	5,245.31	4,248.00	997.31	123.5%
Administrative Expenses - Other	0.00	100.00	-100.00	0.0%
Total Administrative Expenses	<u>94,100.04</u>	<u>100,331.00</u>	<u>-6,230.96</u>	<u>93.8%</u>
Collections				
Safe Deposit Box	0.00	650.00	-650.00	0.0%
Total Collections	<u>0.00</u>	<u>650.00</u>	<u>-650.00</u>	<u>0.0%</u>
Depreciation	929.00			
Development				
Annual Fund	375.04	1,250.00	-874.96	30.0%
Total Depreciation	<u>375.04</u>	<u>1,250.00</u>	<u>-874.96</u>	<u>30.0%</u>

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03/29/18

Accrual Basis

Robert Louis Stevenson Museum
Profit & Loss Budget vs. Actual
 January through December 2017

	Jan - Dec 17	Budget	\$ Over Budget	% of Budget
Events				
Board Recruitment Cocktail Hour	283.20	500.00	-216.80	56.6%
Friends of RLSTM Cocktail Party	0.00	500.00	-500.00	0.0%
Events - Other	142.54			
Total Events	425.74	1,000.00	-574.26	42.6%
Exhibitions				
Displays	0.00	100.00	-100.00	0.0%
Printing - Exhibits	0.00	300.00	-300.00	0.0%
Total Exhibitions	0.00	400.00	-400.00	0.0%
Investment Expenses	308.76			
Marketing/Communications				
Advertising & Promotion	344.22	1,000.00	-655.78	34.4%
Awards/Rewards	72.06	300.00	-227.94	24.0%
Total Marketing/Communications	416.28	1,300.00	-883.72	32.0%
Programs / Education				
Festivals - Offsite	120.80			
Spooky Story Saturday	0.00	105.00	-105.00	0.0%
Stevenson Week	147.17	300.00	-152.83	49.1%
Total Programs / Education	267.97	405.00	-137.03	66.2%
Special Projects				
Annual Fund Project	283.19			
Sinage 2015	0.00	1,000.00	-1,000.00	0.0%
Total Special Projects	283.19	1,000.00	-716.81	28.3%
Total Expense	97,106.02	106,536.00	-9,429.98	91.1%
Net Ordinary Income	-20,402.48	3,114.00	-23,516.48	-655.2%
Other Income/Expense				
Other Income				
Gain (Loss) Sale of Investments	16,198.78			
Unrealized Gain (Loss) CV	54,485.27			
Total Other Income	70,684.05			
Net Other Income	70,684.05	0.00	70,684.05	100.0%
Net Income	50,281.57	3,114.00	47,167.57	1,614.7%