



***AMENDED 10/19/2018**
City of St. Helena
Regular City Council Meeting
Tuesday, October 23, 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 four 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
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 4 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.
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. Oath of Office for St. Helena Police Dispatcher Robin Frost
 - 6.2. National Friends of Libraries Week Proclamation - Presented to Friends & Foundation Executive Director Maria Stel 11
[Proclamation](#)
 - 6.3. Third Annual Saint Helena Movember Mens' Health Month Proclamation - Presented to Recreation Director Andre Pichly 13
[Proclamation](#)
 - 6.4. Board of Library Trustees Report Out - Skip Lane, Chair
 - 6.5. This item is removed. 10/19/2018
~~Parks & Recreation Commission Report Out - Matthew Demchuk, Chair~~
Report Out will occur at the November 13, 2018 meeting.

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 Regular Meeting Minutes of: August 30, 2018 Special City Council Rent Stabilization Informational Workshop, September 17, 2018 Special City Council Next Steps related to the SHAPE Report/City Hall Meeting, September 25, 2018 Regular Meeting and October 9, 2018 Regular Meeting Minutes (To be provided prior to the meeting) 15 - 29

[Special City Council - 30 Aug 2018 Rent Stabilization Informational Workshop - Minutes](#)

[Special City Council - 17 Sep 2018 - Next Steps related to the SHAPE Report City Hall - Minutes](#)

[Regular City Council - 25 Sep 2018 - Minutes](#)

- 8.2. Consideration and proposed approval of a resolution authorizing the City Manager to grant up to eight (8) hours of paid administrative leave to an employee(s) that is(are) recognized for an extraordinary achievement or merit-based performance in accordance with the resolution recitals. 31 - 34

CEQA Determination: Not a CEQA project

Prepared By: Kathy Robinson, Human Resources & IT Director

Recommendation:

Approve resolution granting the City Manager the authority to award up to eight (8) hours of paid administrative leave to an employee or employees that are recognized for extraordinary achievement or merit-based performance in any given fiscal year in accordance with the resolution recitals.

[Staff Report - Pdf](#)

- 8.3. Approve Amendment No.1 to Memorandum of Understanding Between the City of St. Helena and the St. Helena Police Officers' Association 35 - 41

CEQA Determination: Exempt

Prepared By: Mandy Kellogg, Admin Services Mgr

Recommendation:

Approve a resolution authorizing the City Manager to execute Amendment No. 1 to the Memorandum of Understanding between the City of St. Helena and the Police Officers' Association and authorize the City to reimburse employees for the additional 3% contributions withheld during the time period of July 1, 2016 through July 29, 2018 for an amount not to exceed \$18,136.57.

[Staff Report - Pdf](#)

- 8.4. Consideration of the adoption of a resolution rejecting all construction bids for the C-82 Downtown Restrooms Project. 43 - 48
- CEQA Determination: 15303 New Construction or Conversion of Small Structures
Prepared By: Tobias Barr, Project Manager
Recommendation:
Adopt the attached resolution rejecting all construction bids for the C-82 Downtown Restrooms Project.
[Staff Report - Pdf](#)
- 8.5. Consideration and proposed approval of a resolution authorizing the purchase of one 2018 McLaughlin VX50-800 Vacuum Excavator from Vermeer - RDO Equipment Co. in the amount of \$78,454.59 for the Public Works Department Water Distribution Division. 49 - 57
- CEQA Determination: Not a CEQA project
Prepared By: Felix Hernandez III, Utilities Operations Manager
Recommendation:
Adopt a resolution, authorizing the purchase of one 2018 McLaughlin VX50-800 Vacuum Excavator from Vermeer - RDO Equipment Co. in the amount of \$78,454.59 for the Public Works Department Water Distribution Division.
[Staff Report - Pdf](#)
- 8.6. Consideration and Proposed Approval of a Resolution Rescinding Resolution No. 2017-162 and Adopting Investment Policy P-FI-0002 - 2018 for the City of St. Helena 59 - 88
- CEQA Determination: Not a CEQA project
Prepared By: April Mitts, Finance Director
Recommendation:
Staff recommends the approval of a Resolution Rescinding Resolution No. 2017-162 and Adopting Investment Policy P-FI-0002 - 2018 for the City of St. Helena.
[Staff Report - Pdf](#)
- 8.7. Consideration of proposed adoption of a Resolution rescinding Resolution 2017-101 and adding portions of Oak Avenue and Crane Avenue to the City's list of red zones (parking prohibitions) 89 - 109
- CEQA Determination: Exempt
Prepared By: Erica Ahmann Smithies, Public Works Director and City Engineer
Recommendation:
Adopt the Resolution rescinding Resolution 2017-101 and adding portions of Oak Avenue and Crane Avenue to the City's list of red zones (parking prohibitions)
[Staff Report - Pdf](#)

- 8.8. Consideration and approval of a Resolution approving City of St. Helena City Council Policy P-FI-0014 Accounts Payable Payment Processing Policy. 111 - 118

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

Recommendation:

Staff recommends City Council pass a Resolution approving City of St. Helena Policy P-FI-0014 Accounts Payable Payment Processing Policy.

[Staff Report - Pdf](#)

- 8.9. Consideration and approval of a Resolution approving City of St. Helena City Council Policy P-FI-0017 Cash Controls Policy. 119 - 131

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

Recommendation:

Staff recommends City Council pass a Resolution approving City of St. Helena Policy P-FI-0017 Cash Controls Policy.

[Staff Report - Pdf](#)

- 8.10. Second reading of an ordinance amending St. Helena Municipal Code ("SHMC") Title 17, Section 17.148, Signs, as deemed appropriate by the City Council. (~~Staff report and attachments are forthcoming~~) Provided 10/19/2018 133 - 169

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: Aaron Hecock, Senior Planner

Recommendation:

It is recommended by the Planning Commission of the City of St. Helena that the City Council review the Draft Ordinance and proposed text amendments to the Sign Ordinance and:

1. Determine that the proposed Zoning Code text amendments are exempt from the requirements of CEQA pursuant to CEQA Guidelines Sections 15061, 15301, 15302 and 10303; and
2. Conduct the second reading of the ordinance, by title only and waive further reading.

[Staff Report - Pdf](#)

- 8.11. This item is removed. 10/19/2018
~~Second reading of an Ordinance amending and restating St. Helena Municipal Code (SHMC) Chapter 17.164 'Design Review', modifying the requirements and process for Design Review primarily as applied to single family residential projects; proposing to eliminate the requirement for Design Review for "Outdoor Seating" identified in SHMC Chapters 17.48.090 and 17.52.090; and proposing to eliminate the requirement for Design Review for the installation of "Awnings and Canopies", as identified in SHMC Chapter 17.112.070, citywide. This item was~~

approved at the October 9, 2018 meeting and inadvertently agendized.

- 8.12. Second reading of an ordinance amending St. Helena Municipal Code ("SHMC") Title 17, Section 17.48 (Central Business District) and 17.52 (Service Commercial), to modify the list of permitted and conditional uses as deemed appropriate by the City Council. 171 - 203

CEQA Determination: It is determined that the Ordinance is exempt from CEQA pursuant to Guidelines Sections 15061(b)(1), 15061(b)(2), and specifically, the "General Rule" Section 15061(b)(3), where it can be seen with certainty that the proposed action will have no significant effect on the environment.

Prepared By: Aaron Hecock, Senior Planner

Recommendation:

Staff recommends the City Council review the Draft Ordinance and proposed text amendments related to permitted and conditional uses in the CB and SC zoning districts and:

1. Find that the proposed text amendments are exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15061; and
2. Conduct the second reading of the ordinance, by title only and waive further reading of the text.

[Staff Report - Pdf](#)

- 8.13. *New Item 10/19/2018 205 - 283
- Consideration and proposed approval of a resolution authorizing the City Manager to execute a Professional Services Agreement with Baker & Taylor, LLC for the supplying of library materials to the St. Helena Public Library not to exceed the amount annually budgeted for library materials by City Council for three years with the option of two one-year extensions.

Prepared By: Chris Kreiden, Library Director

Recommendation:

Staff recommends City Council approve a resolution authorizing the City Manager to execute an agreement for Library Materials Vendor with Baker & Taylor, LLC for a period of three years with an option for two one-year extensions.

[Staff Report - Pdf](#)

- 8.14. *New Item 10/19/2018 285 - 287
- Consideration and adoption of a resolution converting the part-time, limited-term Senior Planner position to a full-time, limited term Senior/Associate/Assistant Planner position ending June 30, 2020.

Prepared By: Noah Housh, Planning & Community Improvement Director

Recommendation:

Staff recommends City Council adopt a resolution approving the conversion of the part-time, limited term Senior Planner position to a full-time, limited-term Senior Planner position ending June 30, 2020.

[Staff Report - Pdf](#)

9. PUBLIC HEARINGS

9.1. None

10. NEW BUSINESS

10.1. Napa Valley Vine Trail Update and City Council Discussion 289 - 339

CEQA Determination: Not a CEQA project

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

Recommendation:

Discussion and feedback to Napa Valley Vine Trail and City staff.

[Staff Report - Pdf](#)

[Countywide Pedestrian Plan.St. Helena.Adopted 5-9-17](#)
[2012 St.Helena Bicycle Plan](#)

10.2. Update on Kosmont Companies Workplan Tasks Related to Initial Phases of the Downtown Retail Strategy and Real Estate Analysis of Several City-Owned Properties 341

CEQA Determination: Not a CEQA project

Prepared By: Mark T. Prestwich, City Manager

Recommendation:

Receive and file.

[Staff Report - Pdf](#)

10.3. Consideration and approval of a Resolution approving the Revised City of St. Helena City Council Policy P-FI-0003 Non-Profit Funding Policy and Related Program Application and Guidelines. 343 - 354

CEQA Determination: Not a CEQA project

Prepared By: Mandy Kellogg, Admin Services Mgr

Recommendation:

Staff recommends City Council pass a Resolution approving the Revised City of St. Helena City Council Policy P-FI-0003 Non-Profit Funding Policy and Related Program Application and Guidelines.

[Staff Report - Pdf](#)

10.4. Disclosure Of Water Customer Usage Data To Verify Water Customers' Compliance With Obligations Imposed By Agreements And/Or Water Neutrality Or Other Conditions of Land Use Approvals 355 - 360

CEQA Determination: Not a CEQA project

Prepared By: Thomas B. Brown, City Attorney

Recommendation:

Staff recommends that the Council consider the issues discussed above, and provide direction as appropriate.

[Staff Report - Pdf](#)

- 10.5. Review of a draft Ordinance proposing to amend and restate St. Helena Municipal Code (SHMC) Chapter 17.136.050 'Temporary Uses', to create a Temporary Use Permit and an administrative review process for such permits, citywide.

361 - 398

CEQA Determination: The proposed Ordinance to amend St. Helena Municipal Code Title 17 is exempt from the requirements of CEQA pursuant to Guidelines Sections 15301, 15303, and 15304 as Class 1, Class 3 and Class 4 Categorical Exemptions in that these modifications create an administrative process for the temporary use, conversion or minor alteration of existing properties, which may include the construction, modification or conversion of "Small Structures" as defined in the statute, however only for temporary and set periods of time for the use of the land; that the proposed text amendments are consistent with the environmental impact analysis of the 1993 General Plan and Zoning Code EIR, given their intent to facilitate operation of temporary activities at existing facilities, and that the proposed changes are exempt from the requirements of CEQA, under Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, and therefore, the activity is not subject to CEQA.

Prepared By: Noah Housh, Planning & Community Improvement Director

Recommendation:

It is recommended by the Planning Commission that the City Council:

1. Find that the proposed Ordinance to amend St. Helena Municipal Code Title 17 is exempt from the requirements of CEQA pursuant to Guidelines Sections 15301, 15303, and 15304 as Class 1, Class 3 and Class 4 Categorical Exemptions in that these modifications create an administrative process for the temporary use, conversion or minor alteration of existing properties, which may include the construction, modification or conversion of "Small Structures" as defined in the statute, however only for temporary and set periods of time for the use of the land; that the proposed text amendments are consistent with the environmental impact analysis of the 1993 General Plan and Zoning Code EIR, given their intent to facilitate operation of temporary activities at existing facilities, and that the proposed changes are exempt from the requirements of CEQA, under Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, and therefore, the activity is not subject to CEQA; and

2. Review, comment on and make a recommendation to staff regarding preparing an Ordinance making changes to Chapter 17.136.050 of the St. Helena Municipal Code to create a Temporary Use Permit, the associated review process and the creation of a fee to cover the costs of such a permit, citywide.

[Staff Report - Pdf](#)

- 10.6. Review and provide direction on the Draft Conservation Easement between the City of St. Helena and the Land Trust of

399 - 415

Napa Valley for the Comprehensive Flood Control Project

CEQA Determination: Not a CEQA project

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

Recommendation:

Review, discuss, and provide direction to City staff.

[Staff Report - Pdf](#)

- 10.7. *Updated Attachment 10/19/2018 417 - 435

Consideration and approval of a Resolution approving City of St. Helena City Council Policy P-FI-0016 Financial Policy.

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

Recommendation:

Staff recommends City Council pass a Resolution approving City of St. Helena Policy P-FI-0016 Financial Policy.

[Staff Report - Pdf](#)

- 10.8. Bimonthly Update on City Council Goals and Strategic Objectives 437 - 451

CEQA Determination: Not a CEQA project

Prepared By: Mark T. Prestwich, City Manager

Recommendation:

Receive and file.

[Staff Report - Pdf](#)

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

- 11.1.

October City Council Meetings:	
10/23 (staff reports due 10/5)	
PROCLAMATIONS AND PUBLIC RECOGNITION:	
10/23 Movember Resolution – P&R	
10/23 Library Board Report Out Staff Briefing	
10/23 Staff Briefing Parks & Recreation Commission Chair Report Out	
10/23 Library Proclamation	
10/23 Oath of office for new Dispatcher Robin Frost	
CONSENT:	
10/23 City Employee Awards Program	
10/23 Purchase of Ditchwitch - PW	
10/23 Railroad curb ramp final completion	
10/23 Finance Policies	
PH or NEW BUSINESS:	
10/23 Flood control project conservation easement	
10/23 Calderon Settlement Update	
10/23 Non Profit Grant Funding Process	

10/23 1st Reading Temporary Use Permit Ordinance
10/23 PH Appeal of Short Term Rental denial at 1610 Kearney Street
10/23 Bimonthly Goals and Objectives Update – Admin
<u>November City Council Meetings:</u>
11/13 (staff reports due 10/26)
11/27 (staff reports due 11/9)
<i>PROCLAMATIONS AND PUBLIC RECOGNITION:</i>
Tree City USA Proclamation – PW
<i>CONSENT:</i>
11/27 Award of downtown sidewalks
11/27 2nd Reading of Rent Stabilization Ordinance (RSO) - Depending on City Council direction
11/27 Award contract to Waterways for Sulphur Creek repair project – Public Works
11/13 Amended Coop Agreement with Caltrans for Grayson Signal for electricity(Caltrans to attend)
<i>PH or NEW BUSINESS:</i>
11/13 Council Discussion on Human Trafficking Awareness Signs in Public Bathrooms
1st Reading Concept Review Ordinance - Planning
11/13 1st Qtr Grant Report
11/13 1st Qtr Finance Update
11/27 Naveed Paydar, PhD, Local Government Liaison News & Outreach Office, Executive Division California Public Utilities Commission
11/27 Tennis Court Lighting and Resurfacing - Rec
11/13 Calderon Settlement update
11/13 Raw Water Use Charges - PW
11/13 1st Reading of Rent Stabilization Ordinance (RSO)
<u>December City Council Meetings:</u>
12/11 (staff reports due 11/21)
12/25 Cancelled
<i>CONSENT:</i>
12/11 Compensation schedule
<i>PH or NEW BUSINESS:</i>
12/11 Bimonthly Goals and Objectives Update – Admin (Would go 2nd mtg but it's cancelled)

12. ADJOURNMENT

The next Regular City Council meeting is scheduled for November 13, 2018, 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 October 12, 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.

City of St. Helena PROCLAMATION

National Friends of Libraries Week

Whereas, Friends & Foundation, St. Helena Public Library raises money that enables our library to move from good to great -- providing the resources for additional programming, much needed equipment, support for children's summer reading, and events throughout the year;

Whereas, the work of the Friends & Foundation highlights on an on-going basis the fact that our library is the cornerstone of the community providing opportunities for all to engage in the joy of life-long learning and connect with the thoughts and ideas of others from ages past to the present;

Whereas, the Friends & Foundation understands the critical importance of well-funded libraries and advocates to ensure that our library gets the resources it needs to provide a wide variety of services to all ages including access to print and electronic materials, along with expert assistance in research, readers' advisory, and children's services;

Whereas, the Friends & Foundation's gift of their time and commitment to the library sets an example for all in how volunteerism leads to positive civic engagement and the betterment of our community;

Now, therefore, be it resolved that I, Alan Galbraith, mayor of St. Helena, proclaim October 21-28, 2018, as Friends of Libraries week and urge everyone to join Friends & Foundation, St. Helena Public Library and thank them for all they do to make our library and community so much better.

Dated: October 23, 2018

Alan Galbraith, Mayor
City of St. Helena

City of St. Helena

PROCLAMATION

Third Annual Saint Helena Movember Mens' Health Month

November 1st – November 30th, 2018

WHEREAS, Prostate cancer is the second most common cancer in men in the US., and Testicular cancer is the most common cancer in young men aged 15-34 in the US., and Around 1 in 4 adults in the US will experience a mental health problem in a given year.; and

WHEREAS, Numerous studies have shown that early detection of any form of cancer is instrumental in combatting the disease, and since using early detection tests for prostate cancer became fairly common in the United States around 1990, the prostate cancer death rate has dropped; and

WHEREAS, the American Cancer Society ® recommends prostate cancer screenings for men of average risk who are 50 years old or higher, men of high risk who are 45 years or older, and men of even higher risk (those with two or more direct relatives who have had prostate cancer) who are 40 years and older; and

WHEREAS, the key to educating people about the benefits of early detection through routine exams is creating awareness campaigns designed to stimulate conversation; and

WHEREAS, the Movember movement, which began in 2003 has raised over \$650 million and funded over 1,000 programs focusing on prostate cancer, testicular cancer, poor mental health and physical inactivity in men;

NOW, THEREFORE, be it resolved that I, Alan Galbraith, Mayor of the City of St. Helena, along with the St. Helena City Council, do hereby proclaim November 1st through November 30th, 2018 Movember – Men's Health Month.

Dated: October 23, 2018

Alan Galbraith, Mayor
City of St. Helena

**AMENDED MINUTES
City of St. Helena
Special City Council Meeting
Thursday, August 30, 2018 @ 10:00 AM
Fire Department Training Room, 1480 Main Street
465 Main Street, St. Helena**

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

Absent: None

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT:

4. Rent Stabilization Informational Workshop

4.1 Discuss and provide direction (Added 8/23/18)

City Manager Mark Prestwich reported on this item and provided a presentation.

Mayor Galbraith called for public comment.

Bobbi Monnette, Citizen, Tony Holzhauer, citizen, Nora O'Niel, Mariam Hansen, Betsy Holzhauer, citizen, Grace Kistner, Pat Dell, citizen, Tom Vence, Thelma Stroutland, Joan Buckles, Jerry Patton, citizen and Greg Reynolds addressed the City Council.

5. ADJOURNMENT

The August 30, 2018 special meeting minutes were adopted at the September 25, 2018 regular meeting and amended at the regular October 23, 2018 City Council meeting.

Mayor Galbraith adjourned the meeting at 12:19 p.m.

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Tzafopoulos, City Clerk

MINUTES
City of St. Helena
Special City Council Meeting
Monday, September 17, 2018 @ 6:00 PM
Fire Training Room, 1480 Main Street
(Railroad Avenue Entrance)
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 Geoff Ellsworth, and Councilmember Mary Koberstein

Absent: None

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT:

4. NEW BUSINESS

- 4.1 Discussion and Direction Regarding Draft Civic Infrastructure Strategy (~~Report~~ ~~forthcoming~~ Report provided 9/10/18)

CEQA Determination: This item is purely an informational discussion to gain Council direction and is therefore not a CEQA project. Any formal decisions on individual projects will be subject to a complete analysis and determination under CEQA.

Prepared By: Mark T. Prestwich, City Manager

Recommendation:

Provide direction to the City Manager.

City Manager Mark Prestwich reported on this item.

Mayor Galbraith called for public comment.

Blayney Adamson, Johnny Gamble, Eva Duckhorn, Nichole Chia, Glenn Smith, Pat Dell, Benjamin Scinto, Mark Smithers, Joshua Parke, Mike Thomas, Doug Barr, Skip Lane, Loraine Stuart and Stan Knight addressed the City Council.

The City Council discussed the draft Civic Infrastructure Strategy Phase 2 - City Council Asset Prioritization and Analysis.

Special City Council
September 17, 2018

It was the consensus of the City Council to proceed with immediate next steps identified in the report and create Council Liaisons for the following areas:

Define City Hall Parcel Mix of Uses.

- Mayor Galbraith and Council Member Koberstein

St. Helena Library.

- Mayor Galbraith and City Council Candidate Anna Chouteau

Scout Hall.

- Vice Mayor White and Council Member Ellsworth

It was the consensus of the City Council to task Kosmont with further study of the Adams Street parcel.

It was the consensus of the City Council to identify City Hall as first priority, multiple stories and to evaluate mixed uses.

The next steps in the Strategy are as follows:

- Phase 3 - Planning, Cost Estimates, and Identification of Funding Strategy
- Phase 4 - Construction

Mayor Galbraith called for public comment.

Joshua Parke and citizen addressed the City Council.

5. ADJOURNMENT

The September 17, 2018 special meeting minutes were adopted at the October 23, 2018 regular meeting.

Mayor Galbraith adjourned the meeting at Time 7.36 pm.

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Tzaopoulos, City Clerk

MINUTES
City of St. Helena
Regular City Council Meeting
Tuesday, September 25, 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:

Bobbi Monnette, Tom Belt and Anthony Micheli addressed the City Council.

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

City Attorney Thomas Brown reported that there was no reportable action taken at the September 25, 2018 Special Closed Session meeting.

Public Works Director Erica Ahmann Smithies noted the repaving at Kennedy Court, El Bonita Avenue and La Quinta Way are complete and striping to be finished in the near future. The Railroad Avenue ADA transition is complete. Downtown restroom bids to be opened on Thursday, September 27, 2018. The Streetscape Planning and Sidewalk Improvement Project RFP is now available to the public.

Council Member Ellsworth provided comments regarding the Kennedy Court repaving project and potential City sewer connections, proximity housing programs and subcommittee protocols.

Council Member Dohring requested the City work with the County to have an increased flow of communication with information regarding the vine trail and Pratt Street bridge.

Regular City Council
September 25, 2018

6. PRESENTATIONS AND PUBLIC RECOGNITIONS

6.1 None

7. STAFF BRIEFING

7.1 Hometown Harvest Festival: Thanks & Gratitude Community Potluck

Recreation Director Andre Pichly reported on this item.

7.2 Jingle All the Way St. Helena

City Manager Mark Prestwich reported on this item.

7.3 NEW ITEM ADDED 9/21/2018

Professional Services Agreement with Napa County Resource Conservation District for Mitigation Monitoring on the Upper York Creek Dam Removal Project

CEQA Determination: Environmental Impact Report

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

Recommendation:

No action required at this time.

Public Works Director Erica Ahmann Smithies reported on this item.

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 Special Meeting Minutes of August 30, 2018 and Regular Meeting Minutes of September 11, 2018 (~~Provided prior to the meeting~~ Provided 9/21/2018)

Prepared By: Cindy Tzaopoulos, City Clerk

8.2 Consideration and proposed approval of a Resolution 2018-125 Setting a Hearing to Approve the Annexation of Territory into the St. Helena Municipal Sewer District No. 1 MSD Annexation No. 133, 499 Crane Avenue, St. Helena, CA. (APN) 009-350-001-000.

CEQA Determination: It is determined that the Ordinance is exempt from CEQA pursuant to Guidelines Sections 15061(b)(1), 15061(b)(2), and specifically, the "General Rule" Section 15061(b)(3), where it can be seen with certainty that the proposed action will have no significant effect on the environment.

Regular City Council
September 25, 2018

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

Staff recommends the City Council adopt a Resolution Setting a Hearing to Approve the Annexation of Territory into the St Helena Municipal Sewer District No. 1 MSD ANNEXATION NO. 133, 499 Crane Avenue, St Helena, CA. 94574 (APN) 009-350-001-000.

- 8.3 Consideration and proposed approval of a Resolution 2018-126 Setting a Hearing to Approve the Annexation of Territory into the St Helena Municipal Sewer District No. 1 MSD Annexation No. 135, 867 and 871 Dowdell Lane, St Helena, CA. 94574 (APN) 009-580-009-000.

CEQA Determination: It is determined that the Ordinance is exempt from CEQA pursuant to Guidelines Sections 15061(b)(1), 15061(b)(2), and specifically, the "General Rule" Section 15061(b)(3), where it can be seen with certainty that the proposed action will have no significant effect on the environment.

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

Staff recommends the City Council adopt a Resolution Setting a Hearing to Approve the Annexation of Territory into the St Helena Municipal Sewer District No. 1 MSD ANNEXATION NO. 135, 867 and 871 Dowdell Lane, St Helena, CA. 94574 (APN) 009-580-009-000.

- 8.4 Consideration and proposed approval of a resolution 2018-127: (1) approving temporary closure of Oak Avenue, Adams Street, Tainter Street, and the Oak Avenue City Parking Lot, for the October 20, 2018 Hometown Harvest Festival festivities, (2) authorizing possession of open alcoholic beverages on those public streets, and (3) approving the waiving of the encroachment fee.

CEQA Determination: Categorically Exempt, Section 15323

Prepared By: Andre Pichly, Recreation Director

Recommendation:

Staff recommends the City Council of the City of St. Helena adopt the attached resolution: (1) approving temporary closure of Oak Avenue, Adams Street, Tainter Street, and the Oak Avenue City Parking Lot, for the October 20, 2018 Hometown Harvest Festival festivities, (2) authorizing possession of open alcoholic beverages on those public streets, and (3) approving the waiving of the encroachment fee.

Item 8.5 was removed from Consent.

- 8.5 ~~Adopting a Resolution 2018-128 authorizing the City Manager to Execute a Professional Services Agreement with Oscar Larson and Associates in the Amount of \$145,190 for design, engineering, bid documents and bid support for Rutherford Pump Station Upgrades W-110, Tank 2 Rehabilitation W-101,~~

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~~and Pump Station Upgrades W-106. (Staff report is forthcoming Provided 9/21/2018)~~

8.6 NEW ITEM ADDED 9/21/2018

Consideration of Resolution 2018-129 Authorizing the City Manager to execute a Memorandum of Agreement between Lake County Sheriff's Department and Saint Helena Police Department Pertaining to Assistance Under the Law Enforcement Mutual Aid Plan

CEQA Determination: Not a CEQA project

Prepared By: Mandy Kellogg, Admin Services Mgr

Recommendation:

Approve a resolution authorizing the City Manager to execute a Memorandum of Agreement between Lake County Sheriff's Department and Saint Helena Police Department pertaining to assistance under the law enforcement mutual aid plan.

Vice Mayor Peter White moved to adopt items 8.1 through 8.4 and 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

8.5 Adopting a Resolution 2018-128 authorizing the City Manager to Execute a Professional Services Agreement with Oscar Larson and Associates in the Amount of \$145,190 for design, engineering, bid documents and bid support for Rutherford Pump Station Upgrades W-110, Tank 2 Rehabilitation W-101, and Pump Station Upgrades W-106. ~~(Staff report is forthcoming Provided 9/21/2018)~~

CEQA Determination: CEQA will be completed as part of project design

Prepared By: Tobias Barr, Project Manager

Recommendation:

Adopt a Resolution authorizing the City Manager to Execute a Professional Services Agreement with Oscar Larson and Associates in the Amount of \$145,190 for design, engineering, bid documents and bid support for Rutherford Pump Station Upgrades W-110, Tank 2 Rehabilitation W-101, and Pump Station Upgrades W-106.

Public Works Director Erica Ahmann Smithies reported on this item.

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Mayor Galbraith called for public comment.

Tom Belt and Anthony Micheli addressed the City Council.

Vice Mayor Peter White moved to adopt item 8.5. The motion was seconded by Councilmember Mary Koberstein 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

9. PUBLIC HEARINGS

- 9.1 Introduction and first reading of an ordinance amending St. Helena Municipal Code ("SHMC") Title 17, Section 17.148, Signs, as deemed appropriate by the City Council.

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: Aaron Hecock, Senior Planner

Recommendation:

It is recommended by the Planning Commission of the City of St. Helena that the City Council review the Draft Ordinance and proposed text amendments to the Sign Ordinance and:

1. Determine that the proposed Zoning Code text amendments are exempt from the requirements of CEQA pursuant to CEQA Guidelines Sections 15061, 15301, 15302 and 10303; and
2. Review and approve the text amendments to St. Helena Municipal Code Title 17, Chapter 17.148 in order to update and modify existing Zoning Code regulations governing signs; and
3. Introduce and conduct first reading of the ordinance, by title only and waive further reading.

Planning Director Noah Housh reported on this item.

Mayor Galbraith opened the public hearing.

Bobbi Monnette, Anthony Micheli, Debra Doman and Tracy Sweeney addressed the City Council.

Mayor Galbraith closed the public hearing.

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Vice Mayor Peter White moved to introduce and conduct first reading of the ordinance, by title only and waive further reading as amended. The motion was seconded by Councilmember Mary Koberstein 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

Mayor Galbraith called a break at 7:40 pm. Mayor Galbraith reconvened the meeting at 7:49 pm.

- 9.2 Introduction and first reading of an Ordinance amending and restating St. Helena Municipal Code (SHMC) Chapter 17.164 'Design Review', modifying the requirements and process for Design Review primarily as applied to single family residential projects; proposing to eliminate the requirement for Design Review for "Outdoor Seating" identified in SHMC Chapters 17.48.090 and 17.52.090; and proposing to eliminate the requirement for Design Review for the installation of "Awnings and Canopies", as identified in SHMC Chapter 17.112.070, citywide.

CEQA Determination: The action to adopt this Ordinance amending Chapters 17.164, 17.48.090, 17.52.090 and 17.112.070 of the St. Helena Municipal Code is exempt from the requirements of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.) pursuant to Guidelines Sections 15301, 15302 and 15303 in that these modifications reduce the administrative process for modifications to and replacement of existing residential structures and further allow the construction or conversion of "Small Structures" as defined in the statute. Further the City Council finds that the proposed modifications to the City of St Helena Design Review procedures, Chapter 17.164 of the Municipal Code, are consistent with the environmental impact analysis of the 1993 General Plan and Zoning Code EIR. In addition, the Council finds that the proposed changes are exempt from the requirements of CEQA, under Section 15061(b)(3) the "general rule" in that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, and therefore, the activity is not subject to CEQA.

Prepared By: Noah Housh, Planning & Community Improvement Director

Recommendation:

It is recommended by the Planning Commission that the City Council:

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1. Find that the proposed changes are exempt from the requirements of CEQA pursuant to Guidelines Sections 15301, 15302 and 15303 in that these modifications reduce the administrative process for modifications to and replacement of existing single family residential structures and further allow the construction or conversion of "Small Structures" as defined in the statute; that the proposed text amendments are consistent with the environmental impact analysis of the 1993 General Plan and Zoning Code EIR, and that the proposed changes are exempt from the requirements of CEQA, under Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, and therefore, the activity is not subject to CEQA; and
2. Review, comment and make a recommendation to the City Council on the proposed changes to Chapters 17.164, 17.48.090 C. 6., 17.52.090 D. 6., 17.112.050 B. and 17.112.070 of the St. Helena Municipal Code.
3. Introduce and conduct first reading of the ordinance, by title only and waive further reading.

Planning Director Noah Housh reported on this item.

Mayor Galbraith opened the public hearing.

Anthony Micheli and Bobbi Monnette addressed the City Council.

Mayor Galbraith closed the public hearing.

Councilmember Paul Dohring moved to introduce and conduct first reading of the ordinance, by title only and waive further reading as amended. 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

10. NEW BUSINESS

10.1 Discussion and Direction on the Rehabilitation of the Lyman Park Restrooms

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

Prepared By: Edrees Argand, Junior Assistant Engineer

Recommendation:

Provide direction and action for the rehabilitation of the Lyman Park Restrooms.

Public Works Director Erica Ahmann Smithies reported on this item.

Bobbi Monnette addressed the City Council.

Vice Mayor Peter White moved to approve the rehabilitation of the Lyman Park restroom as presented. The motion was seconded by Councilmember Mary Koberstein 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

10.2 Consideration and proposed adoption of the City of St. Helena Downtown Economic Strategy (~~Staff report forthcoming~~ Provided 9/21/2018)

CEQA Determination: This item is purely an informational discussion to gain Council direction and is therefore not a CEQA project. Any formal decisions on individual projects will be subject to a complete analysis and determination under CEQA.

Prepared By: Mark T. Prestwich, City Manager

Recommendation:

Pass a motion adopting the City of St. Helena Downtown Economic Strategy.

City Manager Mark Prestwich reported on this item.

No public comment was received.

Vice Mayor Peter White moved to adopt the City of St. Helena Downtown Economic Strategy. 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

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ABSTAIN: None
RECUSE: None

10.3 City Positions on November 6, 2018 Statewide and Regional Ballot Measures

CEQA Determination: Not a CEQA project
Prepared By: Mark T. Prestwich, City Manager
Recommendation:
Pass a Motion directing the City Manager to prepare a resolution for City Council consideration on October 9, 2018 noting the City's support, opposition, neutrality, or no position on various state and local November 2018 ballot measures.

City Manager Mark Prestwich reported on this item.

Bobbi Monnette addressed the City Council.

Mayor Alan Galbraith moved to:

- Support Proposition 1 - Authorizes Bonds to Fund Specified Housing Assistance Programs; and
- Support Proposition 2 - Authorizes Bonds to Fund Existing Housing Programs for Individuals with Mental Illness; and
- Support Proposition 3 - Authorizes Bonds to Fund Projects for Water Supply and Quality, Watershed, Fish, Wildlife, Water Conveyance, and Groundwater Sustainability and Storage; and
- Appose Proposition 6 - Eliminates Certain Road Repair and Transportation Funding, Requires Certain Fuel Taxes and Vehicle Fees to be Approved by the Electorate; and
- No position on all other propositions.

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

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

11.1

October City Council Meetings:

10/9 (staff reports due 9/21)

10/23 (staff reports due 10/5)

PROCLAMATIONS AND PUBLIC RECOGNITION:

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10/23 Amended Coop Agreement with Caltrans for Grayson Signal for electricity(Caltrans to attend)
10/9 Staff Briefing Parks & Recreation Commission Chair Report Out
10/23 Library Proclamation
CONSENT:
10/9 2nd Reading Design Review Ordinance - Planning
10/9 2nd Reading Sign Code Ordinance
Tennis Court Resurfacing Staff Briefing - Rec
Award RCD contract for Upper York Creek Monitoring – Public Works
10/9 Flood control project conservation easement
10/9 Award contract to Waterways for Sulphur Creek repair project – Public Works
10/9 Corp Yard Trailer Replacement/Installation
PH or NEW BUSINESS:
10/9 Discussion/direction RSO policy
Raw Water Use Charges - PW
10/9 Hillview Place Design Review Exemption Appeal – Planning
10/9 Clover Flat and Recycling Market Update – Upper Valley Disposal & Recycling
Council Update cost allocation, user fee and impact fee
10/23 1st Reading Concept Review Ordinance - Planning
10/23 1st Reading of RSO
PH 10/9 setting a public hearing for sewer annexation at 499 Crane Avenue
PH 10/9 Award RCD contract for Upper York Creek Monitoring – Public Works
Draft Truck Ordinance Safety Exception Waiver Process
Calderon Settlement Update
Finance fee update
10/27 Non Profit Grant Funding Process
<u>November City Council Meetings:</u>
11/13 (staff reports due 10/26)
11/27 (staff reports due 11/9)
PH or NEW BUSINESS:
1st Qtr Grant Report
1st Qtr Finance Update

12. ADJOURNMENT

Regular City Council
September 25, 2018

The regular meeting minutes of September 25, 2018 were approved at the October 23, 2018 regular meeting.

Mayor Galbraith adjourned the meeting at 8:43 p.m.

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Tzafoopoulos, City Clerk



Report to the City Council
Council Meeting of October 23, 2018

Agenda Section: Consent

Subject: Consideration and proposed approval of a resolution authorizing the City Manager to grant up to eight (8) hours of paid administrative leave to an employee(s) that is(are) recognized for an extraordinary achievement or merit-based performance in accordance with the resolution recitals.

CEQA Determination: Not a CEQA project

Prepared By: Kathy Robinson, Human Resources & IT Director

Reviewed By: Mark T. Prestwich, City Manager

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

The City of St. Helena formally recognized an Employee of the Year in 1995 and continued this practice for 18 years. Employees were recognized at an annual employee appreciation dinner. Resolution 90-106 provided that the City would hold an annual appreciation dinner and budget \$1,000 per year for the event. While not formally rescinded by resolution nor bargained for in any of the City's memorandum of understanding with the employee's bargaining groups, the practice and recognition of an Employee of the Year ceased in 2013 as there was citywide employee support to forgo the event as one of the many creative solutions proposed to reduce costs and to help save two Public Works' Parks positions that were proposed for elimination due to the budget reductions required for FY 2013-14.

DISCUSSION

An employee survey conducted at the end of 2017 provided the City Manager valuable feedback on employee satisfaction and the work environment. One of the common themes among employees was that promoting employee appreciation and teambuilding were solutions to improve the work environment. In May of 2018, a volunteer focus group was formed called the Employee Engagement Team with a goal to make the City

a better place to work. This committee met every other week to develop an Employee Recognition program that would recognize annually not only one exceptional employee, but four employees. Given that the last time an employee was recognized was in 2012, the committee thought it was an appropriate recommendation to recognize more than one employee. The Employee Engagement Team presented the recommendations to the Executive Staff in late August and received enthusiastic support to move forward. The committee's recommendation also included the ability to award one (1) full day/eight (8) hours of paid administrative leave to the selected Employee(s) of the Year, as "comp time off" was the most selected appreciation reward selected by employees.

The City Manager does not have the authority to award any type of employee recognition or merit-based leave and seeks the approval of the City Council for the authority to award eight (8) hours of paid administrative leave to an employee or to employees that are recognized as Employee of the Year. Additionally, it is recommended the City continue to recognize the dedication and outstanding effort of our employees and allow this authority of the City Manager to continue from year to year, and allow the City Manager to award employee recognition or merit-based administrative leave to an employee(s) who may be recognized for extraordinary service or achievement during any given fiscal year until otherwise rescinded by City Council resolution.

The administrative leave would be administered like a personal convenience holiday in accordance with the Employee Handbook, Section VII.D. Additionally, the award of leave is not eligible for any cash-in-lieu payout and the City Manager may not grant an employee more than a one-time award of eight (8) hours administrative leave in any given year.

FISCAL IMPACT

There is no fiscal impact to the budget as any award of administrative leave is not accrued on the City's book in a manner that allows this time to paid out cash-in-lieu.

RECOMMENDED ACTION

Approve resolution granting the City Manager the authority to award up to eight (8) hours of paid administrative leave to an employee or employees that are recognized for extraordinary achievement or merit-based performance in any given fiscal year in accordance with the resolution recitals.

ATTACHMENTS

[RESO -Employee Recognition Leave Award](#)

CITY OF ST. HELENA

RESOLUTION NO. 2018-_____

Approval granting the City Manager the authority to award up to eight (8) hours of paid administrative leave to an employee(s) that is(are) recognized for an extraordinary achievement or merit-based performance in any given fiscal year in accordance with the resolution recitals

RECITALS

- A. The City of St. Helena formally recognized an Employee of the Year in 1995 and continued this practice for 18 years, and
- B. Employees were recognized at an annual employee appreciation dinner; and
- C. Resolution 90-106 provided that the City hold an annual appreciation dinner and budget \$1,000 per year for the event; and
- D. The practice ceased in 2013 as one of the many creative solutions that were proposed by City employees to reduce costs during the required budget reductions of FY 2013-14; and
- E. In May of 2018, a volunteer focus group was formed called the Employee Engagement Team with a goal to make the City a better place to work and tasked with developing an employee recognition program; and
- F. This committee developed an Employee Recognition program that would recognize annually not only one exceptional employee, but four employees; and
- G. The committee recommendation also included the ability to award one (1) full day/eight (8) hours of paid administrative leave to the selected Employee(s) of the Year, as "comp time off" was the most selected appreciation reward selected by employees; and
- H. The City acknowledges the extraordinary efforts of City employees and support the award of administrative leave to such employees who are recognized or demonstrates extraordinary public service; and
- I. Award of administrative leave would be administered like a personal convenience holiday; and
- J. Leave must be used within one year of the award, will not accrue, may be taken at the employee's convenience, subject to the Department Head's approval, shall not incur additional expense to the City, and must be taken as a full day; and

- K. Award of this leave is not eligible for any cash-in-lieu payout, and if not used within one year of award shall expire; and
- L. In any given fiscal year, the City Manager may not grant an employee more than a one-time award of eight (8) hours administrative leave.

RESOLUTION

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

1. Grant the City Manager to authority to award up to eight (8) hours of administrative leave to an employee(s) recognized for extraordinary service or achievement during any given fiscal year in accordance with the resolution recitals; and
2. In continued support of acknowledging outstanding City employees, grant the City Manager the authority to award employee recognition or merit-based administrative leave to an employee(s) who are recognized for extraordinary service or achievement in any given fiscal year until otherwise rescinded by City Council resolution.

Approved at a Regular Meeting of the St. Helena City Council on October 23, 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 October 23, 2018

Agenda Section: Consent

Subject: Approve Amendment No.1 to Memorandum of Understanding Between the City of St. Helena and the St. Helena Police Officers' Association

**CEQA Exempt
Determination:**

Prepared By: Mandy Kellogg, Admin Services Mgr

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

On June 10, 2014, the City Council approved a Memorandum of Understanding (MOU) between the St. Helena Police Officers' Association (POA) and the City for the period July 1, 2014 through June 30, 2017. A successor MOU was approved June 13, 2017 for the period July 1, 2017 thru June 30, 2010. Prior to the 2014-2017 MOU, the City assumed to full expense of employee contributions to CalPERS. In an effort to reduce pension expenses for the City, language was included in the 2014-2017 MOU to gradually transfer the employee contributions from the City to the employee and incorporate salary increases to offset the expense to the employee. The final transition occurred on July 1, 2016 and included the language as follows:

Article 24

PUBLIC EMPLOYEE'S RETIREMENT SYSTEM

24.1 Sworn Personnel

24.1.6 Effective 7/1/2016, sworn members of the bargaining unit shall pay (pre-tax) an additional 3% of the EE 9% Retirement contribution. The City will pay the appropriate City's contribution.

24.2 Non-Sworn Personnel

24.3 Effective 7/1/2016, non-sworn members of the bargaining unit shall pay (pre-tax) an additional 3% of the total EE 7% Retirement contribution. The City will pay the appropriate City's contribution.

SALARY INCREASE

Sworn Personnel

7/1/16, increase to base pay of 4.5%

Non-Sworn Personnel

7/1/16, increase to base pay of 3.5%

Due to CalPERS retirement law regarding new members (PEPRA), which prohibits employer paid member contributions for new members, PEPRA employees of the association were already contributing to the full cost of the employee's share prior to July 1, 2016. However, effective July 1, 2016 an additional 3% contribution of the employer's share was imposed on the PEPRA members. The additional contribution was to ensure that the salary increase they were receiving was equitable since they were already assuming the full cost of the employee share. This resulted in PEPRA employees contributing an additional 3% more than the full cost of the employee's share.

DISCUSSION

The City of St. Helena and the St. Helena Police Officers' Association wish to amend this current practice and cease the additional 3% contribution to the employer's share for PEPRA employees in order to ensure all employees are funding 100% of the employee's contribution and amend the contributions with how they are outlined in the MOU. Amendment No. 1 includes provisions as follows:

- Cease withholding the additional 3% contribution to the employer's share for PEPRA employees effective July 29, 2018. This will ensure that all City employees are contributing their full share, but not exceeding 100% of the employee contributions.
- Refund PEPRA employees for the additional 3% contributions withheld during the time period of July 1, 2016 through July 29, 2018. The additional 3% contributions exceeded the normal 100% contribution of the employee share and was only imposed on PEPRA members represented under the POA MOU.
- Continue contributions from employees to CalPERS as outlined in the MOU.

FISCAL IMPACT

The fiscal impact is \$18,136.57 to the General Fund. This amount can be absorbed in the existing budget due to the Police Chief personnel change.

RECOMMENDED ACTION

Approve a resolution authorizing the City Manager to execute Amendment No. 1 to the Memorandum of Understanding between the City of St. Helena and the Police Officers' Association and authorize the City to reimburse employees for the additional 3%

contributions withheld during the time period of July 1, 2016 through July 29, 2018 for an amount not to exceed \$18,136.57.

ATTACHMENTS

[Resolution - POA Amendment No. 1](#)

[POA Amendment No. 1 2018](#)

Attachment 1

CITY OF ST. HELENA

RESOLUTION No. 2018-

Resolution authorizing the City Manager to execute Amendment No. 1 to the Memorandum of Understanding between the City of St. Helena and the Police Officers' Association and authorize the City to reimburse employees for the additional 3% contributions withheld during the time period of July 1, 2016 through July 29, 2018 for an amount not to exceed \$18,136.57.

RECITALS

- A. On July 1, 2016 an additional 3% contribution of the employer's share was imposed on the PEPRAs members represented under the Police Officers' Association Memorandum of Understanding; and
- B. The 3% contribution of the employer's share was in addition to the 100% contribution of the employee's share; and
- C. The City of St. Helena and the Police Officers' Association wish to amend this current practice and cease the additional 3% contribution to the employer's share for PEPRAs employees in order to ensure all employees are funding 100% of the employee's contribution and amend the contributions with how they are outlined in the MOU; and
- D. The City of St. Helena and the Police Officers' Association wish to refund PEPRAs employees for the additional 3% contributions withheld during the time period of July 1, 2016 through July 29, 2018 for an amount not to exceed \$18,136.57.

RESOLUTION

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

- 1. The City Council authorizes the City Manager to execute Amendment No. 1 to the Memorandum of Understanding between the City of St. Helena and the Police Officers' Association.
- 2. The City Council authorizes the City to reimburse employees for the additional 3% contributions withheld during the time period of July 1, 2016 through July 29, 2018 for an amount not to exceed \$18,136.57

Approved at a Regular Meeting of the St. Helena City Council on October 23, 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

Attachment 2

AMENDMENT NO. 1 TO MEMORANDUM OF UNDERSTANDING**BETWEEN THE****CITY OF ST. HELENA****AND THE POLICE OFFICERS ASSOCIATION**

The City of St. Helena (City) and St. Helena Police Officers' Association (POA) hereby make the following Amendment No. 1 and amend the current practice for New Member (PEPRA) employee contributions to the California Public Retirement System (CalPERS). This Amendment No. 1 will be effective upon signing on October ____, 2018.

Background

On June 10, 2014, the City Council approved a Memorandum of Understanding (MOU) between the POA and the City for the period July 1, 2014 through June 30, 2017. Prior to the approved MOU the City assumed to full expense of employee contributions to CalPERS. In an effort to reduce pension expenses for the City, language was included in the MOU to gradually transfer the employee contributions from the City to the employee and incorporate salary increases to offset the expense to the employee. The final transition occurred on July 1, 2016 and included the language as follows:

Article 24**PUBLIC EMPLOYEE'S RETIREMENT SYSTEM****24.1 Sworn Personnel**

24.1.6 Effective 7/1/2016, sworn members of the bargaining unit shall pay (pre-tax) an additional 3% of the EE 9% Retirement contribution. The City will pay the appropriate City's contribution.

24.2 Non-Sworn Personnel

24.3 Effective 7/1/2016, non-sworn members of the bargaining unit shall pay (pre-tax) an additional 3% of the total EE 7% Retirement contribution. The City will pay the appropriate City's contribution.

SALARY INCREASE**Sworn Personnel**

7/1/16, increase to base pay of 4.5%

Non-Sworn Personnel

7/1/16, increase to base pay of 3.5%

Due to CalPERS retirement law regarding new members (PEPRA), which prohibits employer paid member contributions for new members, PEPRA employees of the association were already contributing to the full cost of the employee's share prior to July 1, 2016. However, effective July 1, 2016 an additional 3% contribution of the employer's share was imposed on the PEPRA members. The additional contribution was to ensure that the salary increase they were receiving was equitable since they were

Attachment 2

already assuming the full cost of the employee share. This resulted in PEPRA employees contributing an additional 3% more than the full cost of the employee's share.

The City of St. Helena and the Police Officers' Association wish to amend this current practice and cease the additional 3% contribution to the employer's share for PEPRA employees in order to ensure all employees are funding 100% of the employee's contribution and amend the contributions with how they are outlined in the MOU.

AGREEMENT

1. Cease withholding the additional 3% contribution to the employer's share for PEPRA employees effective July 29, 2018.
2. Refund PEPRA employees for the additional 3% contributions withheld during the time period of July 1, 2016 through July 29, 2018.
3. Continue contributions from employees to CalPERS per the MOU, which is outlined below:

24.1 Sworn Personnel

24.1.6 Effective 7/1/2016, sworn members of the bargaining unit shall pay (pre-tax) an additional 3% of the EE 9% Retirement contribution. The City will pay the appropriate employer contribution.

24.2 Non-Sworn Personnel

24.3 Effective 7/1/2016, non-sworn members of the bargaining unit shall pay (pre-tax) an additional 3% of the total EE 7% Retirement contribution. The City will pay the appropriate employer contribution.

St. Helena Police Officers' Association

City of St. Helena

Todd Heald, President

Mark T. Prestwich, City Manager



Report to the City Council
Council Meeting of October 23, 2018

Agenda Section: Consent

Subject: Consideration of the adoption of a resolution rejecting all construction bids for the C-82 Downtown Restrooms Project.

**CEQA 15303 New Construction or Conversion of Small Structures
Determination:**

Prepared By: Tobias Barr, Project Manager

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

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

Since 2015, the City's Capital Improvement Plan and Annual Budget has included plans for the construction of a Downtown Restrooms project (C-82). The project site is located directly off Main Street where Telegraph Way meets Money Way, adjacent to the City owned parking lot on Oak Street.

On June 26, 2018, following additional public and City Council comment on the project, City Council authorized project bidding. The resolution adopting the project manual and finding the project categorically exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines section 15303, New Construction or Conversion of Small Structures was previously approved on April 24, 2018 with Resolution 2018-43. Following the additional discussion on June 26, 2018, the Contract Documents were sent to the following builders exchanges on August 29, 2018:

- Blueprintexpress.com
- North Coast Builders Exchange
- Solano-Napa Builders Exchange
- Construction Bid Board
- Dodge Data & Analytics
- Marin Builders Exchange
- Contra Costa Builders Exchange

Additionally, the Notice to Contractors was posted for two weeks starting on September 13, 2018 in the St. Helena Star and Calistogan newspapers.

DISCUSSION

The City Clerk received four bids on Friday, September 28, 2018 as follows:

Contractor Name	Bid Amount
CWS Construction	\$497,000
Eagle Solutions	\$507,760
Alta Engineering	\$589,500
Helmer & Sons	\$612,678

The engineers estimate for this project was \$198,000.

CWS Construction holds valid Class A and B Contractors License in the State of California, with no enforcement actions listed. Their license expires April 30, 2019. CWS Construction had the lowest, responsible, and responsive bid. CWS Construction's bid price would increase the total construction project costs, including contingency from \$287,163 to \$615,200. This is \$328,037 over the approved project budget. Analysis by City Staff suggests that the high bids are attributed to several factors including advertising the project during peak construction season, contractor supply and demand (due to fire rebuild effort), potential for inclement weather during construction period, materials prices due to supply and demand, and recent tariffs on steel.

City staff will work with the design architect to see what materials modifications can be made to reduce the cost of the structure based on feedback provided by contractors who bid the project. Following this review, staff is planning to rebid the project in late winter/early spring 2019, during the next off-peak construction season.

FISCAL IMPACT

The estimated project expenditure summary is provided in the table below.

Description	Budget	Projected
Preliminary Engineering	\$60,000	\$60,000
Construction Management & Inspection	\$8,500	\$8,500
Construction Contract	\$198,830	\$497,000
Contingency (10%)	\$19,833	\$49,700
Total	\$287,163	\$615,200

Based on the lowest responsible and responsive bid, the project cost would exceed the adopted budget by \$328,073.

RECOMMENDED ACTION

Adopt the attached resolution rejecting all construction bids for the C-82 Downtown Restrooms Project.

ATTACHMENTS

[Attachment 1: Resolution](#)

[Bid Tabulation C-82 FINAL](#)

CITY OF ST. HELENA

RESOLUTION No. 2018-

Resolution rejecting all construction bids for the C-82 Downtown Restrooms Project

RECITALS

- A. On June 26, 2018 the City Council adopted a resolution finding the project exempt from CEQA, approving the project manual and authorizing the bid request for the C-82 Downtown Restrooms project; and
- B. Pursuant to St. Helena Municipal Code Chapter 3.04, Article 3 Public Works Projects, Section 3.04.220 on August 29, 2018 a notice inviting bids was posted and mailed to contractors inviting bids for the project C-82 Downtown Restrooms; and
- C. On September 28, 2018, four bids were received and evaluated by the Director of Public Works; and
- D. The lowest responsive and responsible bidder for the Project was CWS Construction, of Novato, CA in the amount of \$497,000; and
- E. The lowest bid would increase the total construction project costs, including contingency from \$287,163 to \$615,200 which is \$328,037 over the approved project budget; and
- F. California Public Contract code Section 20166 allows a legislative body to reject any bids presented; and
- G. The Public Works Director recommends all bids be rejected based on the significant increase over the approved project budget and re-advertise the project at a later date.

RESOLUTION

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

1. Reject all the construction bids for the C-82 Downtown Restroom Project.

Approved at a Regular Meeting of the St. Helena City Council on October 23, 2018 by the following vote:

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

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Tzaferopoulos, City Clerk

Bid Results
City of St. Helena
R18-79 2018 Pavement Overlay
Bid Opening 6/06/18 at 2:00pm

C-82 Downtown Restroom Bid Opening September 28, 2018 at 2:00 PM

Item No.	Bid Item	Quantity	Units	Engineers Estimate		CWS Construction Group		Eagle Solutions		Alta Engineering		Helmer & Sons	
				Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost
1	Traffic Control	1	LS	7,500.00	7,500.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$20,000.00	\$20,000.00	\$14,062.20	\$14,062.20
2	Water Pollution Control	1	LS	2,500.00	2,500.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$10,000.00	\$10,000.00	\$5,859.25	\$5,859.25
3	Clearing and Grubbing	1	LS	15,000.00	15,000.00	\$5,000.00	\$5,000.00	\$10,000.00	\$10,000.00	\$45,000.00	\$45,000.00	\$13,444.64	\$13,444.64
4	PCC Curb	82	LF	40.00	3,280.00	\$100.00	\$8,200.00	\$180.00	\$14,760.00	\$75.00	\$6,150.00	\$153.51	\$12,587.82
5	PCC Sidewalk	540	SF	20.00	10,800.00	\$30.00	\$16,200.00	\$50.00	\$27,000.00	\$25.00	\$13,500.00	\$58.59	\$31,638.60
6	Detectable Warning Surface	1	EA	750.00	750.00	\$5,000.00	\$5,000.00	\$15,000.00	\$15,000.00	\$850.00	\$850.00	\$1,757.78	\$1,757.78
7	Furnish & Install 18" x 18" Drop Inlet	1	EA	2,000.00	2,000.00	\$5,000.00	\$5,000.00	\$15,000.00	\$15,000.00	\$3,000.00	\$3,000.00	\$2,343.70	\$2,343.70
8	Furnish & Install Bio Retention Facility	1	LS	8,500.00	8,500.00	\$10,000.00	\$10,000.00	\$15,000.00	\$15,000.00	\$22,000.00	\$22,000.00	\$22,024.92	\$22,024.92
9	18" x 18" Field Drain with 6" SD	1	EA	2,500.00	2,500.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,500.00	\$5,500.00	\$2,929.63	\$2,929.63
10	6" PVC Sewer Lateral with Cleanouts	1	EA	8,000.00	8,000.00	\$10,000.00	\$10,000.00	\$15,000.00	\$15,000.00	\$45,000.00	\$45,000.00	\$17,577.75	\$17,577.75
11	2" water service	1	EA	3,500.00	3,500.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$7,500.00	\$7,500.00	\$10,546.65	\$10,546.65
12	Hot Tap 2" Water Service on 6" Main	1	EA	2,000.00	2,000.00	\$5,000.00	\$5,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$1,757.78	\$1,757.78
13	Parking Lot Lights	4	EA	8,125.00	32,500.00	\$7,500.00	\$30,000.00	\$5,000.00	\$20,000.00	\$16,500.00	\$66,000.00	\$7,786.94	\$31,147.76
14	Construct Public Restroom and Drinking Fountain	1	LS	100,000.00	100,000.00	\$377,600.00	\$377,600.00	\$336,000.00	\$336,000.00	\$330,000.00	\$330,000.00	\$445,000.00	\$445,000.00
Totals					198,830.00		\$497,000.00		\$507,760.00		\$589,500.00		\$612,678.48



Report to the City Council
Council Meeting of October 23, 2018

Agenda Section: Consent

Subject: Consideration and proposed approval of a resolution authorizing the purchase of one 2018 McLaughlin VX50-800 Vacuum Excavator from Vermeer - RDO Equipment Co. in the amount of \$78,454.59 for the Public Works Department Water Distribution Division.

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

The purchase of a vacuum excavator is included in the approved FY 2018-2019 Water Distribution Capital Equipment Budget. The vacuum excavator will be used by the Public Works Water Distribution Division. Its primary use will be vacuum excavations, cleaning of valve boxes and catch basins, valve maintenance, hydrant flow testing, and maintenance. Vacuum-excavation technology is used due to the fragile and delicate nature of underground systems. Vacuum-excavators employ water and vacuum to do the digging. Unlike traditional excavation tools, vacuum-excavation equipment is safe for operators and avoids damaging buried utilities. Vacuum-excavators are capable of removing all of the necessary debris and dirt without excessive damage to the surroundings.

DISCUSSION

Public Works Water Distribution Division is purchasing a vacuum-excavator to safely and more efficiently excavate around underground utility lines. This unit uses a high-pressure water and vacuum system to dig away the earth from around underground utilities with less chance of disturbing the utility line itself. This technology has been

used for several years by contractors working for the City and has proven to be more effective and less disruptive in repairing underground utility lines.

In accordance with City of St. Helena Municipal Code Section 3.04.150, (Cooperative purchasing with other agencies). The bidding requirements of Section 3.04.100 shall not apply to the purchasing of any equipment or supplies which the purchasing officer decides to obtain through a cooperative competitive bidding procedure prepared by and processed through another public, local, state, or federal governmental agency. If it is determined to be in the best interest of the city, the purchasing officer is authorized to “piggy-back” onto or join into an existing written purchase contract, which contract was obtained within the last twelve (12) months through a competitive bidding process prepared by and awarded by another public, local, state or federal government agency. However, City Council approval is required prior to and for the joining of a “piggy-back” purchase or cooperative purchase for a purchase greater than twenty-five thousand dollars (\$25,000.00).

On January 25, 2018, Vermeer responded to a Request for Proposal (RFP) issued by Sourcewell - formally the National Joint Powers Alliance (NJPA) and was awarded Contract #012418-VRM on March 12, 2018 (attached) for various goods and services including vacuum-excavators. Based on the contract award with Sourcewell, and in accordance with SHMC 3.04.150, staff is recommending the City purchase the vacuum-excavator through Vermeer - RDO Equipment Co.

FISCAL IMPACT

The FY 18/19 Water Distribution Capital Equipment Budget is \$144,000 (561-5031-2630), of which \$85,000 is allocated for the purchase of a vacuum excavator.

RECOMMENDED ACTION

Adopt a resolution, authorizing the purchase of one 2018 McLaughlin VX50-800 Vacuum Excavator from Vermeer - RDO Equipment Co. in the amount of \$78,454.59 for the Public Works Department Water Distribution Division.

ATTACHMENTS

[Attachment 1: Vermeer Quote](#)

[Attachment 2 Resolution](#)

[Attachment 3: Name Change Explanation](#)

[Attachment 4: Acceptance and Award-Vermeer 012418](#)



Investment Proposal (Quote)

RDO Equipment Co.
24353 Clawiter Rd.
Hayward (VM) CA, 94545
Phone: (510) 460-3900 - Fax: (510) 723-0271

Proposal for:
CITY OF ST HELENA
1480 MAIN ST
SAINT HELENA, CA, 945741899
NAPA

Investment Proposal Date: 8/22/2018
Pricing Valid Until: 9/21/2018
Deal Number: 1110556
Customer Account#: 3748033
Account Manager: Mark Meyer
Phone: (510) 460-3900
Fax: (925) 454-9100
Email: MMeyer@rdoequipment.com

Equipment Information

Quantity	Serial Number	Hours (approx.)	Status / Year / Make / Model Additional Items	Cash Price
1	TBD	0	New 2018 MCLAUGHLIN VX50-800	\$80,300.00
			Freight In	\$3,300.00
			Prep / Reconditioning	\$395.00
			Customer Discount VERMEER MUNICIPALITY DISCOUNT	(\$11,600.00)
Equipment Subtotal:				\$72,395.00

Purchase Order Totals

Balance: \$72,395.00
Tax Rate 3: (CAZH 8.25%) \$5,972.59
Sales Tax Total: \$5,972.59
PrePaid Tax License: \$80.00
CA Tire Fee: \$7.00
Sub Total: \$78,454.59
Cash with Order: \$0.00
Balance Due: \$78,454.59

Equipment Options

Qty	Serial Number	Year / Make / Model	Description
1	TBD	2018 MCLAUGHLIN VX50-800	8093058 VX50-800 VACUUM EXCAVATOR 8093361 STRONG ARM 8041127 HYDRAULIC JACK 8046275 6" DRAIN VALVE CAP ASSEMBLY A. 49HP TIER IV FINAL KUBOTA ENGINE B. 1025 CFM, 15" OF MERCURY BLOWER C. 800 GALLON SPOIL TANK D. QTY. 2, 205 GALLON WATER TANKS E. 5.6 GPM @ 3,000 PSI WATER SYSTEM F. 18,000 GVW TRAILER G. CAM OVER FULL HYDRAULIC REAR DOOR

CITY OF ST. HELENA

RESOLUTION NO. 2018-_____

**Resolution authorizing the purchase of one 2018
McLaughlin VX50-800 Vacuum Excavator from Vermeer –
RDO Equipment Co. in the amount of \$78,454.59 for the
Public Works Department Water Distribution Division.**

RECITALS

- A. The City of St. Helena Public Works Department desires to add the 2018 McLaughlin VX50-800 Vacuum Excavator to the Water Distribution's fleet of equipment; and
- B. The purchase will be made in conformance with St. Helena Municipal Code Section 3.04.150, "Cooperative purchasing with other agencies"; and
- C. The purchase of the new equipment is a 18/19 FY budgeted expense from the Water Distribution's Capital Equipment account, 561-5031-2630

RESOLUTION

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

- 1. Purchase of one 2018 McLaughlin VX50-800 Vacuum Excavator from Vermeer – RDO Equipment Co. in the amount of \$78,454.59 for the Public Works Department Water Distribution Division.

Approved at a Regular Meeting of the St. Helena City Council on October 23, 2018, by the following vote:

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

APPROVED:

Alan Galbraith, Mayor

ATTEST:

Cindy Tzaopoulos, City Clerk



June 6, 2018

The National Joint Powers Alliance (NJPA) will formally be known as Sourcewell beginning June 6, 2018.

The NJPA Board of Directors on May 15, 2018 voted to approve changing the organization's name to Sourcewell. Documentation has been formally submitted for Sourcewell to be registered and trademarked, both federally and in Minnesota, with the appropriate agencies.

Sourcewell has worked intentionally to mitigate the implications of this change to current and potential members, currently awarded vendors, and other existing partners. After June 6th, 2018, Sourcewell will maintain and continue to recognize the National Joint Powers Alliance name. Membership agreements, contracts, and agreements entered into with the National Joint Powers Alliance will remain valid and continue in effect without impact. This will ensure contractual continuity and safeguard any disruptions to engagement with Sourcewell. This includes membership, use of cooperative purchasing contracts, or other contractual engagements.

Sincerely,

A handwritten signature in blue ink, appearing to be "M. Miller", written over the word "Sincerely,".

Marcus Miller
General Counsel and Director of Government Relations

**STATE OF MINNESOTA
COUNTY OF TODD**

**RESOLUTION ESTABLISHING CORPORATE AND AGENCY NAME FOR REGION 5 SERVICE
COOPERATIVE AS SOURCEWELL (F/K/A National Joint Powers Alliance)**

Resolution No. 2018-07

WHEREAS, the Board of Directors previously authorized and directed staff undertake all actions necessary and sufficient to “rebrand” Region 5 Service Cooperative; and

WHEREAS, after careful study and consideration, the name Sourcewell was chosen as the legal, organizational, and agency name for Region 5 Service Cooperative; and

WHEREAS, the organizational bylaws were duly adopted, ratified and approved and became effective as of the May 2018 Board of Directors meeting; and

WHEREAS, Article 1, Section 1 of said bylaws establishes Sourcewell as the legal organizational name for Region 5 Service Cooperative; and

WHEREAS, Minnesota Statutes, § 123A.21 provides that the “care, management, and control” of Region 5 Service Cooperative is vested in its Board of Directors, including the power and authority to establish the legal name of the organization.

NOW THEREFORE BE IT RESOLVED by the Board of Directors as follows:

1. The name National Joint Powers Alliance is replaced and the legal, organizational, and agency name of Region 5 Service Cooperative is Sourcewell.
2. The official and effective date of this change is June 6, 2018.
3. All prior contracts and other legal obligations established or incurred under the name National Joint Powers Alliance remain in full force and effect.
4. All contracts or other legal obligations undertaken on and after June 6, 2018 shall be executed and performed in the name Sourcewell.
5. This Resolution is effective upon signature and shall henceforth serve as sufficient and official proof and evidence of the legal, organizational and agency name for Region 5 Service Cooperative.

6. The Executive Director, or his designee, is authorized and directed to provide copies of this resolution to third parties as requested or required and to affix the same to legal documents when necessary.



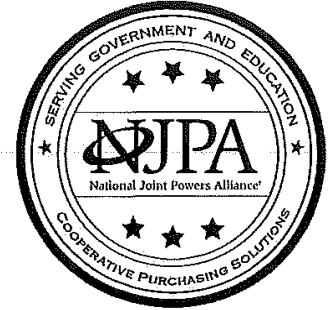
Chairperson, Sourcewell Board of Directors

ATTEST:



Clerk to the Board of Directors

FORM E
CONTRACT ACCEPTANCE AND AWARD



(Top portion of this form will be completed by NJPA if the vendor is awarded a contract. The vendor should complete the vendor authorized signatures as part of the RFP response.)

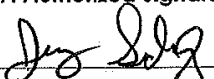
NJPA Contract #: 012418-VRM

Proposer's full legal name: Vermeer Corporation

Based on NJPA's evaluation of your proposal, you have been awarded a contract. As an awarded vendor, you agree to provide the products and services contained in your proposal and to meet all of the terms and conditions set forth in this RFP, in any amendments to this RFP, and in any exceptions that are accepted by NJPA.

The effective date of the Contract will be March 14, 2018 and will expire on March 14, 2022 (no later than the later of four years from the expiration date of the currently awarded contract or four years from the date that the NJPA Chief Procurement Officer awards the Contract). This Contract may be extended for a fifth year at NJPA's discretion.

NJPA Authorized Signatures:


 NJPA DIRECTOR OF COOPERATIVE CONTRACTS
 AND PROCUREMENT/CPO SIGNATURE

Jeremy Schwartz
 (NAME PRINTED OR TYPED)


 NJPA EXECUTIVE DIRECTOR/CEO SIGNATURE

Chad Coquette
 (NAME PRINTED OR TYPED)

Awarded on March 12, 2018

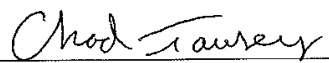
NJPA Contract # 012418-VRM

Vendor Authorized Signatures:

The Vendor hereby accepts this Contract award, including all accepted exceptions and amendments.

Vendor Name Vermeer Corporation

Authorized Signatory's Title Corporate Account Manager


 VENDOR AUTHORIZED SIGNATURE

Chad Tousey
 (NAME PRINTED OR TYPED)

Executed on March 19, 2018

NJPA Contract # 012418-VRM



Report to the City Council
Council Meeting of October 23, 2018

Agenda Section: Consent

Subject: Consideration and Proposed Approval of a Resolution Rescinding Resolution No. 2017-162 and Adopting Investment Policy P-FI-0002 - 2018 for the City of St. Helena

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

California Government Code Section 53646(a)(2) states that the treasurer or chief fiscal officer of any other local agency (other than County agencies) may annually render to its legislative body and any oversight committee an investment policy and that the legislative body shall consider this policy at a public meeting.

Since 1999, the City has utilized PFM Asset Management LLC (PFM) to manage the City's investment accounts in an account called California Asset Management Program (CAMP). In addition, the City has funds in the Local Agency Investment Fund (LAIF) which is held by the State of California. The City meets with the PFM investment advisor to review the City's portfolio and discuss economic conditions and market trends. Staff also receives quarterly reports from the Local Agency Investment Fund (LAIF).

DISCUSSION

Annually PFM reviews the City's Investment Policy and recommends changes based on legislation or best practices. Although not required, PFM recommends the City incorporate the revisions provided in Attachment 1 to help clarify the Policy's requirements. All recommendations made by PFM are allowable investments through the CAMP Pool Investment and staff concurs with their recommended changes.

Attachments 2 and 3 provide the redlined and final versions of the proposed updated Investment Policy P-FI-0002 - 2018.

FISCAL IMPACT

None.

RECOMMENDED ACTION

Staff recommends the approval of a Resolution Rescinding Resolution No. 2017-162 and Adopting Investment Policy P-FI-0002 - 2018 for the City of St. Helena.

ATTACHMENTS

[Attachment 1 - PFM St Helena IP Memo 2018](#)

[Attachment 2 - P-FI-0002 Investment Policy 2018 PFM redlined](#)

[Attachment 3 - P-FI-0002 Investment Policy 2018](#)

[Attachment 4 - 2018 Investment Policy Resolution](#)



October 3, 2018

Memorandum

To: April Mitts, Finance Director
City of St. Helena

From: Allison Kaune, Senior Managing Consultant
Richard Babbe, Senior Managing Consultant
PFM Asset Management LLC

Re: 2018 Investment Policy Review

At your request, we reviewed the City of St. Helena's (the "City") Investment Policy (the "Policy") as part of the City's annual review process. As written, the Policy is comprehensive and is in compliance with the California Government Code (the "Code") sections that govern the investment of public funds. Furthermore, there were not any Code changes effective in 2018 that would require any changes to the Policy.

Although no changes are required, we are recommending that the City consider several Policy revisions that we believe will help clarify the Policy's requirements. Our recommendations are summarized below by Policy section. In addition, we have attached a marked-up copy of the Policy to illustrate our recommendations:

6. Authorized Financial Dealers and Institutions.

As a clarification, we recommend the City revise the introductory sentence to clarify that the Treasurer is only required to maintain a list of authorized financial institutions if the City is executing its own transactions.

As a minor update, the NASD has been superseded by FINRA as the primary regulatory body for broker/dealers. Accordingly, we recommend the City update the reference in the Policy.

As some of the transactions executed by PFM on the City's behalf are made directly with an issuer, we recommend that Policy's language be updated to indicate that this is an authorized practice.



7.h. Negotiable certificates of deposit

As the negotiable CDs PFM purchases on the City's behalf can have either short- or long-term ratings, we recommend the City revised the Policy to indicate that either rating may be used.

9. Safekeeping and Custody

As certain securities purchased by the City are not deliverable (e.g. LAIF, CAMP), we recommend that the City revise the Policy to indicate that only deliverable securities need to be held by the City's custodian.

In addition to these recommendations, which are shown in the marked-up version of the Policy, the City may again, like in 2016, want to consider adding supranational securities and asset-backed securities as permitted investments, in line with California Government Code.

Supranational Securities. We believe that the City could benefit from including supranational securities in the Policy's list of permitted investments. AB 1933, which took effect January 1, 2015, added subsection (q) to Code Section 53601. This subsection allows local agencies to invest in the senior debt obligations of three supranational issuers, specifically the International Bank for Reconstruction and Development, International Finance Corporation, and Inter-American Development Bank. The Code change simply extended to local agencies the same authority to invest in supranationals that the Local Agency Investment Fund (LAIF) has had for decades.

One of the primary reasons we recommend adding this sector is to open up a new asset class for the City's portfolio in order to increase diversification and enhance portfolio return safely. Having broader investment opportunities is important as the mandated wind-down of Federal Home Loan Mortgage Corporation (FHLMC) and the Federal National Mortgage Association (FNMA) will result in reduced Agency supply going forward.

Asset-Backed Securities (ABS). We believe that the City could benefit from including ABS to the list of permitted investments. An asset-backed security is a security whose income payments and hence value is derived from and collateralized (or "backed") by a specified pool of underlying assets (generally receivables). Pooling the assets into financial instruments allows them to be sold to general investors—a process called securitization—and allows the risk of investing in the underlying assets to be diversified because each security will represent a fraction of the total value of the diverse pool of underlying assets. The pools of underlying assets can comprise common payments credit cards, auto loans, mortgage loans, and other types of assets. ABS are permitted under Code section 53601(o). Inclusion of this sector may provide the City the opportunity to increase diversification and value to the portfolio.



If the City would like to discuss these asset types further please let us know and we can provide additional information and answer any questions. We can also provide recommended language for the Policy if you'd like to add them as permitted investments.

Please let us know if you have any questions or would like to discuss our recommendations in more detail.

	City of St. Helena Council Policy Finance	Policy Investment Policy 20187
		Page 1 of 12

Title: Investment Policy 20187	Policy #	P-FI-0002
	Revision #	Resolution 2017-16 223
	Implementation Date	2017-12-13 2018-10-24
	Last Update Date	2016-09-14 2017-23-13
Approval by City Manager Council	Date Approved	December 12, 2017 2018-10-23

I. Purpose, Overview and Scope of this Policy

It is the policy of the City of St. Helena ("the City") to invest public funds in a manner that will provide the highest investment return with the maximum security while meeting the daily cash flow demands of the City and conforming to all California laws and local statutes governing the investment of public funds.

II. Authority

Authority for policies is limited to the City Council.

III. Policy

1. Scope

This investment policy applies to all the funds and investment activities under the direct authority of the City as accounted for in the Comprehensive Annual Financial Report (CAFR). Policy statements outlined in this document focus on the City's pooled funds, but will also apply to all other funds under the City Treasurers' span of control unless specifically exempted by statute or ordinance. This policy is applicable, but not limited to, all funds listed below:

- General Fund
- Enterprise Funds
- Special Revenue Funds
- Capital Project Funds
- Trust and Agency Funds

Excluded funds are those held with a fiscal agent, which has their own specific "permitted investments" section in the bond covenants. These funds include funds reserved for debt service and pension funds.

2. Prudence

Pursuant to California Government Code Section 53600.3, all persons authorized to make investment decisions on behalf of the City are trustees and therefore fiduciaries subject to the prudent investor standard: "When investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care,

P-FI-0002 - ~~2017~~2018

	City of St. Helena Council Policy Finance	Policy Investment Policy 2018 7
		Page 2 of 12

skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency.”

The City Treasurer and/or City Manager, acting within the intent and scope of the investment policy and other written procedures and exercising due diligence, shall be relieved of personal responsibility for an individual security’s credit risk or market price changes, provided deviations from expectations that result in a loss of principal are reported to the City Manager immediately, and to the City Council at their next meeting addressing appropriate actions to be taken to control adverse developments.

3. Objective

The primary objectives in priority order of the City’s investment activities shall be:

- 3.1 Safety:** Safety of principal is the foremost objective of the investment program. Investments of the City shall be undertaken in a manner that seeks to ensure that capital losses are avoided, whether from securities default, broker-dealer default, or erosion of market value. To attain this objective, diversification is required in order that potential losses on individual securities would not exceed the income generated from the remainder of the portfolio.
- 3.2 Liquidity:** The City’s investment portfolio will remain sufficiently liquid to enable the City to meet all operating requirements that might be reasonably anticipated.
- 3.3 Return:** The City’s investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the City’s investment risk constraints and the cash flow characteristics of the portfolio.

4. Delegation of Authority

Authority to manage the City’s investment program is derived from the California Government Code. Management responsibility for the investment program is hereby delegated to the Treasurer, who shall establish written procedures for the operation of the investment program consistent with this investment policy. Procedures shall include, but not limited to, references to: safekeeping, wire transfer agreements, collateral/depository agreements, banking services contracts, local banking preferences, and other investment-related activities. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Treasurer. The Treasurer shall be

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responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinates.

The Treasurer may delegate investment decision making and execution authority to an investment advisor. The advisor shall follow the Investment Policy and such other written instructions as are provided.

Delegation of authority shall expire one year from the date of adoption of this policy as required by State law.

5. Ethics and Conflicts of Interest

The City Council, City Manager and City Treasurer shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Council members, City Manager and City Treasurer shall disclose to the City Attorney any material financial interests in financial institutions that conduct business within the jurisdiction, and they shall further disclose any large personal financial/investment positions that could be related to the performance of the City's portfolio. The City Attorney and Treasurer shall review all disclosures made to insure there are no conflicts with any planned investment.

6. Authorized Financial Dealers and Institutions

For any investment transactions conducted by the City, and not purchased directly from the issuer,~~The the~~ Treasurer will maintain a list of financial institutions and primary dealers authorized to provide investment services. "Primary" dealers include those that regularly report to the Federal Reserve Bank and should qualify under Securities and Exchange Commission Rule 15C3-1 (uniform net capital rule).

All financial institutions, dealers and cash managers who desire to become qualified bidders for investment transactions must supply the City with the following: audited financial statements, proof of Financial Industry Regulatory Authority ~~National Association of Security Dealers~~ certification when applicable, completed questionnaire and certification of having read the City of St. Helena's investment policy and depository contracts.

If the City has an investment advisor, the investment advisor may use their own list of authorized issuers and broker/dealers to conduct transactions on behalf of the City.

Purchase and sale of securities shall be made on the basis of competitive bids and offers with a minimum of three quotes being obtained, when practical.

7. Authorized Investments and Limitations on Investments

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Investment of City funds is governed by the California Government Code Sections 53600 et seq. Within the context of the limitations, the following investments are authorized, as further limited herein:

- a) United States Treasury Bills, Bonds, and Notes or those for which the full faith and credit of the United States are pledged for payment of principal and interest. There is no percentage limitation of the portfolio that can be invested in this category.
- b) Federal Agency or United States government-sponsored enterprise obligations, participations, or other instruments, including those issued by or fully guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises.
- c) Local Agency Investment Fund (LAIF) which is a State of California managed investment pool may be used up to the maximum permitted by LAIF. The LAIF portfolio should be reviewed periodically.
- d) California Asset Management Program (CAMP), which is a Joint Powers Authority, which offers an investment pool and individually managed portfolios.
- e) Insured savings accounts are permitted without limitations.

Investments detailed in items f) through l) are further restricted to 10% of the market value of all investments and cash accounts (the portfolio) at the time of purchase, in any one issuer name. Credit criteria listed refer to the credit of the issuing organization at the time the security is purchased. In the event a rating drops below the minimum allowed rating category for that given investment type, the investment advisor, if any, shall notify the City Treasurer and/or Designee and recommend a plan of action.

- f) Bills of exchange or time drafts drawn on and accepted by commercial banks, otherwise known as banker's acceptances are permitted. Banker's acceptances purchased may not exceed 180 days to maturity or 40% of the cost value of the portfolio.
- g) Commercial paper of "prime" quality of the highest ranking or of the highest letter and number rating as provided for by a nationally recognized statistical-rating organization (NRSRO). Commercial paper purchased may not exceed 270 days to maturity or 25% of the cost value of the portfolio. The City may purchase no more than 10% of the outstanding commercial paper of any single issuer. The

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entity that issues the commercial paper shall meet all of the following conditions in either paragraph (1) or paragraph (2):

(1) The entity meets the following criteria:

- (A) Is organized and operating in the United States as a general corporation.
- (B) Has total assets in excess of five hundred million dollars (\$500,000,000).
- (C) Has debt other than commercial paper, if any, that is rated in a rating category of "A" or its equivalent or higher by a nationally recognized statistical-rating organization (NRSRO).

(2) The entity meets the following criteria:

- (A) Is organized within the United States as a special purpose corporation, trust, or limited liability company.
- (B) Has program wide credit enhancements including, but not limited to, overcollateralization, letters of credit, or surety bond.
- (C) Has commercial paper that is rated "A-1" or higher, or the equivalent, by a nationally recognized statistical-rating organization (NRSRO).

h) Negotiable certificates of deposit issued by nationally or state chartered banks or state or federal savings institutions or by a federally-licensed or state-licensed branch of a foreign bank Purchases are limited to issuers whose debt is rated in a rating category of "A-1", short-term, or "A" long-term or the equivalent or better by an NRSRO; provided that the senior debt obligations of the issuing institution are rated in a rating category of "A" or its equivalent or better by a NRSRO. Purchases of negotiable certificates of deposit may not exceed 30% of total portfolio.

- i) Obligations of the State of California or any local agency within the state, including bonds payable solely out of revenues from a revenue-producing property owned, controlled or operated by the state or any local agency or by a department, board, agency or authority of the state or any local agency; provided that the obligations are rated in a rating category of "A" or its equivalent or higher by a NRSRO.
- j) Registered treasury notes or bonds of any of the other 49 United States in addition to California, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by a state or by a department, board, agency, or authority of any of the other 49 United States, in addition to California. Obligations are required to be rated in a rating category of "A" or its equivalent or better by a NRSRO.
- k) Time deposits, non-negotiable and collateralized in accordance with the California Government Code, may be purchased through banks or savings and

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loan associations. Since time deposits are not liquid, no more than 25% of the investment portfolio may be invested in this investment type.

- l) Medium-Term Notes, defined as all corporate and depository institution debt securities with a maximum remaining maturity of five years or less, issued by corporations organized and operating within the United States or by depository institutions licensed by the United States or any state and operating within the United States. Securities eligible for investment shall be rated in a rating category of "A" or its equivalent or better by a NRSRO. Purchase of medium term notes may not exceed 30% of the purchase value of the portfolio and no more than 5% of the purchase value of the portfolio may be invested in notes issued by one corporation.

- m) Shares of beneficial interest issued by diversified management companies that are money market funds registered with the Securities and Exchange Commission under the Investment Company Act of 1940. To be eligible for investment pursuant to this subdivision these companies shall either: (1) attain the highest ranking letter or numerical rating provided by not less than two of the three largest nationally recognized rating services or (2) have an investment advisor registered with the Securities and Exchange Commission with not less than five years experience investing in securities and obligations authorized by Government Code section 53601 and with assets under management in excess of \$500,000,000. The purchase price of shares shall not exceed 15% of the investment portfolio.

- n) Supranational Securities: United States dollar denominated senior unsecured unsubordinated obligations issued or unconditionally guaranteed by the Internal Bank for Reconstruction and Development, International Finance Corporation, or Inter-American Development bank, with a maximum remaining maturity of five years or less, and eligible for purchase and sale within the United States. Investments under this subsection shall be rated in a rating category of "AA" or its equivalent or better by an NRSRO and shall not exceed 30% of the purchase value of the portfolio.

- m)o) Asset-Backed Securities: A mortgage pass through security, collateralized mortgage obligation, mortgage-backed or other pay-through bond, equipment lease-backed certificate, consumer receivable pass through certificate, or consumer receivable-backed bond. Securities eligible for investment under this subdivision shall be rated in a rating category of "AA" or its equivalent or better by and NRSRO and have a maximum remaining maturity of five years or less. Purchase of securities authorized by this subdivision shall not exceed 20% of the

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purchase value of the portfolio and nor more than 5% of the purchase value of the portfolio may be invested in any one issuer.

8. Ineligible Investments

The City shall not invest any funds in inverse floaters, range notes, or interest-only strips that are derived from a pool or mortgages, or in any security that could result in zero interest accrual if held to maturity, or any other investment not listed in this policy.

9. Safekeeping and Custody

All deliverable securities owned by the City, including collateral for repurchase agreements, shall be held in safekeeping by the City's custodian bank or a third party bank trust department, acting as agent for the City under the terms of a custody or trustee agreement executed by the bank and by the City. All securities will be received and delivered using standard delivery-versus-payment (DVP) procedures.

10. Percentage Limitations

Where a section specifies a percentage limitation for a particular category or investments, that percentage is applicable only at the date of purchase. Where a section does not specify a limitation on the term or remaining maturity at the time of the investment, no investment shall be made in any security that at the time of the investment has a term remaining to maturity in excess of five years, unless the City Council has granted express authority to make that investment either specifically or as a part of an investment program approved by the City Council no less than three months prior to the investment.

11. Reporting Requirements

The Treasurer shall annually, render to the City Council a statement of investment policy, which the Council must consider at a public meeting. The Council at a public meeting shall also consider any changes to the policy.

The Treasurer shall render a monthly transaction report to the City Council.

The Treasurer shall periodically render an investment report to the Council, which shall include for each individual investment:

- Description of investment instrument
- Issuer name
- Maturity date
- Purchase price

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- Par value
- Current market value and the source of the valuation.

The report shall also include the following: (I) state compliance of the portfolio to the investment policy, or manner in which the portfolio is not in compliance, (II) include a description of any of the City's funds, investments or programs that are under the management of contracted parties, including lending programs, and (III) include a statement denoting the ability of the City to meet its expenditure requirements for the next six months, or provide an explanation as to why sufficient money shall, or may not be available.

IV. Glossary

AGENCIES: Federal agency securities.

BANKERS ACCEPTANCE (BA): A bearer time draft for a specified amount payable on a specified date. It is drawn on a bank by an individual or business seeking to finance domestic or international trade. The BA is collateralized by commodity products. Sale of goods is usually the source of the borrower's repayment to the bank. The bank finances the borrower's transaction and then often sells the BA on a discount basis to an investor. At maturity, the bank is repaid and the investor holding the BA receives par value from the bank.

BOND: An interest-bearing security issued by a corporation, quasi-governmental agency or other body, which can be executed through a bank or trust company. A bond is a form of debt with an interest rate, maturity, and face value, and is usually secured by specific assets. Most bonds have a maturity of greater than one year, and generally pay interest semiannually.

BOND RATING: The classification of a bond's investment quality.

BOOK VALUE: The amount at which a security is carried on the books of the holder or issuer. The book value is often the cost, plus or minus amortization, and may differ significantly from the market value.

BROKER: A broker brings buyers and sellers together for a commission paid by the initiator of the transaction or by both sides; he does not position. In the money market, brokers are active in markets in which banks buy and sell money and in interdealer markets.

CERTIFICATE OF DEPOSIT (CD): A time deposit debt instrument issued by a bank with a specific maturity evidenced by a certificate. Institutional CD's are issued in denominations of \$100,000 or more. Maturities range from a few weeks to several years. Interest rates are set by competitive forces in the marketplace.

COMMERCIAL PAPER: Short-term obligations with maturities ranging from 2 to 270 days issued by banks, corporations, and other borrowers to investors with temporarily idle cash. Such instruments are unsecured and usually discounted, although some are interest bearing.

COLLATERAL: Securities, evidence of deposit or other property which a borrower pledges to secure repayment of a loan. Also refers to securities pledges by a bank to secure deposits of public monies.

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COUPON: The annual rate of interest that a bond's issuer promises to pay the bondholder on the bond's face value. A certificate attached to a bond evidencing interest due on a payment date.

DEALER: A dealer, as opposed to a broker acts as a principal in all transactions, buying and selling for his own account.

DELIVERY VERSUS PAYMENT: There are two methods of delivery of securities: delivery versus payment and delivery versus receipts (also called free). Delivery versus payment is delivery of securities with an exchange of money for the securities. Delivery versus receipts is delivery of securities with an exchange of signed receipt for the securities.

DEBENTURES: A bond secured only by the general credit of the issuer.

DISCOUNT: The difference between the cost price of a security and its value at maturity when quoted at lower than face value. A security selling below original offering price shortly after sale also is considered to be at a discount.

DISCOUNT SECURITIES: Non-interest bearing money market instruments that are issued at discount and redeemed at maturity for full face value, e.g. U.S. Treasury bills.

DIVERSIFICATION: Dividing investment funds among a variety of securities offering independent returns.

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC): A federal agency established in 1933 that guarantees (within limits) funds on deposit in member banks and performs other functions such as making loans to or buying assets from members banks to facilitate mergers or prevent failures.

FISCAL YEAR: An accounting or tax period comprising any twelve-month period. The City's fiscal year begins on July 1.

FULL FAITH AND CREDIT: The unconditional guarantee of the United States government backing a debt for repayment.

INTEREST RATE: The interest payable each year on borrowed funds, expressed as a percentage of the principal.

INVESTMENT: Use of capital to create more money, either through income-producing vehicles or through more risk-oriented ventures designed to result in capital gains.

INVESTMENT PORTFOLIO: A collection of securities held by a bank, individual, institution, or government agency for investment purposes.

LAIF: Trade name for the California State Local Agency Investment Fund.

LIQUIDITY: A liquid asset is one that can be converted easily and rapidly into cash without substantial loss of value.

LOCAL AGENCY INVESTMENT FUND (LAIF): Funds from local governmental units may be remitted to the California State Treasurer for deposit in this special fund for the purpose of investment.

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MARKET VALUE: The price at which a security is trading and could presumably be purchased or sold.

MATURITY: The date upon which the principal or stated value of an investment becomes due and payable.

MEDIUM-TERM NOTES: Debt obligations issued by corporations and banks, usually in the form of unsecured promissory notes. These are negotiable instruments that can be bought and sold in a large and active secondary market. For the purposes of California Government Code, the term “Medium Term” refers to a maximum remaining maturity of five years or less. They can be issued with fixed or floating-rate coupons, and with or without early call features, although the vast majority are fixed-rate and non-callable. Corporate notes have greater risk than Treasuries or Agencies because they rely on the ability of the issuer to make payment of principal and interest.

MONEY MARKET: The market in which short-term debt instruments (bills, commercial paper, bankers’ acceptances, etc.) are issued and traded.

NEGOTIABLE CERTIFICATES OF DEPOSIT: Large-denomination CDs that are issued at face value and typically pay interest at maturity, if maturing in less than 12 months. CDs that mature beyond this range pay interest semi-annually. Negotiable CDs are issued by U.S. banks (domestic CDs), U.S. branches of foreign banks (Yankee CDs), and thrifts. There is an active secondary market for negotiable domestic and Yankee CDs. However, the negotiable thrift CD secondary market is limited. Yields on CDs exceed those on U.S. treasuries and agencies of similar maturities. This higher yield compensates the investor for accepting the risk of reduced liquidity and the risk that the issuing bank might fail. State law does not require the collateralization of negotiable CDs.

PORTFOLIO: The collection of securities held by an investor.

PRIMARY DEALER: A group of government securities dealers that submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight. Primary dealers include Securities and Exchange Commission (SEC) registered securities broker-dealers, banks, and a few unregulated firms.

PRINCIPAL: The face or par value of an instrument.

RATE OF RETURN: 1) The yield obtainable on a security based on its purchase price or its current market price. 2) Income earned on an investment, expressed as a percentage of the cost of the investment. This may be the amortized yield to maturity on a bond or the current income return.

RATING: The designation used by investors’ services to rate the quality of a security’s creditworthiness. Moody’s ratings range from the highest Aaa, down through Aa, A, Bbb, Ba, B, etc. while Standard and Poor’s rating range from the highest AAA, down through AA, A, BBB, BB, B, etc.

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SAFEKEEPING: A service offered to customers for a fee, where securities and valuables of all types and descriptions are held in the vaults for protection.

SECONDARY MARKET: A market made for the purchase and sale of outstanding issues following the initial distribution.

SECURITIES: Investment instruments such as bonds, stocks and other instruments of indebtedness or equity.

SPREAD: The difference between two figures or percentages. For example, it may be the difference between the bid and asked prices of a quote, or between the amount paid when brought and the amount received when sold.

TREASURY BILLS (T-Bill): A non-interest bearing security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three month, six month, or one year, and are sold in minimum amounts of \$10,000 in multiples of \$5,000 above the minimum. Treasury Bills are issued in book entry form only and are sold on a discount basis

TREASURY BONDS: Treasury Bonds are issued for a term of 30 years and pay a fixed rate of interest every six months until they mature.

TREASURY NOTES: Intermediate term coupon bearing U.S. Treasury securities having initial maturities of from one to ten years.

TRUSTEE: A bank designated as the custodian of funds and the official representative for bondholders.

UNDERWRITER: A dealer bank or financial institution, which arranges for the sale and distribution of a large batch of securities and assumes the responsibility for paying the net purchase price.

UNIFORM NET CAPITAL RULE: Securities and Exchange Commission requirement that member firms as well as nonmember broker-dealers in securities maintain maximum ratios of indebtedness to liquid capital of 15 to 1: also called net capital rule and net capital ratio. Indebtedness covers all money owed to a firm, including margin loans and commitments to purchase securities, one-reason new public issues are spread among members of underwriting syndicates. Liquid capital includes cash and assets easily converted into cash.

U.S. GOVERNMENT AGENCIES: Instruments issued by various U.S. government agencies most of which are secured only by the credit worthiness of the particular agency.

YIELD: The rate of annual income return on an investment, expressed as a percentage. a) INCOME YIELD is obtained by dividing the current dollar income by the current market price for the security. b) NET YIELD or YIELD TO MATURITY is the current income yield minus any premium above par or plus any discount from par in purchase price, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond.

V. Attachments

List any supporting documents or forms that are included with the policy or to be made available upon request.

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Title: Investment Policy 2018	Policy #	P-FI-0002
	Revision #	23
	Implementation Date	2018-10-24
	Last Update Date	2017-23-13
Approval by City Council		Date Approved 2018-10-23

I. Purpose, Overview and Scope of this Policy

It is the policy of the City of St. Helena (“the City”) to invest public funds in a manner that will provide the highest investment return with the maximum security while meeting the daily cash flow demands of the City and conforming to all California laws and local statutes governing the investment of public funds.

II. Authority

Authority for policies is limited to the City Council.

III. Policy

1. Scope

This investment policy applies to all the funds and investment activities under the direct authority of the City as accounted for in the Comprehensive Annual Financial Report (CAFR). Policy statements outlined in this document focus on the City’s pooled funds, but will also apply to all other funds under the City Treasurers’ span of control unless specifically exempted by statute or ordinance. This policy is applicable, but not limited to, all funds listed below:

- General Fund
- Enterprise Funds
- Special Revenue Funds
- Capital Project Funds
- Trust and Agency Funds

Excluded funds are those held with a fiscal agent, which has their own specific “permitted investments” section in the bond covenants. These funds include funds reserved for debt service and pension funds.

2. Prudence

Pursuant to California Government Code Section 53600.3, all persons authorized to make investment decisions on behalf of the City are trustees and therefore fiduciaries subject to the prudent investor standard: “When investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care,

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skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency.”

The City Treasurer and/or City Manager, acting within the intent and scope of the investment policy and other written procedures and exercising due diligence, shall be relieved of personal responsibility for an individual security’s credit risk or market price changes, provided deviations from expectations that result in a loss of principal are reported to the City Manager immediately, and to the City Council at their next meeting addressing appropriate actions to be taken to control adverse developments.

3. Objective

The primary objectives in priority order of the City’s investment activities shall be:

- 3.1 Safety:** Safety of principal is the foremost objective of the investment program. Investments of the City shall be undertaken in a manner that seeks to ensure that capital losses are avoided, whether from securities default, broker-dealer default, or erosion of market value. To attain this objective, diversification is required in order that potential losses on individual securities would not exceed the income generated from the remainder of the portfolio.
- 3.2 Liquidity:** The City’s investment portfolio will remain sufficiently liquid to enable the City to meet all operating requirements that might be reasonably anticipated.
- 3.3 Return:** The City’s investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the City’s investment risk constraints and the cash flow characteristics of the portfolio.

4. Delegation of Authority

Authority to manage the City’s investment program is derived from the California Government Code. Management responsibility for the investment program is hereby delegated to the Treasurer, who shall establish written procedures for the operation of the investment program consistent with this investment policy. Procedures shall include, but not limited to, references to: safekeeping, wire transfer agreements, collateral/depository agreements, banking services contracts, local banking preferences, and other investment-related activities. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Treasurer. The Treasurer shall be

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responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinates.

The Treasurer may delegate investment decision making and execution authority to an investment advisor. The advisor shall follow the Investment Policy and such other written instructions as are provided.

Delegation of authority shall expire one year from the date of adoption of this policy as required by State law.

5. Ethics and Conflicts of Interest

The City Council, City Manager and City Treasurer shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Council members, City Manager and City Treasurer shall disclose to the City Attorney any material financial interests in financial institutions that conduct business within the jurisdiction, and they shall further disclose any large personal financial/investment positions that could be related to the performance of the City's portfolio. The City Attorney and Treasurer shall review all disclosures made to insure there are no conflicts with any planned investment.

6. Authorized Financial Dealers and Institutions

For any investment transactions conducted by the City, and not purchased directly from the issuer, the Treasurer will maintain a list of financial institutions and primary dealers authorized to provide investment services. "Primary" dealers include those that regularly report to the Federal Reserve Bank and should qualify under Securities and Exchange Commission Rule 15C3-1 (uniform net capital rule).

All financial institutions, dealers and cash managers who desire to become qualified bidders for investment transactions must supply the City with the following: audited financial statements, proof of Financial Industry Regulatory Authority certification when applicable, completed questionnaire and certification of having read the City of St. Helena's investment policy and depository contracts.

If the City has an investment advisor, the investment advisor may use their own list of authorized issuers and broker/dealers to conduct transactions on behalf of the City.

Purchase and sale of securities shall be made on the basis of competitive bids and offers with a minimum of three quotes being obtained, when practical.

7. Authorized Investments and Limitations on Investments

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- b) Federal Agency or United States government-sponsored enterprise obligations, participations, or other instruments, including those issued by or fully guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises.
- c) Local Agency Investment Fund (LAIF) which is a State of California managed investment pool may be used up to the maximum permitted by LAIF. The LAIF portfolio should be reviewed periodically.
- d) California Asset Management Program (CAMP), which is a Joint Powers Authority, which offers an investment pool and individually managed portfolios.
- e) Insured savings accounts are permitted without limitations.

Investments detailed in items f) through l) are further restricted to 10% of the market value of all investments and cash accounts (the portfolio) at the time of purchase, in any one issuer name. Credit criteria listed refer to the credit of the issuing organization at the time the security is purchased. In the event a rating drops below the minimum allowed rating category for that given investment type, the investment advisor, if any, shall notify the City Treasurer and/or Designee and recommend a plan of action.

- f) Bills of exchange or time drafts drawn on and accepted by commercial banks, otherwise known as banker's acceptances are permitted. Banker's acceptances purchased may not exceed 180 days to maturity or 40% of the cost value of the portfolio.
- g) Commercial paper of "prime" quality of the highest ranking or of the highest letter and number rating as provided for by a nationally recognized statistical-rating organization (NRSRO). Commercial paper purchased may not exceed 270 days to maturity or 25% of the cost value of the portfolio. The City may purchase no more than 10% of the outstanding commercial paper of any single issuer. The

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entity that issues the commercial paper shall meet all of the following conditions in either paragraph (1) or paragraph (2):

(1) The entity meets the following criteria:

- (A) Is organized and operating in the United States as a general corporation.
- (B) Has total assets in excess of five hundred million dollars (\$500,000,000).
- (C) Has debt other than commercial paper, if any, that is rated in a rating category of "A" or its equivalent or higher by a nationally recognized statistical-rating organization (NRSRO).

(2) The entity meets the following criteria:

- (A) Is organized within the United States as a special purpose corporation, trust, or limited liability company.
- (B) Has program wide credit enhancements including, but not limited to, overcollateralization, letters of credit, or surety bond.
- (C) Has commercial paper that is rated "A-1" or higher, or the equivalent, by a nationally recognized statistical-rating organization (NRSRO).

h) Negotiable certificates of deposit issued by nationally or state chartered banks or state or federal savings institutions or by a federally-licensed or state-licensed branch of a foreign bank. Purchases are limited to issuers whose debt is rated in a rating category of "A-1", short-term, or "A" long-term or the equivalent or better by an NRSRO. Purchases of negotiable certificates of deposit may not exceed 30% of total portfolio.

- i) Obligations of the State of California or any local agency within the state, including bonds payable solely out of revenues from a revenue-producing property owned, controlled or operated by the state or any local agency or by a department, board, agency or authority of the state or any local agency; provided that the obligations are rated in a rating category of "A" or its equivalent or higher by a NRSRO.
- j) Registered treasury notes or bonds of any of the other 49 United States in addition to California, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by a state or by a department, board, agency, or authority of any of the other 49 United States, in addition to California. Obligations are required to be rated in a rating category of "A" or its equivalent or better by a NRSRO.
- k) Time deposits, non-negotiable and collateralized in accordance with the California Government Code, may be purchased through banks or savings and loan associations. Since time deposits are not liquid, no more than 25% of the investment portfolio may be invested in this investment type.

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- l) Medium-Term Notes, defined as all corporate and depository institution debt securities with a maximum remaining maturity of five years or less, issued by corporations organized and operating within the United States or by depository institutions licensed by the United States or any state and operating within the United States. Securities eligible for investment shall be rated in a rating category of "A" or its equivalent or better by a NRSRO. Purchase of medium term notes may not exceed 30% of the purchase value of the portfolio and no more than 5% of the purchase value of the portfolio may be invested in notes issued by one corporation.

- m) Shares of beneficial interest issued by diversified management companies that are money market funds registered with the Securities and Exchange Commission under the Investment Company Act of 1940. To be eligible for investment pursuant to this subdivision these companies shall either: (1) attain the highest ranking letter or numerical rating provided by not less than two of the three largest nationally recognized rating services or (2) have an investment advisor registered with the Securities and Exchange Commission with not less than five years experience investing in securities and obligations authorized by Government Code section 53601 and with assets under management in excess of \$500,000,000. The purchase price of shares shall not exceed 15% of the investment portfolio.

- n) Supranational Securities: United States dollar denominated senior unsecured unsubordinated obligations issued or unconditionally guaranteed by the Internal Bank for Reconstruction and Development, International Finance Corporation, or Inter-American Development bank, with a maximum remaining maturity of five years or less, and eligible for purchase and sale within the United States. Investments under this subsection shall be rated in a rating category of "AA" or its equivalent or better by an NRSRO and shall not exceed 30% of the purchase value of the portfolio.

- o) Asset-Backed Securities: A mortgage pass through security, collateralized mortgage obligation, mortgage-backed or other pay-through bond, equipment lease-backed certificate, consumer receivable pass through certificate, or consumer receivable-backed bond. Securities eligible for investment under this subdivision shall be rated in a rating category of "AA" or its equivalent or better by and NRSRO and have a maximum remaining maturity of five years or less. Purchase of securities authorized by this subdivision shall not exceed 20% of the purchase value of the portfolio and nor more than 5% of the purchase value of the portfolio may be invested in any one issuer.

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8. Ineligible Investments

The City shall not invest any funds in inverse floaters, range notes, or interest-only strips that are derived from a pool or mortgages, or in any security that could result in zero interest accrual if held to maturity, or any other investment not listed in this policy.

9. Safekeeping and Custody

All deliverable securities owned by the City, including collateral for repurchase agreements, shall be held in safekeeping by the City's custodian bank or a third party bank trust department, acting as agent for the City under the terms of a custody or trustee agreement executed by the bank and by the City. All securities will be received and delivered using standard delivery-versus-payment (DVP) procedures.

10. Percentage Limitations

Where a section specifies a percentage limitation for a particular category or investments, that percentage is applicable only at the date of purchase. Where a section does not specify a limitation on the term or remaining maturity at the time of the investment, no investment shall be made in any security that at the time of the investment has a term remaining to maturity in excess of five years, unless the City Council has granted express authority to make that investment either specifically or as a part of an investment program approved by the City Council no less than three months prior to the investment.

11. Reporting Requirements

The Treasurer shall annually, render to the City Council a statement of investment policy, which the Council must consider at a public meeting. The Council at a public meeting shall also consider any changes to the policy.

The Treasurer shall render a monthly transaction report to the City Council.

The Treasurer shall periodically render an investment report to the Council, which shall include for each individual investment:

- Description of investment instrument
- Issuer name
- Maturity date
- Purchase price
- Par value
- Current market value and the source of the valuation.

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The report shall also include the following: (I) state compliance of the portfolio to the investment policy, or manner in which the portfolio is not in compliance, (II) include a description of any of the City's funds, investments or programs that are under the management of contracted parties, including lending programs, and (III) include a statement denoting the ability of the City to meet its expenditure requirements for the next six months, or provide an explanation as to why sufficient money shall, or may not be available.

IV. Glossary

AGENCIES: Federal agency securities.

BANKERS ACCEPTANCE (BA): A bearer time draft for a specified amount payable on a specified date. It is drawn on a bank by an individual or business seeking to finance domestic or international trade. The BA is collateralized by commodity products. Sale of goods is usually the source of the borrower's repayment to the bank. The bank finances the borrower's transaction and then often sells the BA on a discount basis to an investor. At maturity, the bank is repaid and the investor holding the BA receives par value from the bank.

BOND: An interest-bearing security issued by a corporation, quasi-governmental agency or other body, which can be executed through a bank or trust company. A bond is a form of debt with an interest rate, maturity, and face value, and is usually secured by specific assets. Most bonds have a maturity of greater than one year, and generally pay interest semiannually.

BOND RATING: The classification of a bond's investment quality.

BOOK VALUE: The amount at which a security is carried on the books of the holder or issuer. The book value is often the cost, plus or minus amortization, and may differ significantly from the market value.

BROKER: A broker brings buyers and sellers together for a commission paid by the initiator of the transaction or by both sides; he does not position. In the money market, brokers are active in markets in which banks buy and sell money and in interdealer markets.

CERTIFICATE OF DEPOSIT (CD): A time deposit debt instrument issued by a bank with a specific maturity evidenced by a certificate. Institutional CD's are issued in denominations of \$100,000 or more. Maturities range from a few weeks to several years. Interest rates are set by competitive forces in the marketplace.

COMMERCIAL PAPER: Short-term obligations with maturities ranging from 2 to 270 days issued by banks, corporations, and other borrowers to investors with temporarily idle cash. Such instruments are unsecured and usually discounted, although some are interest bearing.

COLLATERAL: Securities, evidence of deposit or other property which a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

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COUPON: The annual rate of interest that a bond's issuer promises to pay the bondholder on the bond's face value. A certificate attached to a bond evidencing interest due on a payment date.

DEALER: A dealer, as opposed to a broker acts as a principal in all transactions, buying and selling for his own account.

DELIVERY VERSUS PAYMENT: There are two methods of delivery of securities: delivery versus payment and delivery versus receipts (also called free). Delivery versus payment is delivery of securities with an exchange of money for the securities. Delivery versus receipts is delivery of securities with an exchange of signed receipt for the securities.

DEBENTURES: A bond secured only by the general credit of the issuer.

DISCOUNT: The difference between the cost price of a security and its value at maturity when quoted at lower than face value. A security selling below original offering price shortly after sale also is considered to be at a discount.

DISCOUNT SECURITIES: Non-interest bearing money market instruments that are issued at discount and redeemed at maturity for full face value, e.g. U.S. Treasury bills.

DIVERSIFICATION: Dividing investment funds among a variety of securities offering independent returns.

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC): A federal agency established in 1933 that guarantees (within limits) funds on deposit in member banks and performs other functions such as making loans to or buying assets from members banks to facilitate mergers or prevent failures.

FISCAL YEAR: An accounting or tax period comprising any twelve-month period. The City's fiscal year begins on July 1.

FULL FAITH AND CREDIT: The unconditional guarantee of the United States government backing a debt for repayment.

INTEREST RATE: The interest payable each year on borrowed funds, expresses as a percentage of the principal.

INVESTMENT: Use of capital to create more money, either through income-producing vehicles or through more risk-oriented ventures designed to result in capital gains.

INVESTMENT PORTFOLIO: A collection of securities held by a bank, individual, institution, or government agency for investment purposes.

LAIF: Trade name for the California State Local Agency Investment Fund.

LIQUIDITY: A liquid asset is one that can be converted easily and rapidly into cash without substantial loss of value.

LOCAL AGENCY INVESTMENT FUND (LAIF): Funds from local governmental units may be remitted to the California State Treasurer for deposit in this special fund for the purpose of investment.

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MARKET VALUE: The price at which a security is trading and could presumably be purchased or sold.

MATURITY: The date upon which the principal or stated value of an investment becomes due and payable.

MEDIUM-TERM NOTES: Debt obligations issued by corporations and banks, usually in the form of unsecured promissory notes. These are negotiable instruments that can be bought and sold in a large and active secondary market. For the purposes of California Government Code, the term “Medium Term” refers to a maximum remaining maturity of five years or less. They can be issued with fixed or floating-rate coupons, and with or without early call features, although the vast majority are fixed-rate and non-callable. Corporate notes have greater risk than Treasuries or Agencies because they rely on the ability of the issuer to make payment of principal and interest.

MONEY MARKET: The market in which short-term debt instruments (bills, commercial paper, bankers’ acceptances, etc.) are issued and traded.

NEGOTIABLE CERTIFICATES OF DEPOSIT: Large-denomination CDs that are issued at face value and typically pay interest at maturity, if maturing in less than 12 months. CDs that mature beyond this range pay interest semi-annually. Negotiable CDs are issued by U.S. banks (domestic CDs), U.S. branches of foreign banks (Yankee CDs), and thrifts. There is an active secondary market for negotiable domestic and Yankee CDs. However, the negotiable thrift CD secondary market is limited. Yields on CDs exceed those on U.S. treasuries and agencies of similar maturities. This higher yield compensates the investor for accepting the risk of reduced liquidity and the risk that the issuing bank might fail. State law does not require the collateralization of negotiable CDs.

PORTFOLIO: The collection of securities held by an investor.

PRIMARY DEALER: A group of government securities dealers that submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight. Primary dealers include Securities and Exchange Commission (SEC) registered securities broker-dealers, banks, and a few unregulated firms.

PRINCIPAL: The face or par value of an instrument.

RATE OF RETURN: 1) The yield obtainable on a security based on its purchase price or its current market price. 2) Income earned on an investment, expressed as a percentage of the cost of the investment. This may be the amortized yield to maturity on a bond or the current income return.

RATING: The designation used by investors’ services to rate the quality of a security’s creditworthiness. Moody’s ratings range from the highest Aaa, down through Aa, A, Bbb, Ba, B, etc. while Standard and Poor’s rating range from the highest AAA, down through AA, A, BBB, BB, B, etc.

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SAFEKEEPING: A service offered to customers for a fee, where securities and valuables of all types and descriptions are held in the vaults for protection.

SECONDARY MARKET: A market made for the purchase and sale of outstanding issues following the initial distribution.

SECURITIES: Investment instruments such as bonds, stocks and other instruments of indebtedness or equity.

SPREAD: The difference between two figures or percentages. For example, it may be the difference between the bid and asked prices of a quote, or between the amount paid when brought and the amount received when sold.

TREASURY BILLS (T-Bill): A non-interest bearing security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three month, six month, or one year, and are sold in minimum amounts of \$10,000 in multiples of \$5,000 above the minimum. Treasury Bills are issued in book entry form only and are sold on a discount basis

TREASURY BONDS: Treasury Bonds are issued for a term of 30 years and pay a fixed rate of interest every six months until they mature.

TREASURY NOTES: Intermediate term coupon bearing U.S. Treasury securities having initial maturities of from one to ten years.

TRUSTEE: A bank designated as the custodian of funds and the official representative for bondholders.

UNDERWRITER: A dealer bank or financial institution, which arranges for the sale and distribution of a large batch of securities and assumes the responsibility for paying the net purchase price.

UNIFORM NET CAPITAL RULE: Securities and Exchange Commission requirement that member firms as well as nonmember broker-dealers in securities maintain maximum ratios of indebtedness to liquid capital of 15 to 1: also called net capital rule and net capital ratio. Indebtedness covers all money owed to a firm, including margin loans and commitments to purchase securities, one-reason new public issues are spread among members of underwriting syndicates. Liquid capital includes cash and assets easily converted into cash.

U.S. GOVERNMENT AGENCIES: Instruments issued by various U.S. government agencies most of which are secured only by the credit worthiness of the particular agency.

YIELD: The rate of annual income return on an investment, expressed as a percentage. a) INCOME YIELD is obtained by dividing the current dollar income by the current market price for the security. b) NET YIELD or YIELD TO MATURITY is the current income yield minus any premium above par or plus any discount from par in purchase price, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond.

V. Attachments

List any supporting documents or forms that are included with the policy or to be made available upon request.

P-FI-0002 - 2018

Attachment 4

CITY OF ST. HELENA

RESOLUTION No. 2018-

**Rescinding Resolution 2017-162 and Adopting
Investment Policy P-FI-0002 – 2018 for the City of St.
Helena**

RECITALS

- A. The City of St. Helena has an Investment Policy, which was adopted by Resolution 94-13. Government Code Sections 53600 et seq. were amended following the aftermath of the Orange County financial disaster. Many restrictions were placed on government investment practices, and reporting requirements were tightened. These changes went into effect on January 1, 1997, and call for the investment policy to be reviewed by the Council annually at a regular meeting; and
- B. The proposed policy meets all state standards and has stricter standards in many areas. The policy will be reviewed each year.

RESOLUTION

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

- 1. City Resolution 2017-162 and any other previous resolutions adopting an investment policy for the City are hereby rescinded; and
- 2. Investment Policy P-FI-0002 - 2018, a copy of which is attached and hereby made a part of this resolution, is hereby approved and shall remain in effect for one year.

Approved at a Regular Meeting of the St. Helena City Council on October 23, 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 October 23, 2018

Agenda Section: Consent

Subject: Consideration of proposed adoption of a Resolution rescinding Resolution 2017-101 and adding portions of Oak Avenue and Crane Avenue to the City's list of red zones (parking prohibitions)

**CEQA Exempt
Determination:**

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

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

In order to implement no parking or restricted parking zones, the Director of Public Works, Police Chief, and Fire Chief need to discuss and agree to proposed modifications and/or additions prior to recommending City Council adoption.

DISCUSSION

1420 Oak Avenue

The Director of Public Works was contacted by the Police Department to investigate adding a red curb in front of the residential home at 1420 Oak Avenue. On a regular basis, the property owner's driveway is blocked by vehicles over estimating the short segment of parking area in front of the home just north of the Napa Valley Roasting Company. The resident and immediate adjacent property owners were contacted about the proposed changes and did not have any issues with the red curb addition.

St. Helena Primary School

In addition to Oak Avenue, the Public Works Department was contacted by the St. Helena Unified School District about a proposed change to the current parking restriction/bus loading zone on South Crane Avenue in front of the St. Helena Primary School. The School District has proposed a reduced bus loading zone of 30 feet which

would increase the amount of available parking for teachers and/or for parents to pick-up and drop-off school children. The School District originally proposed blue striping for the reduced section for buses, but that would not prohibit non-bus users to utilize the proposed loading zone; therefore staff recommended a white curb that, with additional signage, would restrict the zone to bus loading only during school specific hours and allow for additional parking after hours. It is important to note that the proposed improvements were initiated by residential neighbors in collaboration with the School District.

FISCAL IMPACT

City staff will paint the curbs and install necessary signage during regular business hours within the existing operations budget.

RECOMMENDED ACTION

Adopt the Resolution rescinding Resolution 2017-101 and adding portions of Oak Avenue and Crane Avenue to the City's list of red zones (parking prohibitions)

ATTACHMENTS

[Attachment 1: Resolution](#)

[Attachment 2: 1420 Oak Avenue](#)

[Attachment 3: SHPS Bus Lane Restripe](#)

ATTACHMENT 1

CITY OF ST. HELENA

RESOLUTION NO. 2018-

Resolution rescinding Resolution 2017-101 and adding a portion of Oak Avenue and South Crane Avenue to the City's List of Red Zones (parking prohibitions)

RECITALS

The Police Chief, Fire Chief and the Public Works Director have identified certain locations for which no parking is recommended in addition to those already in existence. New locations are identified with an underline in the following resolution. Locations not marked by an underline are locations already designated as no parking zones.

RESOLUTION

1. No parking zones or No stopping zones established within Resolution No. 2017-101 are hereby rescinded except to the extent that they are re-established below in this resolution.

2. For purposes of this resolution:

"Curb" means the concrete curbing installed along the side of the street or roadway or, if there is none, the edge of the traveled portion of the street or roadway.

"Intersection" means the point established by extending curb lines of the designated streets without regard for an arced curb installed to provide a turning radius between roadways.

3. Pursuant to Sections 10.10 and 10.11.1 of the City Code the following locations are designated as no parking or no stopping zones within which parking of vehicles on City streets is prohibited.

A) ADAMS STREET

1. Commencing at the northeast intersection of Adams and Kearney Streets thence 25 feet easterly along the north side of Adams Street.
2. Commencing at the southeast intersection of Adams and Kearney Streets thence 72 feet westerly along the south side of Adams Street.
3. Commencing at the southeast intersection of Adams Street and Money Way thence 30 feet easterly along the south side of Adams Street.

ATTACHMENT 1

4. Commencing at the southeast intersection of Adams Street and Napa Valley Wine Train Tracks thence easterly 30 feet along the south side of Adams Street.
5. Commencing at the southeast intersection of Adams Street and Main Street 42 feet easterly to the point of beginning, thence 20 feet easterly along the south side of Adams Street.
6. Commencing on the south side of Adams Street 138 feet easterly from Main Street thence 20 feet easterly along the south side of Adams Street.
7. Commencing at the northwest intersection of Adams Street and Railroad Avenue thence westerly 28 feet along the north side of Adams Street.
8. Commencing at a point 65 feet east of Main Street thence easterly 20 feet along the north side of Adams Street.
9. Commencing at the northeast intersection of Adams Street and Oak Avenue thence easterly 20 feet on the north side of Adams Street.
10. Commencing at the southeast intersection of Adams Street and Oak Avenue thence easterly 30 feet along the south side of Adams Street.
11. Commencing at the northeast intersection of Adams Street and Oak Avenue thence easterly 25 feet along the north side of Adams Street.
12. Commencing at the southwest intersection of Adams Street and Main Street thence westerly 31 feet along the south side of Adams Street.
13. Commencing at the westerly edge of the westerly driveway of 899 Adams Street thence westerly 30 feet along the south side of Adams Street.
14. Commencing at the easterly edge of the most easterly driveway of the 1010 Adams Street Bank Building and Pharmacy, thence easterly thirty (30) feet along the south side of Adams.

B) ALEXANDER COURT

1. Commencing at the southerly intersection of Alexander Court and Main Street thence westerly along the north side of Alexander Court 160 feet, thence northerly along a curve to the right 160 feet, thence easterly along the southerly side 160 feet to the northerly intersection of Alexander Court and Main Street.

C) CHARTER OAK

1. Commencing at the northeast intersection of Charter Oak and Wine Train Railroad Tracks thence easterly 180 feet along the north side of Charter Oak.

ATTACHMENT 1

2. Commencing at the southeast intersection of Charter Oak and Wine Train Railroad Tracks thence easterly 197 feet along the south side of Charter Oak.
3. Commencing at the east intersection of Allison Avenue and Charter Oak thence along both sides of Charter Oak Avenue to the easterly end of the street.

D) CHILES AVENUE

1. Beginning at a point lying 84 feet westerly of the northwest bridge abutment corner at Pope Street crossing Sulphur Creek; thence northwesterly 58 feet along the east curb at Chiles Avenue and Pope Street.
2. Beginning at a point lying 154 feet westerly of the northwest bridge abutment corner at Pope Street crossing Sulphur Creek; thence northerly 84 feet along the west curb at Chiles Avenue and Pope Street.

E) CHURCH STREET

1. Commencing at the southeast intersection of Church Street and Hunt Avenue thence southerly along the east side of Church Street to the northeasterly intersection of Pope Street.
2. West side of Church Street five (5) feet north and five (5) feet south of the entrance and exit driveway of the parking lot of the business located at 1120 Pope Street.

F) COLLEGE AVENUE

1. Commencing at the southeast intersection of College Avenue and Pope Street thence southerly 360 feet along the east side of College Avenue.
2. Commencing at the southwest intersection of College Avenue and Pope Street thence southerly 360 feet along the west side of College Avenue.

G) DOWDELL LANE

1. Commencing at the east right-of-way of the Wine Train crossing at Dowdell Lane thence easterly 180 feet along the north and south side of Dowdell Lane.
2. Commencing at the driveway to 899 Dowdell Lane thence 12 feet in both the easterly and westerly direction from the edge of said driveway a distance of 12 feet along the northerly side of Dowdell Lane.

ATTACHMENT 1

3. DOWDELL AND MCCORMICK

- a. Commencing at the southeast intersection of McCormick Street and Dowdell Lane thence 25 feet northwesterly along the east side of McCormick Street.
- b. Commencing at the southeast intersection of McCormick Street and Dowdell Lane thence 28 feet northeasterly along the south side of Dowdell Lane.

H) **EDWARDS STREET**

1. Commencing at the southeast corner of Edwards Street and Hunt Avenue thence southerly 20 feet along the east side of Edwards Street.
2. Commencing at the southwest corner of Edwards Street and Hunt Avenue thence southerly 20 feet along the west side of Edwards Street.

I) **EL BONITA AVENUE**

1. Commencing at a point 35 feet west of Community Drive thence westerly 60 feet along the north side of El Bonita Avenue.
2. Commencing at the intersection of El Bonita Avenue and Community Drive thence easterly 80 feet along the south side of El Bonita Avenue.

J) **ELMHURST AVENUE**

1. Commencing at the northeast intersection of Elmhurst Avenue and Granger Way thence easterly 30 feet along the north side of Elmhurst Avenue.
2. Commencing at the southeast intersection of Elmhurst Avenue and Spring Mountain Road thence easterly 75 feet along the south side of Elmhurst Avenue.
3. Commencing at the intersection of Elmhurst Avenue and Main Street thence westerly 30 feet along Elmhurst Avenue and thence northerly 60 feet along Main Street.

K) **FULTON LANE**

1. Commencing at the northeast and southeast intersection of Fulton and Main Streets thence easterly 90 feet along the north and south sides of Fulton Lane.
2. Commencing at the easterly intersection of Fulton Lane and Railroad Avenue thence easterly 120 feet along both the north and south sides of Fulton Lane.

ATTACHMENT 1

L) GRAYSON AVENUE

1. South side of Grayson Avenue from the southwest intersection of Main Street and Grayson Avenue westerly for a distance of 100 feet.
2. North side of Grayson beginning at a point 665 feet westerly of the westerly line of Main Street then west along the north side of Grayson for a distance of 1,165.6 feet between the hours of 7:30 a.m. and 3:00 p.m., Mon. - Fri.
3. Commencing at the northeast intersection of Grayson Avenue and Crane Avenue thence easterly 50 feet along the north side of Grayson Avenue. This is a 24-hour "No Stopping zone."
4. Commencing at a point 50 feet north of the northeast intersection of Grayson Avenue and Crane Avenue thence 700 feet along the north side of Grayson Avenue. This is a "No Stopping" zone during the hours of 7:30 a.m. – 3:00 p.m. on school days.
5. Commencing at the intersection of the easterly driveway of the Primary School Parking Lot and Grayson Avenue thence westerly along the southerly curb line a distance of 25 feet.

M) GROVE COURT

1. Commencing at the northeast intersection of Grove Court and Hunt Avenue thence northerly 205 feet along the east side of Grove Court.
2. Commencing 100 feet northerly of the northwest intersection of Grove Court and Hunt Avenue thence northerly 100 feet along the west side of Grove Court adjacent to the heritage oak tree.

N) HUNT AVENUE

1. Commencing at the northeast intersection of Hunt Avenue and Starr Avenue thence westerly 307 feet along the north side of Hunt Avenue.
2. Commencing at the southwest intersection of Hunt Avenue and Starr Avenue thence westerly 465 feet along south side of Hunt Avenue to 105 feet west of Monte Vista extended center line.
3. Commencing at the southeast corner of Hunt Avenue and Edwards Street thence easterly 40 feet along the south side of Hunt Avenue.
4. Commencing at the southwest corner of Hunt Avenue and Edwards Street thence westerly 30 feet along the south side of Hunt Avenue.
5. Commencing on the north side of Hunt Avenue fifteen (15) feet west and fifteen (15) feet east of the most eastern entrance and exit driveway of the Safeway parking lot. This is a 24-hour "No Stopping Zone".

ATTACHMENT 1

6. Commencing at a point forty (40) feet east of the most eastern entrance and exit driveway of the Safeway parking lot, thence thirty (30) feet along the north side of Hunt Avenue.

O) **JUNE LANE**

1. Commencing at a point lying 184 feet north of the intersection of Chiles and June Lane; thence along the east curb to the right a distance of 30 feet to the south curb of Hunt Avenue.
2. Commencing at a point lying 184 feet north of the intersection of Chiles Avenue and June Lane; thence along the west curb to the left a distance of 30 feet to the south curb of Hunt Avenue.

P) **KEARNEY STREET**

1. Commencing at the northeast intersection of Kearney Street and Spring Street thence northerly along the east side of Kearney Street to Tainter Street.
2. Commencing 143 feet north of the northeast corner of Adams Street and Kearney Street thence northerly a distance of 51 feet along the east side of Kearney Street.
3. Commencing 399 feet north of the northeast corner of Adams Street and Kearney Street thence northerly a distance of 33 feet along the east side of Kearney Street.

Q) **LA FATA STREET**

1. Commencing 215 feet southerly from the southeast corner of La Fata Street and Dowdell Lane thence 60 feet southerly along the easterly curb of La Fata Street.
2. Commencing 398 feet southerly from the southeast corner of La Fata Street and Dowdell Lane thence 40 feet southerly along the easterly curb of La Fata Street.
3. Commencing at the driveway to 899 Dowdell Lane located on La Fata Street thence 12 feet in both the northerly and southerly direction from the edge of said driveway a distance of 12 feet along the westerly side of La Fata Street.

R) **LIBRARY LANE**

1. Commencing at the north side of the white painted load zone at the St. Helena Library at 1480 Library lane, then twenty-one (21) feet along the east side of Library Lane.

ATTACHMENT 1

S) **MADRONA AVENUE**

1. Commencing at the intersection of Madrona and Oak Avenues thence easterly and westerly along the north and south sides of Madrona Avenue 20 feet from each intersection.
2. Commencing at the northwest and southwest intersections of Madrona Avenue and Main Street thence westerly 90 feet along the north and south side of Madrona Avenue.

T) **MAIN STREET**

1. Commencing at the intersection of Main Street and Madrona Avenue thence southerly 155 feet along both sides of Main Street.
2. Commencing at the intersection of Main Street and Madrona Avenue thence northerly 155 feet along both sides.
3. Commencing at the southwest intersection of Main Street and Sulphur Springs Avenue thence 310 feet southerly along the west side of Main Street.
4. Commencing at Main Street and the Sulphur Creek bridge thence southerly to Sulphur Springs Avenue along both sides of Main Street and northerly 175 feet to Mitchell Avenue along the west side of Main Street.
5. Commencing at the northwest intersection of Main Street and Mitchell Drive thence northerly 20 feet.
6. Commencing at the intersection of Main Street and Spring Street thence 25 feet southerly along the west side.
7. Commencing at the southeast intersection of Main Street and Adams Street thence southerly 50 feet along the east side.
8. Commencing at the southeast intersection of Main Street and Adams Street 120 feet southerly to the point of beginning thence southerly 37 feet along the east side.
9. Commencing at the intersection of Main Street and Hunt Avenue thence northerly and southerly 30 feet along the east side.
10. Commencing at the intersection of Main Street and Spring Street 145 feet northerly to a point of beginning thence northerly 22 feet along the east side.
11. Commencing at the Main Street crosswalk at the south line of Spring Street thence southerly 24 feet along the east side of Main Street.

ATTACHMENT 1

12. Commencing at the northwest intersection of Main Street and Adams Street thence northerly 35 feet along the west side.
13. Commencing at the southwest intersection of Main Street and Adams Street thence southerly 40 feet along the west side.
14. Commencing at the northwest intersection of Main Street and Spring Street 540 feet northerly to a point of beginning thence northerly 30 feet along the west side.
15. Commencing at the northwest intersection of Main Street and Spring Street 230 feet northerly to a point of beginning thence northerly 90 feet along the west side.
16. Commencing at the northwest intersection of Main Street and Spring Street thence northerly 40 feet along the west side.
17. Commencing at the northwest intersection of Main Street and Elmhurst 400 feet to a point of beginning thence northerly 330 feet along the west side of Main Street.
18. Commencing at the southeast intersection of Main Street and Pope Street thence southerly 170 feet along the east side of Main Street.
19. Commencing at the southeast intersection of Main Street and Pine Street thence south a distance of 28 feet along the east side of Main Street.
20. Commencing at the southwest intersection of Main Street and Pine Street thence south a distance of 28 feet along the west side of Main Street.
21. West side of Main Street from a point one hundred (100) feet south of Grayson Avenue southerly a distance of one thousand six hundred ninety (1,690) feet.
22. East side of Main Street from the south line of Grayson Avenue southerly a distance of one thousand five hundred eighty-five (1,585) feet.
23. East side of Main Street beginning at a point one thousand five hundred eighty-five (1,585) feet south of the south line of Grayson Avenue, southerly for a distance of two hundred eighteen (218) feet between the hours of 7:30 a.m. and 5:30 p.m.
24. East side of Main Street beginning at a point one thousand eight hundred three (1,803) feet south of the south line of Grayson Avenue, southerly for a distance of two hundred seventy-two (272) feet.
25. West side of Main Street from the northwest corner of Main Street and Grayson Avenue approximately 85 feet across the frontage of A&W Restaurant located at 501 Main Street.

ATTACHMENT 1

26. Commencing at the southwest corner of Main Street and the York Creek Bridge thence south 360 feet along the west side of Main Street.
27. Commencing at the northeast corner of Pratt Avenue and Main Street thence north along the west side of Main Street to the York Creek Bridge
28. Commencing at a point 45 feet north of the northeast intersection of Main Street and Pope Street thence north 29 feet along the east side of Main Street.
29. Commencing at Deer Park Road south along both sides of Main Street to the York Creek Bridge.*

*The area in the Tunnel of Trees is a “No Stopping” zone on both sides of Main Street.
30. Commencing at a point 99 feet west of the northwest intersection of Main Street and Pine Street thence 22 feet west along the north side of Pine Street.
31. Commencing at the southwest corner of Main Street and Charter Oak extending westerly 50 feet on the south side of Charter Oak. This is a 24 Hour “No Parking” Zone.
32. Commencing at the intersection of Main Street and Elmhurst Avenue thence southerly 30 feet along the west side of Main Street.
33. Commencing at the intersection of Main Street and Elmhurst Avenue thence northerly 60 feet along the west side of Main Street.

U) **McCORMICK AVENUE**

1. Commencing at the southwest intersection of McCormick Street and Dowdell Lane 170 feet southerly to a point of beginning thence southerly 15 feet along the west side of McCormick Street.
2. Commencing at the southwest intersection of McCormick Street and Dowdell Lane 310 feet southerly to a point of beginning thence southerly 30 feet along the west side of McCormick Street.
3. Commencing at the northwest intersection of McCormick and Vintage Streets 320 feet northerly to the point of beginning thence northerly 25 feet along the west side of McCormick Street.
4. Commencing at the southwest intersection of McCormick Street and Dowdell Lane 530 feet southerly to the point of beginning thence 20 feet southerly along the east side of McCormick Street.

ATTACHMENT 1

5. Commencing at the southwest intersection of McCormick Street and Dowdell Lane 270 feet southerly to the point of beginning thence 50 feet southerly along the east side of McCormick Street.

V) **MITCHELL DRIVE**

1. Commencing at the southwesterly intersection of Mitchell Drive and St. James Drive thence westerly along the south side of Mitchell Drive to the southeast intersection of North Crane and Mitchell Drive and easterly 300 feet.
2. Commencing at the southwest intersection of Mitchell and Main Street thence 80 feet westerly along the south side of Mitchell Drive.
3. Commencing 230 feet west of the intersection of Main Street and Mitchell Drive thence 88 feet westerly along the south side of Mitchell Drive.
4. Commencing at the northwest intersection of Mitchell Drive and Oak Avenue thence 50 feet westerly along the northerly side of Mitchell Drive.
5. Commencing at the easterly corner of the most easterly intersection of Mitchell Drive and St. James Drive, thence ninety (90) feet along the south side of Mitchell Drive.

W) **MONTE VISTA AVENUE**

1. Commencing at the cul de sac northerly of Hunt Avenue thence around the perimeter of the 25 foot diameter island.

X) **OAK AVENUE**

1. Commencing at the southwest intersection of Oak Avenue and Hillview Place thence southerly 65 feet.
2. Commencing at the northeast, northwest, and southwest intersections of Oak Avenue and Pine Street thence 20 feet northerly and southerly along the east and west sides of Oak Avenue.
3. Commencing at the southwest intersection of Oak Avenue and Pine Street thence 30 feet southerly along the west side of Oak Avenue.
4. Commencing at the northeast intersection of Oak Avenue and Adams Street thence northerly 18 feet.
5. Commencing at the southwest intersection of Oak Avenue and Tainter Street 55 feet southerly to a point of beginning thence southerly 20 feet on the west side of Oak Avenue.

ATTACHMENT 1

6. Commencing at a point easterly of the southwest intersection of Oak Avenue and Tainter Street thence southerly 22 feet along the east side of Oak Avenue at the crosswalk.
7. Commencing at the northwest intersection of Oak Avenue and Spring Street thence northerly 20 feet along Oak Avenue.
8. Commencing at the point of curvature of the southeasterly curve on the east side of Oak Avenue thence southeasterly 160 feet to the point of tangency with the north side of Mitchell Drive.
9. Beginning at a point 339 feet north of Spring Street extending northerly to a point 419 feet on the east side of Oak Avenue.
10. Beginning at the northwest corner of Oak Avenue and Tainter Street thence extending northerly 35 feet on Oak Avenue.
11. Twenty (20) feet southerly from the driveway at 1255 Oak Avenue.
12. Twenty (20) feet southerly from the driveway at 1420 Oak Avenue.

Y) **PINE STREET**

1. Commencing at the northwest intersection of Pine Street and Main Street thence along the north side of Pine Street to Oak Avenue excepting a 25 foot yellow zone terminating 180 feet from the northeast intersection of Pine Street and Oak Avenue.
2. Commencing at the northwest and southwest intersections of Pine Street and Oak Avenue thence westerly 20 feet.
3. Commencing at the southeast intersection of Pine Street and Oak Avenue thence easterly 20 feet.
4. Commencing at the southwest intersection of Pine Street and Main Street thence westerly 10 feet.
5. Commencing at the southeast intersection of Pine Street and Main Street thence easterly 115 feet.
6. Commencing at the northeast intersection of Pine Street and Main Street easterly 140 feet.

Z) **PINOT WAY**

1. Commencing at the centerline of the utility and pedestrian access alley that connects Pinot Way to Sylvaner Avenue thence southwesterly 10 feet and northeasterly 10 feet creating a 20 foot long segment centered on the end of the alley.

ATTACHMENT 1

AA) **POPE STREET**

1. Commencing at the southeast and northeast intersections of Pope Street and Main Street thence east 80 feet to the Wine Train railroad right-of-way.
2. Commencing at the east terminus of Pope Street at the Napa River thence westerly along Stonebridge Park 345 feet on the north side of Pope Street.
3. Commencing at the northeast corner of Paseo Grand Drive and Pope Street then easterly 154 feet on the north side of Pope Street.
4. Commencing at the east terminus of Pope Street at the Napa River thence westerly 400 feet along the south side of Pope Street.
5. Commencing at the southeast intersection of Pope Street and College Avenue thence 340 feet easterly along the south side of Pope Street.
6. Commencing at the southwest intersection of Pope Street and College Avenue thence 680 feet westerly along the south side of Pope Street.
7. Commencing at the intersection of Pope Street and College Avenue thence easterly 680 feet on the north side of Pope Street.
8. Commencing at the northeast intersection of Pope Street and Church Street thence easterly 35 feet along the north side of Pope Street.
9. Commencing at the southeast intersection of Pope Street and the Napa Valley Wine Train Tracks thence easterly 25 feet along the south side of Pope Street.
10. Commencing at the northeast intersection of Pope Street and the Napa Valley Wine Train Tracks thence easterly 145' to the intersection of Pope Street and Church Street.
11. Commencing at the Northeast intersection of Pope Street and Chiles Ave thence easterly 950 feet along the north and south sides of Pope Street.
12. Commencing at the northwest intersection of Pope Street and Starr Avenue thence westerly 392 feet along the north side of Pope Street.

AB) **PRATT AVENUE**

1. Commencing at the southeastern intersection of Pratt Avenue and the Napa Valley Wine Train and thence easterly a distance of 570 feet along the south shoulder of Pratt Avenue.

ATTACHMENT 1

2. Commencing at the northeastern intersection of Pratt Avenue and Main Street and thence easterly a distance of 300 feet along the north shoulder of Pratt Avenue.

AC) **RAILROAD AVENUE**

1. Commencing at the northwest intersection of Railroad Avenue and Adams Street thence 31 feet north along the west side of Railroad Avenue.
2. Commencing at a portion 400 feet north of the northeast corner of the intersection of Adams Street and Railroad Avenue thence north a distance of 50 feet along the east side of Railroad Avenue.
3. Commencing at the south exit of the City Parking lot on Railroad Avenue thence south a distance of 16 feet.
4. Commencing at the north side of the south exit of the City Parking lot on Railroad Avenue thence north a distance of 24 feet.
5. Commencing at the north exit of the City Parking lot on Railroad Avenue thence north a distance of 20 feet.
6. Commencing at the north exit of the City Parking lot on Railroad Avenue thence south a distance of 15 feet.
7. Commencing at the curb beginning at the Napa Valley Wine Train tracks at the northeast corner of the intersection of Adams Street and Railroad Avenue northward through the curb return and thence northerly a distance of 281 feet along the east side of Railroad Avenue.

AD) **SILVERADO TRAIL**

1. Commencing at the southeast intersection of Howell Mountain Road and Silverado Trail thence south 400 feet along the east side of Silverado Trail.

AE) **SOUTH CRANE AVENUE**

1. Commencing at the southeast intersection of South Crane Avenue and Grayson Avenue thence southerly 50 feet along the east side of South Crane Avenue. This is a 24-hour "No Stopping" zone.
2. Commencing at a point ~~50~~ 433 feet south of the southeast intersection of South Crane Avenue and Grayson Avenue thence southerly ~~413~~ 30 feet along the east side of South Crane Avenue. This is a "No Stopping" zone during the hours of 7:30 a.m. – 3:00 p.m. on school days.
3. Commencing at the northeast intersection of South Crane Avenue and Grayson Avenue thence northerly 50 feet along the east side of South Crane Avenue. This is a 24-hour "No Stopping" zone.

ATTACHMENT 1

4. Commencing at a point 50 feet north of the northeast intersection of South Crane Avenue and Grayson Avenue thence northerly 450 feet along the east side of South Crane Avenue to the bridge. This is a “No Stopping” zone during the hours of 7:30 a.m. – 3:00 p.m. on school days.

AF) **SPRING STREET**

1. Commencing at the northwest intersection of Spring Street and Main Street thence westerly 35 feet along the north side of Spring Street.
2. Commencing at the northwest intersection of Spring Street and Main Street westerly 120 feet to a point of beginning thence westerly 30 feet along the north side of Spring Street.
3. Commencing at the shopping center driveway at the intersection of Spring Street and Money Way thence 15 feet westerly and 65 feet easterly along the south side of Spring Street.
4. Commencing at the northeast and the southeast intersections of Spring Street and Oak Avenue thence 33 feet easterly along Spring Street.
5. Commencing at the northwest and southwest intersections of Spring Street and Oak Avenue thence 33 feet westerly along Spring Street.
6. Commencing at the southwest intersection of Spring Street and Oak Avenue westerly 70 feet to a point of beginning thence westerly 70 feet along the south
7. Commencing at the southwest intersection of Spring Street and Oak Avenue westerly 25 feet to a point of beginning thence westerly 50 feet along the south side.
8. Commencing at the intersection of Spring Street and Kearney Street thence easterly 60 feet along the south side.
9. Commencing at the northwest intersection of Spring Street and Kearney Street 70 feet westerly to a point of beginning thence 60 feet westerly along Spring Street.
10. Commencing at the northwest intersection of Spring Street and East Sylvaner 135 feet westerly to a point of beginning thence 70 feet westerly along Spring Street.
11. Twenty (20) feet on both sides of driveway at 2322 Spring Street.
12. Twenty (20) feet on west side of driveway and that strip on the easterly side to adjacent driveway at 1428 Spring Street.

ATTACHMENT 1

13. Twenty (20) feet east from the west driveway and twenty (20) feet from both sides of the east driveway at 1343 Spring Street.
14. Ten (10) feet from both sides of the driveway to the parking lot east of the building at 1313 Spring Street.

AG) SPRING MOUNTAIN ROAD

1. Commencing at the southeast corner of Spring Mountain Road and Elmhurst Avenue thence 75 feet southerly along the east side of Spring Mountain Road.

AH) STARR AVENUE

1. Commencing at the northwest intersection of Starr Avenue and Harvest Lane thence 285 feet northerly along the west side of Starr Avenue.
2. Commencing at the northwest intersection of Harvest Lane and Starr Ave. northerly 45 feet to a point of beginning thence northerly 150 feet to the southeast corner of Meadowcreek Circle along the east side of Starr Avenue.
3. Commencing at the extended center line of Meadowcreek Circle (north) thence 22 feet south along the west side of Starr Avenue.
4. Commencing at the northeast intersection of Meadowcreek Circle (south) and Starr Avenue 83 feet northerly to a point of beginning thence northerly 32 feet to the south side of Hunt Avenue.

AI) STOCKTON STREET

1. Commencing at the northwest intersection of Stockton Street and Spring Street thence northerly along the west side of Stockton Street to the Madrona Street and Stockton Street intersection.

AJ) SULPHUR SPRINGS AVENUE

1. Commencing at the southwest intersection of Main Street and Sulphur Springs Avenue thence 50 feet westerly along the south side of Sulphur Springs Avenue.
2. Commencing at the northwest intersection of Main Street and Sulphur Springs westerly 253 feet to a point of beginning thence westerly 23 feet along the north side of Sulphur Springs Avenue.
3. Commencing at the northwest intersection of Main Street and Sulphur Springs westerly 289 feet to a point of beginning thence westerly 15 feet along the north side of Sulphur Springs Avenue.

ATTACHMENT 1

AK) **SYLVANER AVENUE**

1. Commencing at the centerline of the utility and pedestrian access alley that connects Sylvaner Avenue to Pinot Way thence southwesterly 10 feet and northeasterly 10 feet creating a 20 foot long segment centered on the end of the alley.

AL) **TAINTER STREET**

1. Commencing at the intersection of Tainter Street and Kearney thence easterly along the south side of Tainter Street to the intersection of Oak Avenue and Tainter Street except Mon.-Fri. 7:30 a.m. - 9:00 a.m. and 2:00 p.m. - 4:00 p.m.
2. Commencing at the northwest intersection of Tainter Street and Kearney Street thence 80 feet easterly along the north side of Tainter Street.
3. South side of Tainter Street between Stockton Street and Kearney Street.

AM) **VINTAGE AVENUE**

1. Commencing at the northwest intersection of Vintage Avenue and McCormick Street westerly 228 feet to a point of beginning thence 12 feet west of said driveway 168 feet along the north side to the Napa Valley Wine Train right-of-way.
2. Commencing at the intersection of Vintage Avenue and McCormick Street westerly 250 feet to a point of beginning thence westerly 180 feet along the south side.

AN) **VOORHEES CIRCLE**

1. Commencing at the westerly intersection of Voorhees Circle and Mitchell Avenue south of Mitchell and west of Voorhees Circle thence southerly along the west side, easterly along the south side and northerly along the east side a distance of 1100 feet to the easterly intersection of Voorhees Circle and Mitchell Avenue.

ATTACHMENT 1

Approved at a regular meeting of the City Council held on October 23, 2018 by the following vote:

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

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Tzafoopoulos, City Clerk

1420 Oak Avenue

Write a description for your map.





Report to the City Council
Council Meeting of October 23, 2018

Agenda Section: Consent

Subject: Consideration and approval of a Resolution approving City of St. Helena City Council Policy P-FI-0014 Accounts Payable Payment Processing Policy.

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

In addition to producing the City's Comprehensive Annual Financial Report (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 financial and accounts payable payment processing 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 formal policies.

The proposed Council Policy P-FI-0014 Accounts Payable Payment Processing Policy formally establishes payment processing procedures for the documentation and payment of City invoices.

FISCAL IMPACT

None.

RECOMMENDED ACTION

Staff recommends City Council pass a Resolution approving City of St. Helena Policy P-FI-0014 Accounts Payable Payment Processing Policy.

ATTACHMENTS

[P-FI-0014 Accounts Payable Payment Processing](#)

[Resolution No. 2018- P-FI-0014 Accounts Payable Payment Processing Policy](#)

	City of St. Helena Administrative Policy Finance	Policy Accounts Payable Payment Processing Page 1 of 4
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Title: Accounts Payable Payment Processing	Policy #	P-FI-0014
	Revision #	Release
	Implementation Date	2018-10-23
	Last Update Date	2018-10-23
Approval by City Manager		Date Approved 2018-10-23

I. Purpose, Overview and Scope of this Policy

The purpose of this policy is to create clear guidelines for the processing of vendor payments and to establish strict internal controls over the disbursement process. It is the City of St. Helena's policy to make accurate and prompt payments. This includes all payments on invoices, purchase orders, check requests, travel expenses, and petty cash reimbursements. It is necessary for the City to maintain a satisfactory credit standing with vendors and prompt payment ensures this.

II. Authority

Updates to this policy shall be approved by the City Council.

III. Policy

A. Invoices

1. Departments will notify all vendors to mail/email original invoices to the Finance Department, Accounts Payable.
2. Accounts Payable will periodically distribute to departments a schedule of processing deadlines.
3. Accounts Payable will distribute original invoices to departments for processing.
4. A processed invoice includes the following: (1) original invoice; (2) account coding; (3) project code (if applicable); (4) purchase order number (if applicable); (5) transaction description (if not included on the invoice; (6) supporting documentation (if applicable); and (7) authorized signature (indicating the goods/services have been received).
5. Unprocessed invoices will be returned to requesting department for correction.
6. Inquiries from vendors regarding the status of unpaid invoices are generally handled by Accounts Payable. If, however, invoices have been sent directly to the department by the vendor, or have not been returned to Accounts Payable with the necessary processing information, the originating department will be expected to respond to inquiries from the vendor.
7. Accounts Payable check batches will be processed on a weekly basis unless circumstances prohibit processing.
8. Accounts Payable will present to the Finance Director, or their designee, the weekly invoice batch for verification and approval. Verification includes:

P-FI-0014

	City of St. Helena Administrative Policy Finance	Policy Accounts Payable Payment Processing Page 2 of 4
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- a. Ensuring items in A.4. are complete
 - b. Vendor, invoice date, invoice number, and coding has been entered correctly into the financial software system.
 1. Any corrections are noted and the invoice batch is returned to Accounts Payable for correction and resubmittal for approval.
 - c. Once invoice batch verification is complete the Finance Director, or their designee, will commit the invoice batch in the financial accounting system.
9. Accounts Payable will process invoice batch and print checks for approval.
 - a. The financial accounting system automatically prints each check with the City Manager and Finance Director signature.
 - b. Once checks are printed another member of the Finance Department is responsible for removing the checks from the printer and presenting the Finance Director, or their designee, for approval.
10. The Finance Director, or their designee, will verify the check batch for approval. Check batch verification includes:
 - a. Verification that transactions on the invoice batch and on the check batch match.
 - b. Once this has been verified the Finance Director, or designee, will commit the check batch and sign off on the check log to ensure the proper number of checks have been printed.
11. Checks are mailed out by any member of the Finance Department; other than the Accounts Payable staff member.
12. Occasionally checks will be lost, stolen, or incorrect and this will require a stop payment and reissuance of the check. The Finance Department is responsible for processing stop payments. Accounts Payable will re-issue a replacement check after the service bank has confirmed the stop payment request.
13. All checks shall be mailed to directly to vendors unless otherwise noted by the department and authorized by the Finance Director.

B. Creating a New Vendor

1. The City requires a W-9 for all new vendors in order for them to be entered into the financial system. It is the responsibility of the department requesting a new vendor to obtain the W-9 to be submitted to the Finance Department.
2. New vendors are set up in the financial system by any member of the Finance Department; other than the Accounts Payable staff member.

C. Check Signing and Wire Transfer Authority

1. The positions of City Manager, Finance Director, and Administrative Services Manager, their successors and interim appointments, are designated as signers.
2. All checks require two signatures.

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	City of St. Helena Administrative Policy Finance	Policy Accounts Payable Payment Processing Page 3 of 4
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3. All wire transfers require a two-step process which includes an initiator of the transaction and the approver of the transaction. The initiator and the approver shall not be the same individual.
4. All wire transfer information and supporting documentation is given to the appropriate Finance Department staff member for monthly bank account reconciliation.

D. Petty Cash

Petty cash funds are to be used on a revolving basis for the payment of small incidental expenses under \$25.00. Petty cash funds are established on an imprest basis, which means that a fixed amount is restored to its authorized level at frequent intervals by replenishing the cash in an amount equal to the expenditures. Only those expenditures that a reasonable and prudent person would consider as having a public purpose, being for the benefit of the City of St. Helena and not personal in nature, are allowed. Employees should use good judgment when expending public funds and should avoid any transaction that may appear inappropriate.

1. Establishment of Petty Cash Fund – the petty cash fund is established at \$300.00. Any request for the increase, decrease, or closing of its balance requires the approval of the City Manager.
2. The Finance Department is the custodian of the petty cash fund.
3. Disbursements are made as follows:
 - a. Complete a petty cash request form with the following information:
 - i. Date
 - ii. Payee
 - iii. Description of item
 - iv. Account coding
 - b. Itemized receipt is to be attached to the petty cash request form with appropriate department signature.
 - c. Cash is issued and employee/purchaser signs the petty cash request form.
4. Submitted petty cash form and receipt(s) are kept with the petty cash box.
5. Reconciliation of petty cash:
 - a. Classify, count, and add all the currency on hand and petty cash receipts/receipts (not yet submitted for replenishment).
 - b. Compare the above total to the amount of the authorized petty cash fund. The two amounts should be in agreement.
6. Reimbursement of petty cash fund is done by the Finance Department on a regular basis.
7. Restrictions on the use of petty cash

P-FI-0014

	City of St. Helena Administrative Policy Finance	Policy Accounts Payable Payment Processing
		Page 4 of 4

The petty cash fund is established primarily to take care of small City-related expenditures. The petty cash fund cannot be used for the following purposes:

- a. To cash personal or travel advance checks.
 - b. Advance cash (in return for I.O.U. slips) to City employees for temporary or personal use.
 - c. For purchases that are expected to be recurrent, and that can be more appropriately managed with the use of an Accounts Payable payment by check or a credit card.
8. Security of petty cash
It is the responsibility of the Finance Department to make sure that the petty cash box is in a safe and secure place at all times. Only the Finance Department should have access to the area where petty cash is kept.
9. Review
The petty cash fund is subject to unannounced review by the Finance Director and external auditors. The petty cash fund, therefore, must consist at all times of cash on hand and receipts on hand to equal the petty cash fund balance.

E. Reporting

A summary of transactions is reported to the City Council on a quarterly basis. This summary includes:

1. General Fund
 - a. Revenues received to-date
 - b. Expenditures to-date
2. Water and Wastewater Funds
 - a. Revenues received to-date
 - b. Expenditures to-date
3. Checks over \$100,000 processed for the quarter reported.

CITY OF ST. HELENA

RESOLUTION NO. 2018-__

Resolution approving City of St. Helena City Council Policy P-FI-0014 Accounts Payable Payment Processing Policy and repealing and rescinding any previous policies or administrative memoranda which are inconsistent with City Council Policy P-FI-0014.

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-0014 Accounts Payable Payment Processing 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-0014 Accounts Payable Payment Processing 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-0014 Accounts Payable Payment Processing Policy; and
- 2. Repeals and rescinds any previous policies or administrative memoranda which are inconsistent with City Council Policy P-FI-0014 Accounts Payable Payment Processing Policy.

Approved at a Regular Meeting of the St. Helena City Council on October 23, 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 October 23, 2018

Agenda Section: Consent

Subject: Consideration and approval of a Resolution approving City of St. Helena City Council Policy P-FI-0017 Cash Controls Policy.

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

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 cash control 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 formal policies.

The proposed Council Policy P-FI-0017 Cash Controls Policy formally establishes policies that govern the handling, deposit, and safekeeping of City Cash.

FISCAL IMPACT

None.

RECOMMENDED ACTION

Staff recommends City Council pass a Resolution approving City of St. Helena Policy P-FI-0017 Cash Controls Policy.

ATTACHMENTS

[P-FI-0017 Cash Controls](#)

[Resolution No. 2018-_____ P-FI-0017 Cash Controls Policy](#)

	City of St. Helena Policy Finance	Policy Cash Controls
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Title: Cash Controls	Policy #	P-FI-0017
	Revision #	Release
	Implementation Date	2018-10-23
	Last Update Date	2018-10-23
Approval by City Council		Date Approved 2018-10-23

I. Purpose, Overview, and Scope of this Policy

This document sets forth policies that govern the handling, deposit, and safekeeping of City Cash. Furthermore, this policy is intended to supplement other City personnel policies that govern rules of conduct and performance in the workplace.

This document provides a structured, central repository for a variety of Finance Department Policies which are organized into the following categories:

- A. General Cash Controls
- B. Cash Receipting
- C. Balancing of Batches
- D. Overages and Shortages
- E. Theft or Loss
- F. Deposits
- G. Reconciliation of Deposits
- H. Petty Cash
- I. Checking Cashing
- J. Returned Checks
- K. Refunds
- L. Foreign and Mutilated Currency
- M. Banking Services and Account Opening
- N. Credit Cards
- O. Training
- P. Violations
- Q. Policy Review

This policy rescinds and replaces all previous Cash Control policies and remains in effect until updated by the City Council.

II. Authority

Updates to this policy require City Council approval.

P-FI-0017

	City of St. Helena Policy Finance	Policy Cash Controls
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III. Policy

The Finance Department is responsible for providing an accurate accounting of all City Cash, including revenues and expenses. Professional financial and accounting practices dictate that all funds received by the City be promptly deposited into a City bank or investment account. This ensures that City Cash is accounted for and available for investment or an authorized expenditure. The term “City Cash” applies to currency, coin, checks, money orders, credit charge and debit card payments, other electronic payment media, and other negotiable instruments payable in money to the City.

The City’s central cashing function is performed by the Finance Department; however, other departments will receive payments for other items such as, but not limited to, fines, registrations, deposits, parking bail, etc. As such, employees that have been authorized to receive City Cash share the stewardship of financial assets for the City across departmental divisions.

Effective cash control management principles employ the use of industry approved best practices, as well as the implementation of sound internal controls. Utilization of the following will aid in the achievement of this common goal:

1. The City’s structure should provide for the segregation of functional responsibilities such as invoicing, receipt of payments, and record keeping. See Standard Operating Procedure No. SOP-FI-0009 - Finance Department Security.
2. The work environment must be conducive to safeguarding money. This includes proper office layout with counters, safes, cash boxes, and cash registers/terminals.
3. Where a work unit is not large enough to allow for proper segregation of functions, or if the work environment does not permit the optimal physical facilities, management oversight must be increased commensurately.
4. Limited access should be given to persons handling cash.
5. Sound practices and policies must be established and followed at all times in the performance of Department functions.

The City departments should endeavor to have all funds received to be accepted through the City’s financial software system. The system will accept, record, and deposit funds received daily as this increases cash processing efficiencies and provides more detailed support for reconciliations. When the financial software system is not available or possible, then the Finance Department must establish a policy that contains the elements of this policy.

A. General Cash Controls

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1. The number of employees with access to cash funds shall be limited to assure internal control.
2. To the extent staffing levels permit, separation of duties from the function of custodian of cash balances and the accounting and record keeping of the same shall be maintained.
3. Where staffing levels do not permit segregation of duties, compensating controls such as strict individual accountability and thorough management review and supervision shall exist. Authorized personnel not assigned the custodial responsibility shall periodically examine, count, or perform other reviews of cash funds.
4. Physical protection of funds through the use of bank facilities, City vault, and locked cash boxes or drawers shall be practiced at all time.
5. City Cash on the premises will be held to an absolute minimum to ensure safety and maximize return on investments.

B. Cash Receipting

1. The Finance Department performs the central cashiering function therefore all evidence of deposits, i.e. deposit slips and department revenue summaries, shall be forwarded to the Finance Department as soon as possible to assure timely and proper credit in the receipting process.
2. All departments receiving City Cash shall have a collection record, such as a cash register tape or receipt book, that has the record of transactions including voids, refunds, or cancellations. All revenue collected over the counter shall have a receipt issued at the point of sale or collection whether handwritten or electronically generated.
3. All handwritten receipts shall be pre-numbered and issued from receipt books issued by the Finance Department to account for lapsed sequence.
4. All currency in the amount of fifty (50) dollars and above shall be checked with a counterfeit money detector pen prior to acceptance to verify the bills are not counterfeit.
5. Departments receiving checks as payable shall require the maker of the check to make it payable to "City of St. Helena". Under no circumstances shall a check for the City be made payable to an individual or left blank.
6. All checks shall be endorsed (stamped or imprinted with City of St. Helena deposit information) immediately upon receipt.
7. Each check shall be inspected to ensure the following:
 - a. Current date (post-dated checks shall not be accepted);
 - b. Proper signature;
 - c. No alterations;
 - d. Bank name and routing number printed on check;
 - e. If temporary check, payer's name and address written on check;

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- f. Not a third-party check; and
- g. Written amount matches numeric amount.
- 8. No checks shall be cashed through the use of any cash drawer.
- 9. All steps of each counter transaction must be completed, including steps to enter the transaction into the City's financial accounting system and to place receipts in a secured location before a new transaction is started.

C. Balancing of Batches

1. All payments are processed through the City's financial software system. Daily batches are created for the following:
 - a. Cash and Check Transactions
 - b. Credit Card Transactions
 - c. Lockbox Transactions
 - d. Online Payment Transactions
2. At the end of each day, the Finance staff member responsible for cash handling will balance the various batches created which reflects the dollar amount of all receipts and the batch dollar amount total. If any discrepancies are found the Finance staff member will review receipts and payments and make any corrections to posting errors.
3. A deposit slip is prepared from the cash/checks received and compared to the daily receipts listing.
4. Once the batch is balanced and the deposit prepared, a separate member of the Finance staff will proof the batch for accuracy, recount the prepared deposit, and commit the batch to the general ledger through the City's financial software system.
5. The deposit will be placed inside a bank deposit bag and sealed.
6. Deposits are placed in the Finance vault until they are taken to the bank for deposit.

D. Overages and Shortages

1. It is the responsibility of the cash handler to ensure cash on hand equals the change fund plus actual receipts at all times.
2. All shortages and overages shall be reported to the Department Director and Finance Director immediately.
3. All cash overages and shortages, as well as any known circumstances surrounding the overage/shortage, shall be documented in a memorandum to the Finance Department within one (1) business day explaining the overage/shortage.
4. For cash shortages of twenty-five (25) dollars or more where theft is suspected, the following actions must take place:
 - a. Department Supervisor or Employee:

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1. Notify the Department Director
2. Notify the Finance Director of the occurrence
3. Maintain a record of all overages/shortages
- b. Department Director
 1. Within one (1) working day of determining theft is suspected, the Department Director must submit the record of all overages/shortages to the Finance Director. Copies must be provided to the City Manager and Human Resources Department.
- c. Police Department
 1. Conduct an investigation in cooperation with the Department involved and the Finance Director.
 2. Provide the Finance Director with investigation findings.
- d. Finance Director
 1. Provide a copy of the report to the City Manager, Department Head, and Human Resources (if applicable).
5. Recording Cash Overages/Shortages
 - a. Employee
 1. Enter cash overages and shortages into the Overage/Shortage report and post it to the Financial software system.
 2. Complete overage/shortage report for supervisor.
 - b. Supervisor or Department Director
 1. Review documents and re-count change drawer.
 2. Maintain a record of all overages/shortages.
 - c. Finance Department
 1. Maintain a list of overages/shortages by Department.

E. Theft or Loss

1. Once a theft or loss has been identified, it shall be immediately reported to the Department Director, Finance Director, City Manager, and the St. Helena Police Department. Do not conduct any type of investigation or discuss with other staff.
2. All theft or loss shall be documented in a memorandum to the Finance Director within one (1) business day.

F. Deposits

1. The general operating standard for deposits of City Cash to the bank shall be within twenty-four (24) hours or the next business day of receipt of those funds. Departments shall weigh reasonableness and practicality versus security in determining the timing for the deposit of small amounts. All deposits not made daily shall be held in a secured location such as a safe.

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2. All receipts of City Cash must be deposited with the Finance Department in accordance with this policy and the cash handling procedures identified per department that have been approved by the Finance Department.
3. All security and bid deposits or escrow funds received in cash shall be treated as City Cash and deposited accordingly.
4. Departmental receipts shall never be used to replenish petty cash, other funds, or for the purchasing of items.

G. Reconciliation of Deposits

1. On a monthly basis, the Finance Department, shall reconcile the listing of receipts to bank deposits reflected on the monthly bank statement. This individual is not the same as the primary cash handler.
2. Any discrepancies shall be immediately investigated and reported to the Finance Director.
3. Reconciliation of the monthly bank statements can be done by any member of the Finance staff except for the cash handler.

H. Petty Cash

1. Petty cash disbursements and reconciliations shall be made in accordance with Petty Cash Policies identified in Policy No. P-FI-0014.

I. Check Cashing

1. No checks shall be cashed from any City cash drawer.

J. Returned Checks

1. Occasionally a deposited check may not clear the bank for one or several reasons; such as non-sufficient funds, account closed, stop payment, funds held, stolen checks, forgery, endorsement, or signature. The Finance Department assumes responsibility for collections.
2. Upon receipt of a returned check the Finance Department will do the following:
 - a. Reverse the payment in the City's financial accounting system.
 - b. Notify the Department responsible for the payment.
 - c. Charge the customer the appropriate service charge for the returned check. This fee is based on the City's adopted fee schedule.
 - d. Send a letter notifying the customer of the returned payment, allowing for twenty-one (21) days to make payment including the service fee by an alternate form of payment such as cashier's check, money order, or debit/credit card.
 - e. If the customer fails to make payment, the account will be turned over to the City's contracted Collection Agency after 120 days in accordance with Standard Operating Procedure No. SOP-FI-0013.

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3. The Finance Director has the authority to refuse the acceptance of checks as deemed necessary.

K. Refunds

1. Refunds will only be made to the original entity (person or organization) that submitted the original payment to the City.
2. Refunds shall be made by check or as a credit to a credit card only.
3. Cash will never be used for a refund.

L. Foreign and Mutilated Currency

1. Foreign currency and coin shall not be accepted. Only currency and coins issued by the United States Federal Reserve Board are legal tender. Traveler's checks must state "U.S. Dollars".
2. No mutilated currency or coin, including bent coin, shall be accepted.

M. Banking Services and Account Opening

1. The Finance Department is responsible for the City's banking relationships.
2. Opening new or closing bank accounts must be approved by the City Council.

N. Credit Cards

1. Credit card payments should be made through: online payment platforms, in person, or called in to an authorized person in the Finance Department.
2. Information collected for credit card payments must be done in a Payment Card Industry (PCI) compliant manner which includes the following safeguards:
 - a. Security
 1. Credit card information can only be taken in person or by phone.
 2. Credit card information must be treated as confidential and paper containing credit card data must be physically secured (e.g. locked in a vault/locker, cabinet, desk, etc.).
 3. Credit card information shall not be taken over email at anytime.
 - b. Storage
 1. Credit card information should not be stored on the computer or on a memory device at any time.
 2. Printed reports containing cardholder data are to be physically retained, sorted, or archived only within secure City office environments, and used only for the minimum time deemed necessary for their use.
 - c. Destruction

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1. Credit card information may only be destroyed by shredding and in accordance with the City's Records Retention Policy.

O. Training

1. All staff shall be familiar with this cash control policy and must acknowledge receipt of this policy using the attached form.
2. All staff that handles City Cash shall be trained on the Cash Control policy by the Finance Department.

P. Violations

1. Any employee found to have violated this policy may have his/her cash handling authorization limited or revoked completely and may be subject to formal disciplinary action up to and including termination from City employment.

Q. Policy Review

1. The Finance Department shall perform a review of all City Cash handling policies, procedures, functions, and processes on a regular basis, but at a minimum of every two years.
2. The City's independent auditors shall review the City's cash management controls through the course of their annual audits as needed.

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CASH OVERAGE/SHORTAGE INCIDENT REPORT

Department Name:
Incident Date:
Contact Person:

Type of Incident	Amount
Shortage:	
Overage:	
Other – List:	

Explanation:

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Print Name: _____
Department Cash Custodian Signature Date

Print Name: _____
Department Supervisor Signature Date

Print Name: _____
Finance Director Signature Date

Please attach a copy of the Financial software system entry.

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ACKNOWLEDGEMENT OF RECEIPT

Finance Policy No. P-FI-0017
Cash Controls

My signature below is confirmation that I have received a copy of Finance Policy No. P-FI-0017 Cash Controls and that I understand that it sets forth the City's policy regarding the handling of City Cash. I understand that this policy is intended to supplement other City personnel policies that govern rules of conduct and performance in the workplace. I further understand and agree that it is my responsibility to read and familiarize myself with the provisions of this policy and to contact the Finance Department in the event that I have questions or need clarification of the Cash Controls policy.

I understand that the City reserves the right to revise and update the Cash Controls policy at any time.

Employee Signature

Employee Name – Please Print

Date of Receipt

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CITY OF ST. HELENA

RESOLUTION NO. 2018-__

Resolution approving City of St. Helena City Council Policy P-FI-0017 Cash Controls Policy and repealing and rescinding any previous policies or administrative memoranda which are inconsistent with City Council Policy P-FI-0017.

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-0017 Cash Controls 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-0017 Cash Controls 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-0017 Cash Controls Policy; and
- 2. Repeals and rescinds any previous policies or administrative memoranda which are inconsistent with City Council Policy P-FI-0017 Cash Controls Policy.

Approved at a Regular Meeting of the St. Helena City Council on October 23, 2018, by the following vote:

Mayor Galbraith:

Vice Mayor White:

Councilmember Dohring:

Councilmember Koberstein:

Councilmember Ellsworth:

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Tzafopoulos, City Clerk



Report to the City Council
Council Meeting of October 23, 2018

Agenda Section: Consent

Subject: Second reading of an ordinance amending St. Helena Municipal Code ("SHMC") Title 17, Section 17.148, Signs, as deemed appropriate by the City Council.

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: Aaron Hecock, Senior Planner

Reviewed By: Noah Housh, Planning & Community Improvement Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

City staff, the Planning Commission, City Council, and project applicants regularly find challenges with the existing Zoning Code, including incomplete requirements, antiquated policies, and a general lack of consistent regulations. In the spring of 2017, City staff worked with the Planning Commission to prioritize an on-going list of potential citywide projects of interest to the Commission. One of the leading priorities identified at this time was initiation of a comprehensive Zoning Code update in order to address a number of problematic issues and inconsistencies.

On August 22, 2017, the City Council and the Planning Commission prioritized an update of the Zoning Code as a top priority to both address these on-going issues, as well as provide an efficient method to tackle a number of other priorities identified by the Planning Commission and City Council.

On October 4, 2017, the Council of the City of St Helena adopted their three year goals which included a goal to Enhance Organizational Performance. Under this goal was a line item directing planning department staff to "Prepare recommended updates to the

City's Sign Ordinance." The Council prioritized preparing recommended updates to the sign ordinance by June 30, 2018.

On February 20, 2018, staff presented a number of suggested sign code changes to the Commission for discussion where the Commission provided general support for the changes.

On May 15, 2018, the Planning Commission decided to segment the discussion of the sign ordinance by moving forward with recommended changes regarding "free speech" signs while postponing other proposed changes for further discussion. Those segmented items were taken before the Council for review and action and are now in place.

On August 21, 2018, staff again presented suggested sign code changes to the Planning Commission where the Commission provided direction and a recommendation of approval to the City Council.

On September 25, 2018, the City Council reviewed the draft ordinance revising Chapter 17.148 'Signs' of the SHMC at a noticed public hearing. After providing direction to staff to make several minor revisions, the Council conducted the first reading of the Ordinance.

On October 9, 2018 the City Council pulled the second reading of the ordinance in order to request two minor changes including adding a limitation on the number of Temporary Signs permitted (limited to 1) and the inclusion of a matrix in the place of text for each zoning district.

DISCUSSION

Review Municipal Code Section 17.148 (Signs)

Process Improvements

The current sign code has two processes, an administrative sign permit and a Planning Commission sign permit, both of which have prescriptive standards for the number, size, and location of commercial signage. The code also contains language that allows the Planning Commission to consider illuminated signs (including neon), signs that are larger, or signs in addition to those permitted with an administrative sign permit. In addition, signs that exceed the limitations of size, number, or lighting may be approved with the finding that the signs contribute to the historical or architectural character of the community.

Staff finds that the prescriptive limitations in place (currently for both Planning Commission and administrative sign permits), allow sign permit applications which clearly meet these design criteria applications, to be reviewed at the staff level. Any request for signs which fall outside those prescriptive limitations, would then be elevated to Planning Commission for review. This change will make the sign permit process less

cumbersome and more efficient for the public, staff, and the Commission, and therefore work to both encourage compliance and to more efficiently utilize staff resources.

As such, the Planning Commission is recommending amendments to Municipal Code Section 17.148 which would allow signs within the prescriptive standards set forth in Municipal Code Section 17.148.040 to be approved at the staff level with sign permit requests falling outside those prescribed limitations (more or larger signs) requiring Planning Commission approval.

Other Changes

In addition, staff has identified other minor changes that would improve the functionality of the sign ordinance including the following:

- Several definitions have been modified for greater clarity and additional sign types have been added to the list of Exclusions (17.148.020);
- Section 17.148.080 'Real estate signs', has been slightly modified including deletion of the asterisk stating that the section terminates on May 26, 2009, with the intention that the section become permanent;
- In response to the recent Kosmont report on the City's downtown retail environment and suggestions for improvement made therein, staff has included a draft 'way-finding signs' framework and is requesting input from the Council on its contents; and
- Staff is recommending that an administrative sign permit fee of approximately \$500.00 be created and implemented, as the current sign permit application fee of \$1,000.00 does not accurately differentiate between the process required to review an administrative sign permit and that required for Planning Commission sign permit approval. This fee is a conservative estimate of the time required to process such an application and is based on the overall staff blended rate of \$150/hour identified in the fee schedule. Staff recommends that the \$1,000.00 Sign Permit fee remain in place or signs requiring Commission approval.

As previously noted, suggested amendments to Municipal Code Section 17.148 "Signs" are attached for Commission review. Additions are shown in underline and deletions are shown in ~~striketrough~~.

ANALYSIS

Zoning Code Text Amendments are governed by Municipal Code Section 17.12 and by Government Code Section 65853. Municipal Code Section 17.12 stipulates that text amendments may be recommended by the Planning Commission for approval by the City Council insofar as the Planning Commission finds the proposed amendments are in conformance with the General Plan and consistent with the public necessity, convenience, general welfare, and good zoning practice.

General Plan Consistency

The recommended text amendments are intended to clarify and streamline existing sign regulations and to bring the code into compliance with current state law. As such, the recommended text amendments are found to be consistent with the following policy listed in the in the 1993 City of St. Helena General Plan:

- 2.6.31 – *Require the design of all new commercial development to be compatible with and complementary to the image and character of the historic Main Street area.*
- 2.6.50 – *Require office development that is located within a commercial district to be similar in appearance and character with surrounding businesses so that it does not detract from the design character or pedestrian orientation of the shopping district.*
- 4.3.21 – *This area (Service Commercial) serves as part of the entry sequence into the city from the south. For this reason care shall be exercised to ensure that this area is attractive and a positive element of the cityscape.*

Staff Response: As detailed under Municipal Code Section 17.12.080, the City Council may, by ordinance, approve Code amendments whenever the public necessity, the general community welfare, and good zoning practice warrant such amendment. Accordingly, the proposed text amendments would further the public necessity, convenience, general and good zoning practice by creating a more efficient and effective process for the administration of sign permits.

City Council Review

In their review of the proposed sign ordinance on Sept. 25, 2018, the Council identified a number of additional revisions they desired to be made to SHMC Chapter 17.148. Specifically, the Council requested that staff update the Sign code to:

1. Create a 'purpose' section to clarify the intent behind the regulations and allowances for the sign code.
2. Create separate sign code regulations for the winery and agricultural zoning districts.
3. Clarify the election sign posting time frame to acknowledge when voting begins, rather than utilize the actual election day for the sign posting time period.
4. Review and update the allowances for monument signs to provide more specific and prescriptive design criteria.
5. Improve the definitions to clarify between identification signs and temporary signs.
6. Differentiate between temporary sign permits allowed without any City approval, and those that require an Administrative Sign Permit to grant an extended temporary sign posting time frame, with reporting mandates.
7. Allow staff level approval for externally illuminated signs where the illumination is turned off by a set time period, while requiring Planning Commission approval for internally illuminated signs.

8. Create a matrix format to incorporate all sign code regulations to clarify the sign code requirements and allow clear understanding for project applicants and sign designers.

However, in their final motion and vote on the requested revisions, the City Council directed staff to make minor amendments in keeping with the general scope of draft ordinance in order to move forward with a second reading, and to bring back the remaining revisions in the form of another Ordinance.

In response, staff has modified the existing Ordinance to improve the definitions, allow staff level action on externally illuminated signs and modified the Administrative Sign Permit process to incorporate temporary signs which do not meet the posting limitations identified for temporary signs under Section 17.148.020 Exclusions (subject to reporting requirements). The remaining directed changes will be incorporated into a separate ordinance and brought back before the City Council for review and action to fully implement the provided direction.

CEQA

Staff finds that this action to adopt an Ordinance to amend Chapter 17 of the St. Helena Municipal Code is exempt from the requirements of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.) pursuant to Guidelines Sections 15301, 15302 and 15303 in that these modifications reduce the review process for modifications to and replacement of existing sign structures and further allow the construction or conversion of "Small Structures" (signs) as defined in the statute. Further, these changes are found to be exempt under CEQA Guidelines Sections 15061(b)(1), 15061(b)(2), and specifically, the "General Rule" Section 15061(b)(3), where it can be seen with certainty that the proposed action will have no significant effect on the environment, projects are exempt from the requirements of CEQA. Furthermore, these changes are in accordance with the adopted 1993 General Plan Environmental Impact Report (EIR) and 2015 Housing Element Mitigated Negative Declaration (MND).

FISCAL IMPACT

No significant impacts to the General Fund are expected as a result of the proposed ordinance amendments. The reduced fee could slightly decrease department revenues; however, the concurrent reduction in the staff time needed to process administrative sign permits is expected to offset this reduction by allowing more efficient use of staff resources.

RECOMMENDED ACTION

It is recommended by the Planning Commission of the City of St. Helena that the City Council review the Draft Ordinance and proposed text amendments to the Sign Ordinance and:

1. Determine that the proposed Zoning Code text amendments are exempt from the requirements of CEQA pursuant to CEQA Guidelines Sections 15061, 15301, 15302 and 10303; and
2. Conduct the second reading of the ordinance, by title only and waive further reading.

ATTACHMENTS

[Chapter 17.148 redline-Final with Matrix](#)

[Draft Ordinance update-Final](#)

[Exhibit A with Matrix](#)

Chapter 17.148

SIGNS

Sections:

- 17.148.010 Definitions.
- 17.148.020 Exclusions.
- 17.148.030 Signs prohibited.
- 17.148.040 Regulated signs.
- 17.148.050 Illumination.
- 17.148.060 Neon signs.
- 17.148.070 Monument signs.
- 17.148.080 Real estate signs.
- 17.148.090 Temporary noncommercial signs.
- 17.148.100 Public information signs.
- 17.148.110 Miscellaneous regulations.
- 17.148.120 Administration.
- 17.148.130 Nonconforming signs.

17.148.010 Definitions.

As used in this chapter:

“Abandoned sign” means any sign which pertains to a business or occupation which is no longer using the particular property, or which relates to a time or event which no longer applies, constitutes abandoned advertising or identification.

“Advertising billboard” means any structure or sign upon which there is any advertising message calling attention to a use, product, service or similar function not conducted or sold upon the site upon which the billboard is located or in the structure to which the billboard is attached or otherwise affixed. Billboards may be freestanding or affixed or otherwise attached to another structure.

“Awning, canopy or marquee” means a permanent roof-like shelter extending from part or all of a building face over a public right-of-way and constructed of a durable material such as metal, wood, glass or plastic or a less permanent hood or cover which projects from the wall of a building and is covered with a rigid or nonrigid material such as canvas.

“Awning, canopy or marquee sign” means any message which is painted on or otherwise affixed to a building awning, canopy or marquee. Each side of an awning with a message shall be counted as a separate sign.

“Balloon sign” means a temporary sign which may or may not contain graphics painted on or affixed to a balloon or inflated character.

“Banner” means a temporary sign for grand openings or special events composed of lightweight material either enclosed or not enclosed in a rigid frame, secured or mounted so as not to allow movement of the sign.

“Building sign” means a sign lettered to give the name of a building itself or the date constructed, as opposed to the name of occupants or services.

“Changeable copy sign” means a sign which, in part or whole, provides for periodic changes in the letters or in the material composing the sign. Signs on which the only change is a periodic price change for the product or products customarily sold on the premises and on which the location, size and color of the numbers remain constant are not to be considered changeable copy signs.

“Commercial message” means any copy that directly or indirectly names, draws attention to, or advertises a business, product, good, service, or other commercial activity, or which proposes a commercial transaction.

“Commercial sign” means a sign with a commercial message.

“Directory sign” means a sign designed and intended to list and/or name any or all of the business firms and/or types of businesses conducted at an office building or shopping-center-type development and which are freestanding or attached to the building or structure in which the use is conducted.

“Election period” means the period commencing 60 days before any national, state, or local election in which city electors may vote up through the date of the election.

“Encroachment” means the extension of any sign over a public right-of-way or private access way.

“Freestanding sign” means a sign that is self-supporting in a fixed location and not attached to a building.

“Home occupation sign” means a sign identifying a home occupation, which is an accessory use of a residential property for gainful employment by the resident of a dwelling.

“Identification sign” means a sign designed and intended to identify the name of a commercial business, professional office use, public use, quasi-public use, or similar use and which sign is ~~located~~ permanently affixed upon the ~~structure or~~ premises to be identified.

“Illegal sign” means any sign which was not lawfully erected or maintained, or was not in conformance with the ordinance in effect at the time of the erection of the sign or advertising statuary, or which was not installed with a valid permit from the city.

“Illuminated awning” means an internally illuminated shelter projecting from and supported by the exterior wall of a building constructed of a nonrigid translucent covering over a supporting framework. This type of sign may or may not contain graphics or copy on the surface of the awning.

“Incidental sign” means a sign pertaining to and advertising goods, products, services or facilities which are available on the premises. Such signing is in addition to the main identification signing.

“Interior sign” means a sign which may be displayed within a business or residence provided it is not displayed so as to be viewed from any public space.

“Internally illuminated sign” means a sign which is illuminated from a lighting source within the internal structure of the sign which illuminates the entire face of the sign; (does not include ~~ing~~ neon signs or halo illuminated signs).

“Message” means a graphic, letter, numeral, symbol, logo, hallmark, text, insignia, sample, model, picture, drawing, device, or appliance, or combination thereof, affixed to identification, and/or services.

“Monument sign (freestanding or detached or pole)” means a sign supported by structures or supports that are placed on or anchored in the ground that are independent from any building or other structure.

“Neon sign” means a sign which is illuminated in whole or in part by neon or similar gas.

“Nonappurtenant sign” means a sign which advertises a business, products, services or other uses which are not associated with the premises where the sign is located.

“Noncommercial message” means any copy that communicates a message that is not a commercial message. A noncommercial message does not directly or indirectly, name, draw attention to, or advertise a business, product, good, service, or other commercial activity, or propose a commercial transaction.

“Noncommercial sign” means a sign with a noncommercial message.

“Nonprojecting sign” means a sign which uses a building structure as its main source of support and contains copy that is parallel to the wall to which it is affixed.

“Pennant” means any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire or string, usually in series designed to move in the wind.

“Portable freestanding sign” means a sign that is designed to be movable and is not structurally attached to the ground, a building, a structure or any other sign. Portable freestanding signs include, but are not limited to, sandwich board signs, A-frame signs, and easels.

“Primary frontage” means the side of a building facing a street or, in the case of a building having more than one side facing a street, the side so designated by planning department staff ~~the property owner~~.

“Projecting sign” means a sign which uses a building structure as its main source of support and contains copy that is perpendicular, or at an angle, to the building face.

“Public information sign” means a sign bearing symbols, badges or other messages identifying, stating the location of, or providing information concerning regularly scheduled meetings of civic and community service clubs, churches and religious organizations, hospitals serving the general public, and municipal services and buildings (e.g., fire station, police station, city hall, post office, etc.).

“Real estate open house sign” means a temporary portable freestanding two-sided A-frame sign that directs customers to property where an open house is in progress.

“Real estate sign” means a temporary, on-premises sign, which gives notice offering the sale, rental, or lease of real estate.

“Rider” shall mean additional signs or copy appended or attached to the main sign and frequently provides additional information in the form of text, graphics, and/or logo.

“Roof sign” means any sign placed upon, projecting from, or directly above the roof of a structure or building, or above the ridge of the roof, or above the roof itself, if there is no ridge.

“Secondary frontage” means the sides of a building other than the primary frontage which are visible from a public right-of-way or from adjacent private property or which provide secondary access to the use or activity.

“Shopping center development” means an integrated commercial development larger than one acre in size where two or more commercial uses are conducted and are provided with a common parking lot.

“Shopping center identification sign” means a sign designed and intended to name or identify a shopping-center-type development.

“Sign” means any medium, including its structure and component parts in view of the general public, which is used to attract attention for advertising or identifying purposes.

“Sign area” means that area enclosed in the frame of the sign as measured from the outside of the frame and following the contour of the frame. In those instances where a sign is painted or otherwise affixed or attached to a wall or similar structure or portion thereof, the area of a sign shall be computed by measuring the overall length and width of the message. This computation shall also be utilized when raised or freestanding letters are affixed or attached to a structural surface.

“Street furniture sign” means a sign located on a bench or similar structure which is located within the public right-of-way.

“Subdivision identification sign” means an identification sign with the name of the residential subdivision which is located within the subdivision.

“Temporary sign” means a sign constructed of cloth, canvas, lightweight fabric, cardboard, wallboard, wood or other light materials, with or without frames, which is not intended for or suitable for long-term or permanent display, due to the materials used, the means of display, or the procedures by which it is approved.

“Temporary advertising sign” means a sign used for grand openings or special sales ~~that is attached to the interior of a window.~~

“Vehicular sign” means a sign affixed on a vehicle or trailer for the purpose of circumventing the regulations within this chapter.

“Wall sign” means a sign which is in any manner affixed to any exterior wall of a building or structure and which projects not more than two feet from the building or structure and does not extend above the roof, parapet, building facade or any outermost edge of the building or structure.

“Window sign” means any sign painted on or attached to a window or located inside a window and designed to be viewed from outside of the building in which the window is located. This term does not include merchandise located in a window. (Ord. 08-2 § 2 (part); Ord. 06-5 § 2 (part); Ord. 02-6 § 14; prior code § 27.320)

17.148.020 Exclusions.

The following signs are not governed by the provisions of this chapter:

A. Official notices posted by any public officer in performance of a public duty or by any person giving legal notice;

B. Business name added to a Directory sign for which a sign permit has previously been authorized.

C. City signs. Signs identifying the department, service, or location of City facilities and operations subject to the location and size limitations in Section 17.148.040.

D. Directional warning or information signs required by law or by governmental authority;

~~E.~~ Signs of public utility companies indicating danger or which serve as an aid to public safety or which show the location of underground facilities or public telephones;

~~F.~~ Signs advertising a future occupant of a building or noting the contractors, engineers or architects erecting or remodeling a building, provided the same do not exceed sixteen (16) square feet, are single-faced and are removed upon occupancy or completion of erection or remodeling;

~~G.~~ Signs which are not visible from a public right-of-way or from other private property in the vicinity;

~~H.~~ Signs which are part of a temporary window display and which are not affixed to the window;

~~I.~~ Festival/benefit banners on/over public property, or off-premises signs advertising community events sponsored by or for the benefit of nonprofit organizations as approved by resolution of the city council;

~~J.~~ No more than one national flag of a country and/or no more than one flag of a state which are displayed in a manner consistent with laws governing respect of such flags, and flown from a pole the height of which is no more than the maximum permitted height for structures in the applicable zoning district. Other types of flags shall be considered signs;

~~K.~~ Temporary advertising signs for a business grand opening provided the sign is not displayed for more than thirty (30) days;

~~L.~~ ~~One (1) Temporary advertising signs, including banners (up to 60 square feet) or balloons (twelve (12) inches or smaller) for a special business sale or promotional event, provided the sign is not displayed for more than two weeks at any one time and for not more than four times per year (maximum of eight weeks of temporary advertising signs being displayed per year). When balloons (twelve (12) inches or smaller) are included as temporary advertising the number of balloons shall be limited so they are not the primary advertising feature;~~

Commented [AH1]: Per Council direction on October 9, 2018.

~~MK.~~ Paper banners attached to the interior of the window advertising weekly specials at grocery stores and variety stores;

~~NL.~~ Real estate signs less than four square feet in size on the property listed for sale or rent as regulated by Section 17.148.080;

~~O.~~ Temporary signs for blood bank, community service club events or similar not for profit community activities, and garage or rummage sale signs pertaining to activity on the property where they are located and displayed on the day of the activity only;

~~PM.~~ Building signs as defined in Section 17.148.010 and less than four square feet in size;

~~QN.~~ Signs required to be posted by law;

~~RO.~~ Holiday lights and decorations. (Ord. 08-2 § 2 (part): Ord. 06-5 § 2 (part): prior code § 27.321)

17.148.030 Signs prohibited.

The following signs shall be prohibited within the city:

- A. Airborne balloons ~~greater than twelve (12) inches in size~~, banners (except as excluded by Section 17.148.020(~~GL~~)), pennants, valances, propellers, spinners, streamers, lights or similar devices or ornamentation designed for purposes of attracting attention, promotion or advertising;
- B. Signs located within the public right-of-way including any sign or handbill attached to a utility pole or street sign pole except those required or permitted by federal, state or local law;
- C. Revolving, animated, ~~wind-blown~~ or moving signs and signs with flashing illumination, including flashing arrows, blinking lights or other devices. This does not include traditional barber poles which may be allowed in front of barbershops upon approval of sign permit by the planning commission;
- D. Off-premises signs, except those signs approved by a planning commission sign permit to be located on a legal easement for an access way through another property when such access is required for public use;
- E. The following types of signs as defined in Section 17.148.010:
 - 1. Advertising billboards,
 - 2. Balloon signs,
 - 3. Changeable copy signs, except for theater marquees or gas station signs,
 - 4. Home occupation signs,
 - 5. Illuminated awnings,
 - 6. Internally illuminated signs, except for theater marquees,
 - 7. Neon "Open" signs, subject to planning commission review, provided the tubing is white and the neon "Open" sign is located on property where the speed limit is in excess of twenty-five (25) miles per hour,
 - 8. Nonappurtenant signs,
 - 9. Pennants,
 - 10. Portable freestanding signs,
 - 11. Roof signs,
 - 12. Street furniture signs,

13. Subdivision identification signs,
14. Vehicular signs, ~~(Ord. 08-2 § 2 (part); Ord. 06-5 § 2 (part); prior code § 27.322)~~

17.148.040 Regulated signs.

No sign, addition to a sign, alteration of a sign or replacement of a sign, unless specifically excluded in Section 17.148.020, shall be permitted in any district without first obtaining an administrative sign permit or a planning commission sign permit.

A. Administrative Sign Permit.

1. An administrative sign permit shall be reviewed by the planning ~~department director~~ for compliance with the standards set forth for the district in which the sign is to be located.
2. The applicant shall be notified within ~~fourteen (14)~~ thirty (30) days whether or not the administrative sign permit is approved. If the permit is not approved the applicant may either amend the design to comply with the standards or may amend the application to request sign permit approval from the planning commission. If the design of the sign is amended and resubmitted for review the applicant shall be notified within ~~fourteen (14)~~ thirty (30) days from the date the amended design is submitted whether or not the administrative sign permit is approved.
3. Insubstantial changes to existing signs, such as a change in color or business name, may be authorized by an administrative sign permit.
4. Temporary advertising signs not meeting the display time period limitations specified in Section 17.148.020, may be authorized through the approval of an Administrative Sign Permit. In no case shall such signs be displayed for more 20-weeks within a calendar year, and an annual schedule of all proposed display timeframes shall be submitted with the Administrative Sign Permit application.

B. Planning Commission Sign Permit.

1. A planning commission sign permit shall be reviewed by the planning commission at a regularly scheduled meeting for compliance with the standards set forth for the district in which the sign is to be located.
2. The purpose of the planning commission sign permit is to allow the consideration of illuminated signs (including neon), signs that are larger, of a unique design or location, or signs in addition to those permitted with an administrative sign permit. The planning commission shall consider the compatibility of the sign to the site, the appropriateness of the materials and colors in relation to the project, the compatibility of the sign to the small town character of St. Helena, and the impact the sign may have on surrounding properties. The commission shall not approve signs which obscure or detract from the architecture of a historic building or structure.
3. A sign program addressing the needs for all businesses within a building with multiple tenants, or within shopping centers or other types of planned commercial developments may be required prior to the approval of any signs for an individual business within that development. The planning commission shall consider the cumulative visual effect of all signs, and may reduce the overall number and/or area of signs allowed for each business or may require that directory signs be used instead of individual signs. A sign program ~~shall be required~~ may be proposed ~~for all businesses within~~ a building with multiple tenants, or ~~within~~ shopping centers or other types of planned commercial developments prior to approval of any signs for an individual business within that development ~~when located on a site of one acre or greater in area.~~
4. The planning commission may approve sign permits within any zoning district to retain historic signs or to approve new signs that are compatible with historic structures or uses. Signs that exceed the limitations of size, number or lighting may be approved with the finding that the signs contribute to the historical or architectural character of the community.
5. Permits shall be subject to general administrative procedures set forth in Chapters 17.04, 17.08, 17.12, 17.168 and 17.172.

C. Standards. The size and number of identification signs for each business on a property shall depend upon the zoning district in which it is located as described below, follows: All other signs and illumination for signs, unless noted in Section 17.148.020 or Section 17.148.030 of this chapter, shall be subject to review and approval of a planning commission sign permit.

1.—CB Central Business District:

a.—Administrative Sign Permit. Each business shall be permitted a total of two of the following types of nonilluminated signs upon issuance of an administrative permit, provided each sign is in compliance with the specified regulations. One such sign may be externally illuminated:

- i.—One identification sign not to exceed five square feet with a six-inch maximum letter size on one side of an awning fascia over the primary frontage of the business;
- ii.—One nonprojecting identification sign attached to the primary frontage of the building or painted on a door or window, limited to six square feet in size;
- iii.—One projecting identification sign attached to the primary frontage of the building limited to three square feet per side;
- iv.—The business name, address, and hours of operation painted on a door or window and limited to four square feet in size; and/or
- v.—The business name on a directory sign for which a sign permit has previously been authorized.

b.—Planning Commission Sign Permit. All other signs and illumination for signs, unless noted in Section 17.148.020 or Section 17.148.030 of this chapter, shall be subject to review and approval of a planning commission sign permit.

- i.—The aggregate area of all signs on the primary frontage, including incidental signs, shall not exceed the lesser of forty (40) square feet in sign area or a ratio of one square foot of signage to one linear foot of business frontage.
- ii.—No single sign shall exceed twenty (20) square feet in size.
- ii.—Secondary frontage signs per business: one sign for each secondary frontage.
- iv.—Maximum cumulative sign area for all secondary frontage signs, including both sides of a two-sided sign: twenty (20) square feet.

c.—Permitted Signs. Each business shall be permitted two nonilluminated incidental signs. Each sign shall not exceed two square feet in size.

d.—Identifying Information. Each business shall be permitted to paint on a door or window the address and/or hours of operation in an area not to exceed two square feet.

2.—SC Service Commercial District and I Industrial District:

a.—Administrative Sign Permit. Each business shall be permitted a total of two of the following types of nonilluminated signs upon issuance of an administrative permit, provided each sign is in compliance with the specified regulations. One such sign may be externally illuminated:

- i.—One identification sign not to exceed ten (10) square feet with a six-inch maximum letter size on one side of an awning fascia over the primary frontage of the business;
- ii.—One projecting or nonprojecting identification sign attached to the building or painted on a door or window, limited to a total sign area of twelve (12) square feet in size;

<u>TABLE 17.148.040(C)</u> <u>Administrative Sign Permit.</u> <u>Each business shall be permitted 1 of each of the following types of signs (up to 3 total) upon issuance of an administrative sign permit.</u> <u>One such sign may be externally illuminated.</u>	<u>MAXIMUMS BY DISTRICT</u> <u>CB – Central Business SC – Service Commercial</u> <u>I – Industrial BPO – Business, Professional & Office</u> <u>PQP – Public and Quasi-Public</u>			
<u>Sign type:</u>	<u>CB</u>	<u>SC / I¹</u>	<u>BPO</u>	<u>POP</u>
<u>Identification sign on an awning fascia over the primary frontage of the business.</u>	<u>5 s.f.</u>	<u>10 s.f.</u>	<u>10 s.f.</u>	<u>10 s.f.</u>
<u>Non-projecting identification sign on the primary frontage of the building or on a door or window.</u>	<u>10 s.f.</u>	<u>12 s.f.</u>	<u>10 s.f.</u>	<u>10 s.f.</u>
<u>Projecting identification sign on the primary frontage of the building.</u>	<u>3 s.f.</u> <u>(per side)</u>	<u>12 s.f.</u>	<u>3 s.f.</u> <u>(per side)</u>	<u>3 s.f.</u> <u>(per side)</u>
<u>Business name, address and hours of operation on a door or window.</u>	<u>4 s.f.</u>	<u>4 s.f.</u>	<u>4 s.f.</u>	<u>4 s.f.</u>
<u>The additional following limitations shall apply to administratively approved signs:</u> 	<u>The maximum cumulative area of all signs on the primary frontage, including incidental signs, shall not exceed the lesser of forty (40) s.f. in area or a ratio of one (1) s.f. of signage to one (1) linear foot of business frontage.</u>	<u>No more than three (3) identification signs on the primary frontage of the business. The maximum cumulative sign area (including both sides of a two-sided sign) of all identification signs on the primary frontage of a business is sixty (60) s.f.</u>	<u>No more than three (3) identification signs on the primary frontage of the business. The maximum cumulative sign area (including both sides of a two-sided sign) of all identification signs on the primary frontage of a business is forty (40) s.f.</u>	<u>No more than three (3) identification signs on the primary frontage of the business. The maximum cumulative sign area (including both sides of a two-sided sign) of all identification signs on the primary frontage of a business is twenty (20) s.f.</u>
	<u>One additional (1) sign for each secondary frontage per business.</u>	<u>One additional (1) sign for each secondary frontage per business.</u>	<u>One additional (1) sign for each secondary frontage per business.</u>	<u>One additional (1) sign for each secondary frontage per business.</u>
	<u>Maximum cumulative sign area for all</u>	<u>Maximum cumulative sign area for all</u>	<u>Maximum cumulative sign area for all</u>	<u>Maximum cumulative sign area for all</u>

The St. Helena Municipal Code is current through Ordinance 17-3, passed October 24, 2017.

<u>TABLE 17.148.040(C)</u> <u>Administrative Sign Permit.</u> Each business shall be permitted 1 of each of the following types of signs (up to 3 total) upon issuance of an administrative sign permit. One such sign may be externally illuminated.	<u>MAXIMUMS BY DISTRICT</u> CB – Central Business SC – Service Commercial I – Industrial BPO – Business, Professional & Office PQP – Public and Quasi-Public			
<u>Sign type:</u>	<u>CB</u>	<u>SC / I¹</u>	<u>BPO</u>	<u>POP</u>
	secondary frontage signs, including both sides of a two-sided sign: Twenty (20) s.f.	secondary frontage signs, including both sides of a two-sided sign: Twenty (20) s.f.	secondary frontage signs, including both sides of a two-sided sign: Twenty (20) s.f.	secondary frontage signs, including both sides of a two-sided sign: Twenty (20) s.f.
	¹ The planning commission may approve signs that exceed the height, size and number of signs specified in these districts (SC and I only) for properties located along Main Street where the visibility of the sign is impaired due to the following: A) The building is set back from the street for a distance of fifty (50) feet or more; B) The visibility of the building is obscured; C) The speed limit on Main Street is greater than thirty-five (35) miles per hour; and D) A sign meeting the standards of this title would create a safety hazard by obscuring the vision of vehicles exiting the property.			
<u>Permitted signs (no permit required):</u>	Each business shall be permitted two (2) non-illuminated incidental signs not to exceed two (2) s.f. per sign.	Each business shall be permitted two (2) non-illuminated incidental signs not to exceed two (2) s.f. per sign.	Each business shall be permitted two (2) non-illuminated incidental signs not to exceed two (2) s.f. per sign.	Each business shall be permitted two (2) non-illuminated incidental signs not to exceed two (2) s.f. per sign.
	Each business shall be permitted to put on a door or window the address and/or hours of operation in an area not to exceed two (2) s.f. in size.	Each business shall be permitted to put on a door or window the address and/or hours of operation in an area not to exceed two (2) s.f. in size.	Each business shall be permitted to put on a door or window the address and/or hours of operation in an area not to exceed two (2) s.f. in size.	Each business shall be permitted to put on a door or window the address and/or hours of operation in an area not to exceed two (2) s.f. in size.

<u>TABLE 17.148.040(C)</u>		<u>MAXIMUMS BY DISTRICT</u>			
<u>Administrative Sign Permit.</u> Each business shall be permitted 1 of each of the following types of signs (up to 3 total) upon issuance of an administrative sign permit. One such sign may be externally illuminated.		CB – Central Business SC – Service Commercial I – Industrial BPO – Business, Professional & Office PQP – Public and Quasi-Public			
<u>Sign type:</u>		<u>CB</u>	<u>SC / I¹</u>	<u>BPO</u>	<u>PQP</u>
<u>Residential Districts.</u>		Signs within residential districts are permitted for identification of multifamily residential developments and bed and breakfast inns upon review and approval of a planning commission sign permit. Subdivision identification signs or home occupation signs are not permitted. a. For multifamily residential developments: one sign with a maximum sign area of twenty (20) s.f. b. For bed and breakfast inns: one (1) sign attached to the main house with a maxim sign area of eight (8) s.f.			
<u>Winery and Agricultural Districts.</u>		Signs within the winery or agricultural districts are permitted only upon review and approval of a planning commission sign permit. When reviewing signs for wineries or other agricultural businesses the commission shall consider the cumulative visual impact of all signs on the property.			

iii.—The business name, address, and hours of operation painted on a door or window and limited to four square feet in size; and/or

iv.—The business name on a directory sign for which a sign permit has previously been authorized.

b.—Planning Commission Sign Permit. All other signs, unless noted in Section 17.148.020 or Section 17.148.030 of this chapter, shall be subject to review and approval of a sign permit by the planning commission:

i.—Maximum number of identification signs on the primary frontage per business: two.

ii.—Maximum cumulative sign area, including both sides of a two-sided sign, of all identification signs on the primary frontage per business: sixty (60) square feet.

iii.—Secondary frontage signs per business: one sign for each secondary frontage.

iv.—Maximum cumulative sign area for all secondary frontage signs, including both sides of a two-sided sign: twenty (20) square feet.

v.—The planning commission may approve signs that exceed the height, size and number of signs specified in this district for properties located along Main Street where sign visibility is impaired due to consideration of the following circumstances:

(A)—The building is set back from the street for a distance of fifty (50) feet or more;

(B)—The visibility of the building is obscured;

(C)—The speed limit on Main Street is greater than thirty-five (35) miles per hour; and

(D)—A sign meeting the standards of this title would create a safety hazard by obscuring the vision of autos exiting the property.

c.—Permitted Signs. Each business shall be permitted two nonilluminated incidental signs not more than two square feet in size.

d.—Identifying Information. Each business shall be permitted to paint on a door or window the address and hours of operation in an area not to exceed two square feet.

3.—BPO Business and Professional Office District:

a.—Administrative Sign Permit. One of each of the following types of nonilluminated signs shall be permitted upon issuance of an administrative permit provided each sign is in compliance with the specified regulations. One such sign may be externally illuminated:

i.—The business name on a directory sign for which a sign permit has previously been authorized;

—The business name, address, and hours of operation painted on a door or window and limited to four square feet in size.

b.—Planning Commission Sign Permit. All other signs and illumination for signs, unless noted in Section 17.148.020 or Section 17.148.030 of this chapter, shall be subject to review and approval of a planning commission sign permit:

i.—Maximum number of identification signs on the primary frontage per business: two.

ii.—Maximum cumulative sign area, including both sides of a two-sided sign, of all identification signs on the primary frontage per business: forty (40) square feet.

iii.—Secondary frontage signs per business: one sign for each secondary frontage.

The St. Helena Municipal Code is current through Ordinance 17-3, passed October 24, 2017.

Commented [AH2]: Added to list of exclusions above.

~~iv. —Maximum cumulative sign area for all secondary frontage signs, including both sides of a two-sided sign: twenty (20) square feet.~~

~~4.—PQP Public and Quasi-Public Districts:~~

~~a.—Administrative Sign Permit. The following types of nonilluminated signs shall be permitted upon issuance of an administrative permit provided each sign is in compliance with the specified regulations. One such sign may be externally illuminated.~~

~~i. —The business name, address, and hours of operation painted on a door or window and limited to four square feet in size.~~

~~b.—Planning Commission Sign Permit. All other signs, unless noted in Section 17.148.020 or Section 17.148.030 of this chapter, shall be subject to review and approval of a sign permit by the planning commission.~~

~~i. —Maximum number of identification signs on the primary frontage per business: two.~~

~~ii.—Maximum cumulative sign area, including both sides of a two-sided sign, of all identification signs on the primary frontage per business: twenty (20) square feet.~~

~~iii.—Secondary frontage signs per business: one sign for each secondary frontage.~~

~~iv. —Maximum cumulative sign area for all secondary frontage signs, including both sides of a two-sided sign: twenty (20) square feet.~~

~~5.—Residential Districts. Signs within residential districts are permitted for identification of multifamily residential developments and bed and breakfast inns upon review and approval of a planning commission sign permit. Subdivision identification signs or home occupation signs are not permitted.~~

~~a.—For multifamily residential developments: one sign with a maximum sign area of twenty (20) square feet.~~

~~b.—For bed and breakfast inns: one sign attached to the main house with a maximum sign area of eight square feet.~~

~~6.—Winery and Agricultural Districts. Signs within winery or agricultural districts are permitted only upon review and approval of a planning commission sign permit. When reviewing signs for wineries or other agricultural businesses the commission shall consider the cumulative visual impact of all signs on the property. (Ord. 08-2 § 2 (part); Ord. 06-5 § 2 (part); prior code § 27.323)~~

17.148.050 Illumination.

All **internally** illuminated signs, unless specifically prohibited in Section 17.148.030, shall be subject to review and approval of a planning commission sign permit, who shall review the sign for hours of operation, size, color, intensity of light, and creativity of design. ~~Signs shall not be illuminated when the business is closed. (Ord. 08-2 § 2 (part); Ord. 06-5 § 2 (part); prior code § 27.324)~~

17.148.060 Neon signs.

A. All neon signs are regulated by planning commission sign permit.

B. Each business is limited to one neon sign.

C. No more than twenty-five percent (25%) of the sign area allowed for the primary frontage of a business shall be neon.

D. Neon may be used for business identification only and shall not be used for incidental signs pertaining to and advertising goods, products, services, brand names or facilities which are available on the premises. Neon “Open” signs are prohibited. (Ord. 08-2 § 2 (part); Ord. 06-5 § 2 (part); prior code § 27.325)

17.148.070 Monument signs.

- A. All monument signs shall be located on the property served by the sign; off-premises signs are not permitted.
- B. The maximum height of a monument sign shall be eight feet, as measured from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be considered to be the grade after construction exclusive of any filling, berming, mounding, or excavating for landscaping or for the purpose of locating the sign.
- C. Monument signs shall be located no closer to the right-of-way than one-half the distance of a required front or side setback. [Planning Commission Use permit](#) approval shall be required for any request to locate a monument sign closer to the right-of-way than is permitted above. (Ord. 08-2 § 2 (part); Ord. 06-5 § 2 (part); prior code § 27.326)

17.148.080 Real estate signs.*

~~A. Real estate signs and open house signs that are less than four square feet in size are permitted when located on the property that is listed for sale. These signs are allowed without securing a permit from the city, provided they comply with the requirements of Section 17.148.020, Exclusions.~~

BA. Real estate open house signs, as defined in Section 17.148.010, may be located off-premises as follows:

1. The use of off-premises open house signs is allowed only on Saturdays and Sundays, between the hours of noon to four p.m.
2. Open house signs that are placed on Main Street include the words "Open House" and may have a directional arrow, but shall not include the address of the property where the open house is located nor any other riders. The signs shall not advertise any particular real estate company or agent.
3. Open house signs that are placed on streets other than Main Street may include the words "Open House," may have a directional arrow, may include the address of the property where the open house is located and may include the name of the real estate company or agent. Only one sign per directional change is allowed.
4. Only one sign is allowed at a street intersection.
5. Signs shall not block sidewalks or pedestrian pathways; a four-foot-wide clear path of travel shall remain open.
6. Signs shall not be placed in a manner that impedes the sight distance and visibility for motorists.
7. No signs shall be placed on private property without the written permission of the property owner.
8. No signs shall be posted on street signs or utility poles.

CB. Open house signs in violation of this section may be subject to summary abatement under Section 1.12.130 of this code, Summary abatement of immediate dangers, and a one hundred dollar (\$100.00) penalty to be imposed according to the provisions of Chapter 1.12, Enforcement Procedures. (Ord. 09-1 § 3; Ord. 08-2 § 2 (part))

~~*—Code reviser's note: Section 2(B) of Ordinance 08-2, adding Section 17.148.080 and renumbering existing Sections 17.148.080 through 17.148.120 to be 17.148.090 through 17.48.130, provides, "This amendment is enacted for a period of one year and shall terminate on May 26, 2009, unless extended or made permanent by action of the City Council."~~

17.148.090 Temporary noncommercial signs.

A. General Regulations.

Temporary noncommercial signs in all districts are permitted at all times without a sign permit subject to the following regulations:

- (1) Number. Each parcel is permitted two (2) freestanding or building mounted temporary noncommercial signs at all times. Such signs are in addition to all other signage allowed in this chapter.
- (2) Area. A temporary noncommercial sign may not exceed six (6) square feet in area per side.

(3) Height. A temporary noncommercial sign may not exceed four (4) feet in height or two (2) feet in height from the top on any wall or fence if posted on a wall or fence. Signs are not permitted on top of walls or fences greater than 42 inches in height. A temporary noncommercial sign mounted, affixed or painted onto a structure may not exceed eight (8) feet in height.

(4) Location. Temporary noncommercial signs may be placed in the front yard, rear or side yard of any property; provided, that the signs do not encroach into any public right-of-way. Temporary noncommercial signs may not be located in the visibility triangle on corner lots. Temporary noncommercial signs mounted to, affixed or painted to a structure must meet the public right-of-way and vision triangle limitation above and may not impact any character defining element of a historic building or district.

(5) Lighting. Temporary noncommercial signs may not be illuminated.

B. Election Period Regulations.

During any election period the following additional opportunities for temporary noncommercial signs are provided without a sign permit subject to the following regulations:

(1) Number. Each parcel in all zoning districts is permitted two (2) temporary noncommercial election period signs. Such signs are in addition to all other signage allowed in this chapter.

(2) The additional temporary noncommercial election period signs are subject to the area, height, location, and lighting limitations described under §17.148.090(A) above.

(3) Removal. The additional temporary noncommercial signs permitted during an election period must be removed within seven (7) days following the end of the election period.

17.148.100—Directional Wayfinding Signs

A. Purpose

~~The Directional Wayfinding Sign Program is intended to increase awareness of prominent business locations, historic points of interest and the location of public facilities within St Helena.~~

B. Eligibility Criteria

~~1. The business or facility identified on a sign plaque is likely to be of interest to citizens and/or visitors to St Helena.~~

~~2. The business or facility is representative of the civic, commercial, historic or agricultural identity of St Helena.~~

~~3. The City Council shall designate, by resolution, a list of the types of uses that may and may not participate in the wayfinding signage program.~~

C. Design Criteria

~~To be added based on input from the Planning Commission and/or City Council.~~

D. Application Process

~~To be added based on input from the Planning Commission and/or City Council.~~

17.148.105 Public information signs.

A. Any community service club or organization may erect and maintain a public information sign on the property where they meet without requiring a sign permit. The maximum size for such a sign is five square feet.

B. A public information sign may be maintained along Highway 29 at the south entrance to the community. The maximum area of the public information sign shall be two hundred twenty-five (225) square feet per side, whether single- or double-faced. The sign shall be freestanding, with a maximum height and width of fifteen (15) feet. The sign may be composed of any number of badges, plaques or signs which are either affixed or hanging within the total allowed square footage of the overall sign faces. Only one badge, plaque or sign for each group or organization described within Section 17.148.010 may be mounted on the public information sign. Each such component badge, plaque or sign shall not exceed thirty (30) inches in height, width or diameter, and may be single- or double-faced. Each component badge, plaque or sign of a group or organization may bear an additional attached sign stating only the location and/or times of regularly scheduled meetings of the group or organization, which sign shall not exceed nine inches in height or twenty-four (24) inches in width and may be single- or double-faced.

C. The public information sign must be maintained by the organizations utilizing the sign. The applicable sign permit may be revoked or the sign may be abated by the city council upon the failure to properly maintain such sign.

D. The public information signs shall be considered additional permitted signs which do not reduce nor restrict the signs otherwise permitted on the premises where the organization meets. (Ord. 08-2 § 2 (part); Ord. 06-5 § 2 (part); prior code § 27.328. Formerly 17.148.090.)

17.148.110 Miscellaneous regulations.

A. Continued Maintenance. All signs must be maintained by the property owner, tenant, or permittee. In the event a sign becomes derelict for reasons of lack of maintenance the approval may be revoked and the sign subject to abatement.

B. Abandonment or Termination of Use. A sign shall be removed by the property owner within thirty (30) days of abandonment or termination of the use.

C. Obstruction of Pedestrian Ways. No sign shall be permitted that will impede, obstruct or create hazards with respect to pedestrian traffic. The lowest portion of a projecting sign over a pedestrian sidewalk shall be at seven feet six inches above the ground surface.

D. Overhanging Signs. No sign shall be permitted over a highway, street, or driveway, except for a festival or benefit banner as approved by the city council.

E. Conflicting Regulations. Exceptions to this chapter may be made for signs for gasoline service stations and other businesses if signs are subject to federal or state government regulations that may be in conflict with this chapter. (Ord. 08-2 § 2 (part); Ord. 06-5 § 2 (part); prior code § 27.329. Formerly 17.148.100.)

17.148.120 Administration.

A. An application for an administrative sign permit or a planning commission sign permit shall be made by the property owner, or his or her authorized agent, to the planning ~~department director~~ on forms prescribed for this purpose.

B. An applicant for any permit shall file with his or her application a site plan and/or building elevations showing the location of the sign, a sketch or photograph showing the size, coloring, illumination, and manner of construction of the proposed sign and any other matter necessary to a determination of whether or not to issue a permit. When unusual signs are proposed the applicant shall submit a photo montage and/or model which clearly demonstrates the size, shape and location of the sign. (Ord. 08-2 § 2 (part); Ord. 06-5 § 2 (part); prior code § 27.330. Formerly 17.148.110.)

17.148.130 Nonconforming signs.

Nonconforming signs shall be regulated as set forth in Chapter 17.140. (Ord. 08-2 § 2 (part); Ord. 06-5 § 2 (part); prior code § 27.331. Formerly 17.148.120.)

CITY OF ST. HELENA

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ST. HELENA, CALIFORNIA, AMENDING ST. HELENA MUNICIPAL CODE CHAPTER 17.148 (SIGNS).

The City Council of the City of the City of St. Helena ordains as follows:

SECTION 1. Findings. The City Council finds as follows:

A. Chapter 17.148 of the St Helena Municipal Code (SHMC) establishes the City's regulations regarding signs primarily located on private property.

B. These regulations further the City's interest in both aesthetics and traffic safety by establishing appropriate limitations on the size, height, number, location and duration of signs so that they are appropriate and in keeping with the zoning district in which the signs are placed and to ensure that the signs do not overly distract, obstruct or otherwise impede traffic circulation.

C. The City desires by this Ordinance to make minor amendments to its sign regulations with respect to (1) certain permanent commercial signs located in commercial zoning districts, (2) the applicable procedures for processing sign permit applications, and (3) the signs designated as exempt from any permit requirement.

D. The current sign permit application fee does not accurately reflect the staff time required to process and evaluate an administrative sign permit.

E. City staff has calculated the overall staff time and effort required to process, analyze and issue an administrative sign permit. Based on that calculation, staff has determined that a minimum of 3.5-hours are required to capture the cost of the staff time and efforts required to process such an application. A resolution will be prepared to formalize this fee and make the necessary revisions to the City's Fee Schedule.

F. Staff has recommended that an Administrative Sign Permit fee of \$500.00 be created and implemented, in an effort to capture and reimburse the City for the staff time required to process, analyze, and issue an administrative sign permit. This fee is a conservative estimate of the time required to process such an application and is based on the overall staff blended rate of \$150/hour identified in the City's fee schedule.

G. The City's Planning Commission reviewed the amendments proposed by this Ordinance at a duly noticed public hearing on August 21, 2018. After all interested parties were given full opportunity to be heard, and to present evidence, the Planning Commission voted to recommend to the City Council that the Council adopt the amendments to Chapter 17.148 proposed by this Ordinance.

H. On September 25, 2018, the City Council conducted a duly noticed public hearing to consider this ordinance, and all interested parties were given full opportunity to be heard and to present evidence.

I. The proposed amendments would further the public necessity, convenience, general welfare and good zoning practice by creating a more efficient and effective regulatory process and adopting regulations that are consistent with current state and federal law.

SECTION 2. Compliance with CEQA. The City Council hereby finds that the action to adopt this Ordinance to amend Chapter 17.148 of the St. Helena Municipal Code is exempt from the requirements of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.) pursuant to Guidelines Sections 15301, 15302 and 15303 in that these modifications reduce the administrative process for modifications to and replacement of existing sign structures and further allow the construction or conversion of “Small Structures” (signs) as defined in the statute. Further the City Council finds that the proposed modifications to the City of St Helena sign regulations, Chapter 17.148 of the Municipal Code, are consistent with the environmental impact analysis of the 1993 General Plan and Zoning Code EIR. In addition, the Council finds that the proposed changes are exempt from the requirements of CEQA, under Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, and therefore, the activity is not subject to CEQA.

SECTION 3. Amendment of SHMC Chapter 17.148. SHMC Chapter 17.148 “SIGNS” is hereby amended to read as set forth in the attached **Exhibit A**.

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

SECTION 6. General Plan Consistency. The proposed amendments are consistent with the General Plan in that they will encourage signs that are compatible and complementary to the image and character of St. Helena (General Plan Policies 2.6.31, 2.6.50, and 4.3.21).

THE FOREGOING ORDINANCE was introduced at a regular meeting of the St. Helena City Council on the 25th day of September, 2018 and was adopted at a regular meeting of the St. Helena City Council on the 23rd day of October, 2018 by the following vote:

Mayor Galbraith: _____

Vice Mayor White: _____

Councilmember Koberstein: _____
Councilmember Dohring: _____
Councilmember Ellsworth: _____

APPROVED:

Alan Galbraith, Mayor

ATTEST:

CITY OF ST. HELENA

Cindy Tzafoopoulos, City Clerk

I, CINDY TZAFPOULOS, 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 25th day of September, 2018. That thereafter said Ordinance was duly adopted and passed at a regular meeting of the City Council on the 23rd day of October, 2018 by the following vote:

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

Chapter 17.148

SIGNS

Sections:

- 17.148.010 Definitions.
- 17.148.020 Exclusions.
- 17.148.030 Signs prohibited.
- 17.148.040 Regulated signs.
- 17.148.050 Illumination.
- 17.148.060 Neon signs.
- 17.148.070 Monument signs.
- 17.148.080 Real estate signs.
- 17.148.090 Temporary noncommercial signs.
- 17.148.100 Public information signs.
- 17.148.110 Miscellaneous regulations.
- 17.148.120 Administration.
- 17.148.130 Nonconforming signs.

17.148.010 Definitions.

As used in this chapter:

“Abandoned sign” means any sign which pertains to a business or occupation which is no longer using the particular property, or which relates to a time or event which no longer applies, constitutes abandoned advertising or identification.

“Advertising billboard” means any structure or sign upon which there is any advertising message calling attention to a use, product, service or similar function not conducted or sold upon the site upon which the billboard is located or in the structure to which the billboard is attached or otherwise affixed. Billboards may be freestanding or affixed or otherwise attached to another structure.

“Awning, canopy or marquee” means a permanent roof-like shelter extending from part or all of a building face over a public right-of-way and constructed of a durable material such as metal, wood, glass or plastic or a less permanent hood or cover which projects from the wall of a building and is covered with a rigid or nonrigid material such as canvas.

“Awning, canopy or marquee sign” means any message which is painted on or otherwise affixed to a building awning, canopy or marquee. Each side of an awning with a message shall be counted as a separate sign.

“Balloon sign” means a temporary sign which may or may not contain graphics painted on or affixed to a balloon or inflated character.

“Banner” means a temporary sign for grand openings or special events composed of lightweight material either enclosed or not enclosed in a rigid frame, secured or mounted so as not to allow movement of the sign.

“Building sign” means a sign lettered to give the name of a building itself or the date constructed, as opposed to the name of occupants or services.

“Changeable copy sign” means a sign which, in part or whole, provides for periodic changes in the letters or in the material composing the sign. Signs on which the only change is a periodic price change for the product or products customarily sold on the premises and on which the location, size and color of the numbers remain constant are not to be considered changeable copy signs.

“Commercial message” means any copy that directly or indirectly names, draws attention to, or advertises a business, product, good, service, or other commercial activity, or which proposes a commercial transaction.

“Commercial sign” means a sign with a commercial message.

“Directory sign” means a sign designed and intended to list and/or name any or all of the business firms and/or types of businesses conducted at an office building or shopping-center-type development and which are freestanding or attached to the building or structure in which the use is conducted.

“Election period” means the period commencing 60 days before any national, state, or local election in which city electors may vote up through the date of the election.

“Encroachment” means the extension of any sign over a public right-of-way or private access way.

“Freestanding sign” means a sign that is self-supporting in a fixed location and not attached to a building.

“Home occupation sign” means a sign identifying a home occupation, which is an accessory use of a residential property for gainful employment by the resident of a dwelling.

“Identification sign” means a sign designed and intended to identify the name of a commercial business, professional office use, public use, quasi-public use, or similar use and which sign is permanently affixed upon the structure or premises to be identified.

“Illegal sign” means any sign which was not lawfully erected or maintained, or was not in conformance with the ordinance in effect at the time of the erection of the sign or advertising statuary, or which was not installed with a valid permit from the city.

“Illuminated awning” means an internally illuminated shelter projecting from and supported by the exterior wall of a building constructed of a nonrigid translucent covering over a supporting framework. This type of sign may or may not contain graphics or copy on the surface of the awning.

“Incidental sign” means a sign pertaining to and advertising goods, products, services or facilities which are available on the premises. Such signing is in addition to the main identification signing.

“Interior sign” means a sign which may be displayed within a business or residence provided it is not displayed so as to be viewed from any public space.

“Internally illuminated sign” means a sign which is illuminated from a lighting source within the internal structure of the sign which illuminates the entire face of the sign (does not include neon signs or halo illuminated signs).

“Message” means a graphic, letter, numeral, symbol, logo, hallmark, text, insignia, sample, model, picture, drawing, device, or appliance, or combination thereof, affixed to identification, and/or services.

“Monument sign (freestanding or detached or pole)” means a sign supported by structures or supports that are placed on or anchored in the ground that are independent from any building or other structure.

“Neon sign” means a sign which is illuminated in whole or in part by neon or similar gas.

“Nonappurtenant sign” means a sign which advertises a business, products, services or other uses which are not associated with the premises where the sign is located.

“Noncommercial message” means any copy that communicates a message that is not a commercial message. A noncommercial message does not directly or indirectly, name, draw attention to, or advertise a business, product, good, service, or other commercial activity, or propose a commercial transaction.

“Noncommercial sign” means a sign with a noncommercial message.

“Nonprojecting sign” means a sign which uses a building structure as its main source of support and contains copy that is parallel to the wall to which it is affixed.

“Pennant” means any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire or string, usually in series designed to move in the wind.

“Portable freestanding sign” means a sign that is designed to be movable and is not structurally attached to the ground, a building, a structure or any other sign. Portable freestanding signs include, but are not limited to, sandwich board signs, A-frame signs, and easels.

“Primary frontage” means the side of a building facing a street or, in the case of a building having more than one side facing a street, the side so designated by planning department staff.

“Projecting sign” means a sign which uses a building structure as its main source of support and contains copy that is perpendicular, or at an angle, to the building face.

“Public information sign” means a sign bearing symbols, badges or other messages identifying, stating the location of, or providing information concerning regularly scheduled meetings of civic and community service clubs, churches and religious organizations, hospitals serving the general public, and municipal services and buildings (e.g., fire station, police station, city hall, post office, etc.).

“Real estate open house sign” means a temporary portable freestanding two-sided A-frame sign that directs customers to property where an open house is in progress.

“Real estate sign” means a temporary, on-premises sign, which gives notice offering the sale, rental, or lease of real estate.

“Rider” shall mean additional signs or copy appended or attached to the main sign and frequently provides additional information in the form of text, graphics, and/or logo.

“Roof sign” means any sign placed upon, projecting from, or directly above the roof of a structure or building.

“Secondary frontage” means the sides of a building other than the primary frontage which are visible from a public right-of-way or from adjacent private property or which provide secondary access to the use or activity.

“Shopping center development” means an integrated commercial development larger than one acre in size where two or more commercial uses are conducted and are provided with a common parking lot.

“Shopping center identification sign” means a sign designed and intended to name or identify a shopping-center-type development.

“Sign” means any medium, including its structure and component parts in view of the general public, which is used to attract attention for advertising or identifying purposes.

“Sign area” means that area enclosed in the frame of the sign as measured from the outside of the frame and following the contour of the frame. In those instances where a sign is painted or otherwise affixed or attached to a wall or similar structure or portion thereof, the area of a sign shall be computed by measuring the overall length and width of the message. This computation shall also be utilized when raised or freestanding letters are affixed or attached to a structural surface.

“Street furniture sign” means a sign located on a bench or similar structure which is located within the public right-of-way.

“Subdivision identification sign” means an identification sign with the name of the residential subdivision which is located within the subdivision.

“Temporary sign” means a sign constructed of cloth, canvas, lightweight fabric, cardboard, wallboard, wood or other light materials, with or without frames, which is not intended for or suitable for long-term or permanent display, due to the materials used, the means of display, or the procedures by which it is approved.

“Temporary advertising sign” means a sign used for grand openings or special sales.

“Vehicular sign” means a sign affixed on a vehicle or trailer for the purpose of circumventing the regulations within this chapter.

“Wall sign” means a sign which is in any manner affixed to any exterior wall of a building or structure and which projects not more than two feet from the building or structure and does not extend above the roof, parapet, building facade or any outermost edge of the building or structure.

“Window sign” means any sign painted on or attached to a window or located inside a window and designed to be viewed from outside of the building in which the window is located. This term does not include merchandise located in a window. (Ord. 08-2 § 2 (part); Ord. 06-5 § 2 (part); Ord. 02-6 § 14; prior code § 27.320)

17.148.020 Exclusions.

The following signs are not governed by the provisions of this chapter:

- A. Official notices posted by any public officer in performance of a public duty or by any person giving legal notice;
- B. Business name added to a Directory sign for which a sign permit has previously been authorized.
- C. City signs. Signs identifying the department, service, or location of City facilities and operations subject to the location and size limitations in Section 17.148.040.
- D. Directional warning or information signs required by law or by governmental authority;
- E. Signs of public utility companies indicating danger or which serve as an aid to public safety or which show the location of underground facilities or public telephones;
- F. Signs advertising a future occupant of a building or noting the contractors, engineers or architects erecting or remodeling a building, provided the same do not exceed sixteen (16) square feet, are single-faced and are removed upon occupancy or completion of erection or remodeling;
- G. Signs which are not visible from a public right-of-way or from other private property in the vicinity;
- H. Signs which are part of a temporary window display and which are not affixed to the window;
- I. Festival/benefit banners on/over public property, or off-premises signs advertising community events sponsored by or for the benefit of nonprofit organizations as approved by resolution of the city council;
- J. No more than one national flag of a country and/or no more than one flag of a state which are displayed in a manner consistent with laws governing respect of such flags, and flown from a pole the height of which is no more than the maximum permitted height for structures in the applicable zoning district. Other types of flags shall be considered signs;
- K. Temporary advertising signs for a business grand opening provided the sign is not displayed for more than thirty (30) days;
- L. One (1) temporary advertising sign, including banners (up to 60 square feet) for a special business sale or promotional event, provided the sign is not displayed for more than two weeks at any one time and for not more than four times per year (maximum of eight weeks of temporary advertising signs being displayed per year);
- M. Paper banners attached to the interior of the window advertising weekly specials at grocery stores and variety stores;

N. Real estate signs less than four square feet in size on the property listed for sale or rent as regulated by Section 17.148.080;

O. Temporary signs for blood bank, community service club events or similar not for profit community activities, and garage or rummage sale signs pertaining to activity on the property where they are located and displayed on the day of the activity only;

P. Building signs as defined in Section 17.148.010 and less than four square feet in size;

Q. Signs required to be posted by law;

R. Holiday lights and decorations. (Ord. 08-2 § 2 (part); Ord. 06-5 § 2 (part); prior code § 27.321)

17.148.030 Signs prohibited.

The following signs shall be prohibited within the city:

A. Airborne balloons, banners (except as excluded by Section 17.148.020(L)), pennants, valances, propellers, spinners, streamers, lights or similar devices or ornamentation designed for purposes of attracting attention, promotion or advertising;

B. Signs located within the public right-of-way including any sign or handbill attached to a utility pole or street sign pole except those required or permitted by federal, state or local law;

C. Revolving, animated, wind-blown or moving signs and signs with flashing illumination, including flashing arrows, blinking lights or other devices. This does not include traditional barber poles which may be allowed in front of barbershops upon approval of sign permit by the planning commission;

D. Off-premises signs, except those signs approved by a planning commission sign permit to be located on a legal easement for an access way through another property when such access is required for public use;

E. The following types of signs as defined in Section 17.148.010:

1. Advertising billboards,
2. Balloon signs,
3. Changeable copy signs, except for theater marquees or gas station signs,
4. Home occupation signs,
5. Illuminated awnings,
6. Internally illuminated signs, except for theater marquees,
7. Neon "Open" signs, subject to planning commission review, provided the tubing is white and the neon "Open" sign is located on property where the speed limit is in excess of twenty-five (25) miles per hour,
8. Nonappurtenant signs,
9. Pennants,
10. Portable freestanding signs,
11. Roof signs,
12. Street furniture signs,
13. Subdivision identification signs,

14. Vehicular signs,

17.148.040 Regulated signs.

No sign, addition to a sign, alteration of a sign or replacement of a sign, unless specifically excluded in Section 17.148.020, shall be permitted in any district without first obtaining an administrative sign permit or a planning commission sign permit.

A. Administrative Sign Permit.

1. An administrative sign permit shall be reviewed by the planning department for compliance with the standards set forth for the district in which the sign is to be located.
2. The applicant shall be notified within thirty (30) days whether or not the administrative sign permit is approved. If the permit is not approved the applicant may either amend the design to comply with the standards or may amend the application to request sign permit approval from the planning commission. If the design of the sign is amended and resubmitted for review the applicant shall be notified within thirty (30) days from the date the amended design is submitted whether or not the administrative sign permit is approved.
3. Insubstantial changes to existing signs, such as a change in color or business name, may be authorized by an administrative sign permit.
4. Temporary advertising signs not meeting the display time period limitations specified in Section 17.148.020, may be authorized through the approval of an Administrative Sign Permit. In no case shall such signs be displayed for more 20-weeks within a calendar year, and an annual schedule of all proposed display timeframes shall be submitted with the Administrative Sign Permit application.

B. Planning Commission Sign Permit.

1. A planning commission sign permit shall be reviewed by the planning commission at a regularly scheduled meeting for compliance with the standards set forth for the district in which the sign is to be located.
2. The purpose of the planning commission sign permit is to allow the consideration of illuminated signs (including neon), signs that are larger, of a unique design or location, or signs in addition to those permitted with an administrative sign permit. The planning commission shall consider the compatibility of the sign to the site, the appropriateness of the materials and colors in relation to the project, the compatibility of the sign to the small town character of St. Helena, and the impact the sign may have on surrounding properties. The commission shall not approve signs which obscure or detract from the architecture of a historic building or structure.
3. A sign program addressing the needs for all businesses within a building with multiple tenants, or within shopping centers or other types of planned commercial developments may be required prior to the approval of any signs for an individual business within that development. The planning commission shall consider the cumulative visual effect of all signs, and may reduce the overall number and/or area of signs allowed for each business or may require that directory signs be used instead of individual signs. A sign program may be proposed for a building with multiple tenants, or shopping centers or other types of planned commercial developments prior to approval of any signs for an individual business within that development.
4. The planning commission may approve sign permits within any zoning district to retain historic signs or to approve new signs that are compatible with historic structures or uses. Signs that exceed the limitations of size, number or lighting may be approved with the finding that the signs contribute to the historical or architectural character of the community.
5. Permits shall be subject to general administrative procedures set forth in Chapters 17.04, 17.08, 17.12, 17.168 and 17.172.

C. Standards. The size and number of identification signs for each business on a property shall depend upon the zoning district in which it is located as described below. All other signs and

illumination for signs, unless noted in Section 17.148.020 or Section 17.148.030 of this chapter, shall be subject to review and approval of a planning commission sign permit.

TABLE 17.148.040(C) Administrative Sign Permit. Each business shall be permitted 1 of each of the following types of signs (up to 3 total) upon issuance of an administrative sign permit. One such sign may be externally illuminated.	MAXIMUMS BY DISTRICT			
	CB – Central Business		SC – Service Commercial	
	I – Industrial		BPO – Business, Professional & Office	
	PQP – Public and Quasi-Public			
Sign type:	CB	SC / I¹	BPO	PQP
Identification sign on an awning fascia over the primary frontage of the business.	5 s.f.	10 s.f.	10 s.f.	10 s.f.
Non-projecting identification sign on the primary frontage of the building or on a door or window.	10 s.f.	12 s.f.	10 s.f.	10 s.f.
Projecting identification sign on the primary frontage of the building.	3 s.f. (per side)	12 s.f.	3 s.f. (per side)	3 s.f. (per side)
Business name, address and hours of operation on a door or window.	4 s.f.	4 s.f.	4 s.f.	4 s.f.
The additional following limitations shall apply to administratively approved signs:	The maximum cumulative area of all signs on the primary frontage, including incidental signs, shall not exceed the lesser of forty (40) s.f. in area or a ratio of one (1) s.f. of signage to one (1) linear foot of business frontage.	No more than three (3) identification signs on the primary frontage of the business. The maximum cumulative sign area (including both sides of a two-sided sign) of all identification signs on the primary frontage of a business is sixty (60) s.f.	No more than three (3) identification signs on the primary frontage of the business. The maximum cumulative sign area (including both sides of a two-sided sign) of all identification signs on the primary frontage of a business is forty (40) s.f.	No more than three (3) identification signs on the primary frontage of the business. The maximum cumulative sign area (including both sides of a two-sided sign) of all identification signs on the primary frontage of a business is twenty (20) s.f.
	One additional (1) sign for each secondary frontage per business.	One additional (1) sign for each secondary frontage per business.	One additional (1) sign for each secondary frontage per business.	One additional (1) sign for each secondary frontage per business.
	Maximum cumulative sign area for all	Maximum cumulative sign area for all	Maximum cumulative sign area for all	Maximum cumulative sign area for all

The St. Helena Municipal Code is current through Ordinance 17-3, passed October 24, 2017.

TABLE 17.148.040(C) Administrative Sign Permit. Each business shall be permitted 1 of each of the following types of signs (up to 3 total) upon issuance of an administrative sign permit. One such sign may be externally illuminated.	MAXIMUMS BY DISTRICT CB – Central Business SC – Service Commercial I – Industrial BPO – Business, Professional & Office PQP – Public and Quasi-Public			
Sign type:	CB	SC / I¹	BPO	PQP
	secondary frontage signs, including both sides of a two-sided sign: Twenty (20) s.f.	secondary frontage signs, including both sides of a two-sided sign: Twenty (20) s.f.	secondary frontage signs, including both sides of a two-sided sign: Twenty (20) s.f.	secondary frontage signs, including both sides of a two-sided sign: Twenty (20) s.f.
	¹ The planning commission may approve signs that exceed the height, size and number of signs specified in these districts (SC and I only) for properties located along Main Street where the visibility of the sign is impaired due to the following: A) The building is set back from the street for a distance of fifty (50) feet or more; B) The visibility of the building is obscured; C) The speed limit on Main Street is greater than thirty-five (35) miles per hour; and D) A sign meeting the standards of this title would create a safety hazard by obscuring the vision of vehicles exiting the property.			
Permitted signs (no permit required):	Each business shall be permitted two (2) non-illuminated incidental signs not to exceed two (2) s.f. per sign.	Each business shall be permitted two (2) non-illuminated incidental signs not to exceed two (2) s.f. per sign.	Each business shall be permitted two (2) non-illuminated incidental signs not to exceed two (2) s.f. per sign.	Each business shall be permitted two (2) non-illuminated incidental signs not to exceed two (2) s.f. per sign.
	Each business shall be permitted to put on a door or window the address and/or hours or operation in an area not to exceed two (2) s.f. in size.	Each business shall be permitted to put on a door or window the address and/or hours or operation in an area not to exceed two (2) s.f. in size.	Each business shall be permitted to put on a door or window the address and/or hours or operation in an area not to exceed two (2) s.f. in size.	Each business shall be permitted to put on a door or window the address and/or hours or operation in an area not to exceed two (2) s.f. in size.

TABLE 17.148.040(C) Administrative Sign Permit. Each business shall be permitted 1 of each of the following types of signs (up to 3 total) upon issuance of an administrative sign permit. One such sign may be externally illuminated.	MAXIMUMS BY DISTRICT CB – Central Business SC – Service Commercial I – Industrial BPO – Business, Professional & Office PQP – Public and Quasi-Public			
Sign type:	CB	SC / I¹	BPO	PQP
Residential Districts.	Signs within residential districts are permitted for identification of multifamily residential developments and bed and breakfast inns upon review and approval of a planning commission sign permit. Subdivision identification signs or home occupation signs are not permitted. a. For multifamily residential developments: one sign with a maximum sign area of twenty (20) s.f. b. For bed and breakfast inns: one (1) sign attached to the main house with a maxim sign area of eight (8) s.f.			
Winery and Agricultural Districts.	Signs within the winery or agricultural districts are permitted only upon review and approval of a planning commission sign permit. When reviewing signs for wineries or other agricultural businesses the commission shall consider the cumulative visual impact of all signs on the property.			

17.148.050 Illumination.

All internally illuminated signs, unless specifically prohibited in Section 17.148.030, shall be subject to review and approval of a planning commission sign permit, who shall review the sign for hours of operation, size, color, intensity of light, and creativity of design.

17.148.060 Neon signs.

- A. All neon signs are regulated by planning commission sign permit.
- B. Each business is limited to one neon sign.
- C. No more than twenty-five percent (25%) of the sign area allowed for the primary frontage of a business shall be neon.
- D. Neon may be used for business identification only and shall not be used for incidental signs pertaining to and advertising goods, products, services, brand names or facilities which are available on the premises. Neon "Open" signs are prohibited. (Ord. 08-2 § 2 (part); Ord. 06-5 § 2 (part); prior code § 27.325)

17.148.070 Monument signs.

- A. All monument signs shall be located on the property served by the sign; off-premises signs are not permitted.
- B. The maximum height of a monument sign shall be eight feet, as measured from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be considered to be the grade after construction exclusive of any filling, berming, mounding, or excavating for landscaping or for the purpose of locating the sign.
- C. Monument signs shall be located no closer to the right-of-way than one-half the distance of a required front or side setback. Planning Commission approval shall be required for any request to locate a monument sign closer to the right-of-way than is permitted above. (Ord. 08-2 § 2 (part); Ord. 06-5 § 2 (part); prior code § 27.326)

17.148.080 Real estate signs.

- A. Real estate open house signs, as defined in Section 17.148.010, may be located off-premises as follows:
 - 1. The use of off-premises open house signs is allowed only on Saturdays and Sundays, between the hours of noon to four p.m.
 - 2. Open house signs that are placed on Main Street include the words "Open House" and may have a directional arrow, but shall not include the address of the property where the open house is located nor any other riders. The signs shall not advertise any particular real estate company or agent.
 - 3. Open house signs that are placed on streets other than Main Street may include the words "Open House," may have a directional arrow, may include the address of the property where the open house is located and may include the name of the real estate company or agent. Only one sign per directional change is allowed.
 - 4. Only one sign is allowed at a street intersection.
 - 5. Signs shall not block sidewalks or pedestrian pathways; a four-foot-wide clear path of travel shall remain open.
 - 6. Signs shall not be placed in a manner that impedes the sight distance and visibility for motorists.
 - 7. No signs shall be placed on private property without the written permission of the property owner.
 - 8. No signs shall be posted on street signs or utility poles.

B. Open house signs in violation of this section may be subject to summary abatement under Section 1.12.130 of this code, Summary abatement of immediate dangers, and a one hundred dollar (\$100.00) penalty to be imposed according to the provisions of Chapter 1.12, Enforcement Procedures. (Ord. 09-1 § 3; Ord. 08-2 § 2 (part))

17.148.090 Temporary noncommercial signs.

A. General Regulations.

Temporary noncommercial signs in all districts are permitted at all times without a sign permit subject to the following regulations:

- (1) Number. Each parcel is permitted two (2) freestanding or building mounted temporary noncommercial signs at all times. Such signs are in addition to all other signage allowed in this chapter.
- (2) Area. A temporary noncommercial sign may not exceed six (6) square feet in area per side.
- (3) Height. A temporary noncommercial sign may not exceed four (4) feet in height or two (2) feet in height from the top on any wall or fence if posted on a wall or fence. Signs are not permitted on top of walls or fences greater than 42 inches in height. A temporary noncommercial sign mounted, affixed or painted onto a structure may not exceed eight (8) feet in height.
- (4) Location. Temporary noncommercial signs may be placed in the front yard, rear or side yard of any property; provided, that the signs do not encroach into any public right-of-way. Temporary noncommercial signs may not be located in the visibility triangle on corner lots. Temporary noncommercial signs mounted to, affixed or painted to a structure must meet the public right-of-way and vision triangle limitation above and may not impact any character defining element of a historic building or district.
- (5) Lighting. Temporary noncommercial signs may not be illuminated.

B. Election Period Regulations.

During any election period the following additional opportunities for temporary noncommercial signs are provided without a sign permit subject to the following regulations:

- (1) Number. Each parcel in all zoning districts is permitted two (2) temporary noncommercial election period signs. Such signs are in addition to all other signage allowed in this chapter.
- (2) The additional temporary noncommercial election period signs are subject to the area, height, location, and lighting limitations described under §17.148.090(A) above.
- (3) Removal. The additional temporary noncommercial signs permitted during an election period must be removed within seven (7) days following the end of the election period.

17.148.105 Public information signs.

A. Any community service club or organization may erect and maintain a public information sign on the property where they meet without requiring a sign permit. The maximum size for such a sign is five square feet.

B. A public information sign may be maintained along Highway 29 at the south entrance to the community. The maximum area of the public information sign shall be two hundred twenty-five (225) square feet per side, whether single- or double-faced. The sign shall be freestanding, with a maximum height and width of fifteen (15) feet. The sign may be composed of any number of badges, plaques or signs which are either affixed or hanging within the total allowed square footage of the overall sign faces. Only one badge, plaque or sign for each group or organization described within Section 17.148.010 may be mounted on the public information sign. Each such component badge, plaque or sign shall not exceed thirty (30) inches in height, width or diameter, and may be single- or double-faced. Each component badge, plaque or sign of a group or organization may bear an additional attached sign stating only the location and/or times of regularly scheduled meetings of the group or organization, which sign shall not exceed nine inches in height or twenty-four (24) inches in width and may be single- or double-faced.

C. The public information sign must be maintained by the organizations utilizing the sign. The applicable sign permit may be revoked or the sign may be abated by the city council upon the failure to properly maintain such sign.

D. The public information signs shall be considered additional permitted signs which do not reduce nor restrict the signs otherwise permitted on the premises where the organization meets. (Ord. 08-2 § 2 (part); Ord. 06-5 § 2 (part); prior code § 27.328. Formerly 17.148.090.)

17.148.110 Miscellaneous regulations.

A. Continued Maintenance. All signs must be maintained by the property owner, tenant, or permittee. In the event a sign becomes derelict for reasons of lack of maintenance the approval may be revoked and the sign subject to abatement.

B. Abandonment or Termination of Use. A sign shall be removed by the property owner within thirty (30) days of abandonment or termination of the use.

C. Obstruction of Pedestrian Ways. No sign shall be permitted that will impede, obstruct or create hazards with respect to pedestrian traffic. The lowest portion of a projecting sign over a pedestrian sidewalk shall be at seven feet six inches above the ground surface.

D. Overhanging Signs. No sign shall be permitted over a highway, street, or driveway, except for a festival or benefit banner as approved by the city council.

E. Conflicting Regulations. Exceptions to this chapter may be made for signs for gasoline service stations and other businesses if signs are subject to federal or state government regulations that may be in conflict with this chapter. (Ord. 08-2 § 2 (part); Ord. 06-5 § 2 (part); prior code § 27.329. Formerly 17.148.100.)

17.148.120 Administration.

A. An application for an administrative sign permit or a planning commission sign permit shall be made by the property owner, or his or her authorized agent, to the planning department on forms prescribed for this purpose.

B. An applicant for any permit shall file with his or her application a site plan and/or building elevations showing the location of the sign, a sketch or photograph showing the size, coloring, illumination, and manner of construction of the proposed sign and any other matter necessary to a determination of whether or not to issue a permit. When unusual signs are proposed the applicant shall submit a photo montage and/or model which clearly demonstrates the size, shape and location of the sign. (Ord. 08-2 § 2 (part); Ord. 06-5 § 2 (part); prior code § 27.330. Formerly 17.148.110.)

17.148.130 Nonconforming signs.

Nonconforming signs shall be regulated as set forth in Chapter 17.140. (Ord. 08-2 § 2 (part); Ord. 06-5 § 2 (part); prior code § 27.331. Formerly 17.148.120.)



Report to the City Council
Council Meeting of October 23, 2018

Agenda Section: Consent

Subject: Second reading of an ordinance amending St. Helena Municipal Code ("SHMC") Title 17, Section 17.48 (Central Business District) and 17.52 (Service Commercial), to modify the list of permitted and conditional uses as deemed appropriate by the City Council.

CEQA Determination: It is determined that the Ordinance is exempt from CEQA pursuant to Guidelines Sections 15061(b)(1), 15061(b)(2), and specifically, the "General Rule" Section 15061(b)(3), where it can be seen with certainty that the proposed action will have no significant effect on the environment.

Prepared By: Aaron Hecock, Senior Planner

Reviewed By: Noah Housh, Planning & Community Improvement Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

City staff, the Planning Commission, City Council, and project applicants regularly find challenges with the existing Zoning Code, including incomplete requirements, antiquated policies and a general lack of consistent regulations. In the spring of 2017, City staff worked with the Planning Commission to prioritize an on-going list of potential citywide projects of interest to the Commission. One of the leading priorities identified at this time was initiation of a comprehensive Zoning Code update in order to address a number of problematic issues and inconsistencies.

On August 22, 2017, the City Council and the Planning Commission prioritized an update of the zoning code as a top priority to both address these on-going issues, as well as provide an efficient method to tackle a number of other priorities identified by the Planning Commission and City Council. In addition to addressing the inconsistencies and improving the usability of the code, the list of prioritized code improvements includes:

1. Review of the Floor Area Ratio (F.A.R.) allowances and exemptions (December 19, 2018; January 16, 2018 and June 19, 2018);
2. Review of the sign standards (February 20, 2018; May 15, 2018 and August 21, 2018);
3. Review of the Use Permit requirements in the Service Commercial and Central Business Zoning Districts (March 20, 2018; April 17, 2018 and September 4, 2018);
4. Review of the small lot zoning standards;
5. Review, clarify and improve the applicability of the non-conforming zoning standards, with particular focus on large industrial users;
6. Review the Demolition permit process and potential increases in limitations on Demolition permit approval;
7. Food Truck Ordinance;
8. Temporary Use Permit process;
9. Update the Daycare regulations to be consistent with State law; and
10. Update Telecommunication regulations to be consistent with State and Federal law.

To date, staff has brought forth and the Commission has discussed items 1, 2 and 3 above (see parentheses for date).

This item was originally presented to the Planning Commission on March 20, 2018 where, due to the volume of potential changes, staff asked the Commission to review the provided information and be prepared to provide direction at a later date. On April 17, 2018 staff brought the item back before the Commission in order to receive feedback on the changes proposed. At that time the Commission expressed general support for the changes; however, they decided to delay any action until completion of the Kosmont & Associates (Kosmont) downtown retail study (attached). The results of the Kosmont study have been made public and the City Council has expressed general support for several recommendations contained therein, including clarifying and broadening the list of permitted uses in the City's primary commercial zoning designations (the Central Business and Service Commercial districts). On September 4, 2018 the Commission reviewed the draft changes, provided direction to staff, and made a recommendation of approval to the City Council.

On October 9, 2018, the City Council reviewed the draft ordinance, provided direction to staff to make minor revisions and conducted the first reading of the ordinance.

Additionally, adoption of the draft 2040 General Plan (likely to occur in late 2018) will trigger a comprehensive Zoning Code update to implement the full direction of this policy document. It is important to make the distinction between the comprehensive changes the General Plan update will trigger, and the code modifications proposed through this process. This effort is intended to consist of minor revisions and modifications to existing policy, not whole-sale policy changes the scope of which were

not anticipated or covered in existing adopted policy documents and therefore past California Environmental Quality Act (CEQA) analysis and determinations.

DISCUSSION

Project Description

Staff has identified several issues and concerns in regards to uses that are permitted by right versus those that require a use permit in the Central Business (CB) and Service Commercial (SC) zoning districts. In addition, both the City Council and Planning Commission have expressed concerns with these same issues, and their relation to the number of vacant storefronts on Main Street. As an example, clothing stores currently require use permit approval in the CB district. As a very low impact use, it is recommended that a clothing store should be a permitted use (under General Retail) not subject to use permit approval.

In addition, the code is both overly specific and repetitive. Numerous retail uses are individually listed when they could be combined under a "General Retail" category. Furthermore, individual offices uses are listed time and time again when they can be easily classified under a broader "Office Use" category; this is supported by the majority of office uses being required to occupy the second floor of any downtown business location with frontage onto Main Street.

In order to resolve many of these issues, staff has amended the City's Zoning Code to modify the list of permitted and conditional uses in the CB and SC districts. To address the issues described above, a recommended list of revisions to the Municipal Code is attached for review. Recommended additions are shown in underline and deletions are shown in ~~strike through~~. For example, as shown below, it is recommended that clothing stores be a permitted use in the CB district while tobacco shops should be a conditional use:

Central Business District

17.48.020 Permitted uses.

The following uses are permitted in the CB district within usable floor areas of two hundred (200) square feet or greater. A use permit shall be required when a business consists of two or more of the following permitted uses:

Clothing store, limited to the sale of new clothing and clothing accessories;
~~Tobacconist;~~

17.48.030 Conditional uses.

The following list of uses require approval of a use permit as regulated by Chapter 17.168. A use permit is also required for a business which consists of two or more of the permitted uses listed in Section 17.48.020. Approval of a use permit is subject to finding the use consistent with the policies of the general plan and the purpose of the CB zoning district. When a use permit is considered for a use in the CBD, the standard use

permit findings included in Section 17.168.050 shall be made to determine consistency of the use with the policies of the general plan and the purpose of the CB zoning district:

~~Clothing store, limited to the sale of new clothing and clothing accessories;~~

Tobacco/smoke shop, including the sale of tobacco, tobacco products and equipment for smoking;

See the attached Municipal Code sections for a comprehensive list of staff suggested changes as well as issues for the Council to consider.

ANALYSIS

Amendments are governed by Municipal Code Section 17.12 and by Government Code Section 65853. Municipal Code Section 17.12 stipulates that text amendments may be recommended by the Planning Commission for approval by the City Council insofar as the Planning Commission finds the proposed amendments are in conformance with the General Plan and consistent with the public necessity, convenience, general welfare, and good zoning practice.

General Plan Consistency

The proposed text amendments are intended to clarify and streamline existing regulations. As such, the proposed text amendments are found to be consistent with the following policies listed in the 1993 City of St. Helena General Plan:

- 2.6.27 – Prohibit commercial uses that are primarily tourist-serving in nature, and that are inconsistent with the community image of St Helena.
- 2.6.35 – Maintain the Central Business District as the City's social/cultural core, and the primary center of retail business.
- 2.6.36 – Limit the expansion of commercial development to the areas immediately east and south of the Central Business District.
- 2.6.38 – Encourage primarily local serving businesses in the CB and SC designated areas.
- 3.4.2 – Support the development of a responsible visitor-serving component to the City's economy as a valuable source of jobs, tax revenues, and cultural amenities.

Staff Response: As detailed under Municipal Code Section 17.12.080, the City Council may, by ordinance, approve Code amendments whenever the public necessity, the general community welfare, and good zoning practice warrant such amendment. Accordingly, the proposed text amendments would further the public necessity, convenience, general and good zoning practice by creating a more efficient and effective process for the establishment of new businesses in the CB and SC zoning districts.

CEQA

An action to adopt an ordinance to amend Chapter 17 of the St. Helena Municipal Code is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.). Specifically, pursuant to Guidelines Sections 15061(b)(1), 15061(b)(2), and specifically, the “General Rule” Section 15061(b)(3),

where it can be seen with certainty that the proposed action will have no significant effect on the environment, projects are exempt from the requirements of CEQA. Furthermore, these changes are in accordance with the adopted 1993 General Plan Environmental Impact Report (EIR) and 2015 Housing Element Mitigated Negative Declaration (MND).

FISCAL IMPACT

Reducing the administrative process required to open several categories of new businesses (as detailed above) will reduce the total fees received by the Department and therefore will have some impact on the General Fund revenues generated by planning application fees. However, the increased efficiencies in the use of staff time will result in an overall improvement to the allocation of staff resources within the Department, allowing more attention to focus on Council and Planning Commission priorities. Further, if the volume of over all projects is reduced, staff may be able to eliminate the use of consultant planning staff thereby reducing the overall staffing costs required to effectively administer the Department.

In addition, these changes will reduce the overall cost and timeline for citizens, therefore significantly improving the process for staff to serve the needs of the community at a relatively minimal reduction in revenues. Staff will continue to monitor these revenue impacts and report back to the Council as the FY19/20 budget is proposed.

RECOMMENDED ACTION

Staff recommends the City Council review the Draft Ordinance and proposed text amendments related to permitted and conditional uses in the CB and SC zoning districts and:

1. Find that the proposed text amendments are exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15061; and
2. Conduct the second reading of the ordinance, by title only and waive further reading of the text.

ATTACHMENTS

[CB and SC Code Sections_redline](#)

[Draft Ordinance](#)

[Exhibit A](#)

CENTRAL BUSINESS (CB) DISTRICT

17.48.020 Permitted uses.

The following uses are permitted in the CB district within usable floor areas of two hundred (200) square feet or greater. ~~A use permit shall be required when a business consists of two or more of the following permitted uses:~~

Auto supply store;

Bakery, limited to products baked on the premises ~~subject to the following:~~

~~1. No seating;~~

~~2. Excluding the sale of snack foods prepared off-premises;~~

Bank and savings and loan institutions;

Bicycle and four-stroke moped (that meet standard manufacturer specifications) rental businesses, excluding motorcycles (as a primary or accessory use);

Bicycle store, retail sales, repairs, and rentals;

1. Storage or display of rental vehicles shall not be permitted within the public right-of-way, except where the city has jurisdiction over the sidewalk and as may be allowed by use permit with the following conditions in subsection (2) below.
2. For those vehicle rental businesses that wish to establish storage or display of rental bicycles on a sidewalk, the following will be required:
 - a. One-and-one-half-foot "recovery zone" from the edge of curb that must be kept free of obstructions (CalTrans requirement).
 - b. A four-foot clear path of travel along the sidewalk must be maintained to provide disabled access.
 - c. Bicycles must be brought indoors when the business is closed.
 - d. An encroachment permit must be obtained from the city of St. Helena. Application must include documentation of required liability insurance. The city of St. Helena maintains the preeminent right to use the sidewalk and suspend the right to encroach whenever the city needs use of the sidewalk for other public use or for repair.

Bookstore;

Chamber of Commerce office;

Clothing store, limited to the sale of new clothing and clothing accessories;

Consignment shop;

Computer and computer supply store;

Confectionery shop;

Commented [NH1]: Given that there is no evidence that the combination of 2 permitted uses would create impacts necessitating the approval of a Use Permit, staff is recommending deletion of this provision. Further, this is in keeping with the recommendations of the Kosmont study.

Dry cleaners, drop-off and pick-up only;

~~Electronics store, radio, television, computer, video equipment;~~

Commented [AH2]: Falls under General Retail category.

Florist;

Frame shop (gallery allowed only as accessory to the primary use);

~~Furniture store, new and unfinished;~~

~~General Retail, the sale of goods in small quantities directly to the consumer except those uses prohibited in Section 17.48.060;~~

Hardware store;

Hobby, toy, and game store;

~~Home furnishings and interior decorating stores, limited to establishments engaged in the retail sale of such items as china, glassware, and metalware for kitchen and table use; bedding and linen; brooms and brushes; lamps and shades; mirrors and pictures; carpets and rugs; and window coverings;~~

~~Ice cream, frozen yogurt and shaved ice shops as regulated by Section 17.48.090(C) including sale of these items as accessory to an approved food establishment;~~

~~Household appliance and repair shop;~~

Commented [AH3]: Moved to Conditional Use.

~~Insurance office;~~

Commented [AH4]: Falls under broader Office Use category.

~~Locksmith;~~

Commented [AH5]: Moved to Conditional Use.

~~Medical office;~~

Commented [AH6]: Falls under broader Office Use category.

~~Mortgage company;~~

Commented [AH7]: Falls under broader Office Use category.

Music store;

~~Newspaper office;~~

Commented [AH8]: Falls under broader Office Use category.

Newsstand;

Office use, local-serving business and professional offices, upper floors only for properties with frontage on Main Street ~~unless the access and frontage of the office space is not located on Main Street~~. Off-site winery offices are permitted with no wine tasting;

Commented [AH9]: Stricken per Council direction on 10/9/18.

Opticians and optometrist shop;

Paint and wallpaper store;

Pharmacy and drugstore;

Photographic supply store;

~~Photography studio;~~

Commented [AH10]: Staff sees this as similar to an art gallery and has moved it to the Conditional Use list.

Postal services;

Printing and copy services;

Real estate services located in spaces without frontage on Main Street;

~~Sewing, needlework, and fabric store;~~

~~Shoe repair and shoeshine shop;~~

~~Shoe store;~~

~~Sporting goods store;~~

~~Stamp and coin store;~~

~~Stationery supply store;~~

Commented [AH11]: Each fall under General Retail category.

~~Stockbrokers;~~

Commented [AH12]: Falls under broader Office Use category.

Tailor and dressmaking;

~~Title companies;~~

Commented [AH13]: Falls under broader Office Use category.

~~Tobacconist;~~

Commented [AH14]: Move to Conditional Use list.

~~Travel agency;~~

Commented [AH15]: Falls under broader Office Use category.

~~Video rental store, including the sale and rental of VCR equipment, video tapes, promotional posters related to the video tapes which are for sale or lease, laser discs, and sale of pre-packaged snack foods not involving preparation or refrigeration on premises;~~

Commented [AH16]: Antiquated use, no longer necessary.

~~Variety store except those uses prohibited in Section 17.48.060;~~

Watch and clock shop, provided the business includes on-premises repair;

Watch, clock, and/or jewelry repair shops;

Other similar uses found consistent with the general plan and the CB district pursuant to Chapter 17.08. (Ord. 11-5 § 2 (Exh. B); Ord. 10-8 § 2 (Exh. A (part)); Ord. 09-6 § 2 (Exh. A (part)); Ord. 04-8 § 2: prior code § 27.71)

17.48.030 Conditional uses.

The following list of uses require approval of a use permit as regulated by Chapter 17.168. A use permit is also required for a business which consists of two or more of the permitted uses listed in Section 17.48.020. Approval of a use permit is subject to finding the use consistent with the policies of the general plan and the purpose of the CB zoning district. When a use permit is considered for a use in the CBD, the standard use permit findings included in Section 17.168.050 shall be made to determine consistency of the use with the policies of the general plan and the purpose of the CB zoning district:

Antique store;

Art gallery;

~~Bakery, limited to products baked on premises subject to the following:~~

Commented [AH17]: Listed as a Permitted Use.

~~1. Seating permitted only as accessory to the primary bakery use and subject to the on-site parking requirements of Chapter 17.124;~~

~~2. Excluding the sale of snack foods prepared off premises;~~

~~3. Regulations as specified in Section 17.48.090;~~

Barber shop/beauty shop, including manicures, pedicures, make-up, facials, waxing, electrolysis, piercing, massage, and tanning when accessory to the primary use of hairstyling;

Catering establishments;

Cleaners and Dry Cleaners;

~~Clothing store, limited to the sale of new clothing and clothing accessories;~~

Commented [AH18]: Moved to Permitted Use list.

~~Consignment shop;~~

Commented [AH19]: Moved to Permitted Use list.

Delicatessen as regulated by Section 17.48.090(C);

Department store;

Drinking establishments serving alcoholic and/or nonalcoholic beverages as regulated by Section 17.48.090(C), provided the following are not allowed:

1. Establishments serving customers within their vehicles on the premises or preparing beverages or food intended for consumption within their vehicles on the premises,
2. Establishments primarily preparing beverages or food for consumption off the premises,
3. Music or entertainment which is not accessory to the approved use and/or audible beyond the confines of the building in which such music or entertainment is being performed,
4. Drive-in or walk-up window for take-out service;

Eating and drinking establishments as regulated by Section 17.48.090(C), provided the following are not allowed:

1. Establishments serving customers within their automobiles on the premises or preparing food intended for consumption within their automobiles on the premises,
2. Establishments primarily preparing food for consumption off the premises,

3. Music or entertainment which is not accessory to the approved use and/or audible beyond the confines of the building in which such music or entertainment is being performed,
4. The addition of on-site general liquor sales to any existing eating establishment when the operation of the eating place has been in violation of any city ordinance or any conditions of a use permit within the preceding two years and the premises do not conform in all respects with municipal code requirements,
5. Drive-in or walk-up window for take-out service,
6. Formula or take-out food establishments;*

Farmers' market;

Foodstore, no seating permitted;

Formula business. "Formula business" (not including formula restaurants, which are prohibited) means a business which is required by contractual or other arrangement to maintain any of the following: standardized services, decor, uniforms, architecture, signs or other similar features. This shall include, but not be limited to, retail sales and service, visitor accommodations, wholesale and industrial operations;

~~Furniture store, new and unfinished;~~

Commented [AH20]: Moved to Permitted Uses.

Health clubs;

~~Home furnishings stores, limited to establishments engaged in the retail sale of such items as china, glassware, and metalware for kitchen and table use; bedding and linen; brooms and brushes; lamps and shades; mirrors and pictures; carpets and rugs; and window coverings;~~

Commented [AH21]: Moved to Permitted Uses and combined with Interior Decorating Shop from below.

Hotel, rental of rooms limited to upper floors;**

~~Household appliance and repair shop;~~

~~Ice cream, frozen yogurt and shaved ice shops as regulated by Section 17.48.090(C) including sale of these items as accessory to an approved food establishment;~~

Commented [AH22]: Moved to Permitted Uses

~~Interior decorating shop;~~

Commented [AH23]: Combined with Home Furnishings stores and moved to permitted uses.

Jewelry store, provided the business includes on-premises repair;

Laundromat ~~or Laundry;~~

~~Laundry;~~

Liquor store;

~~Locksmith;~~

Market;

Massage salon;

~~Miscellaneous food establishments with no seating where food is not prepared for immediate consumption;~~

Commented [AH24]: Stricken per Council direction on 10/9/18.

Off-site winery offices with nonpublic wine tasting. Tasting of wine may be offered to wine distributors and wine merchants only;

Parking facilities (including parking for a fee) when not required to serve an approved use;

Pawnshops, subject to police chief review of information included in state or local statutes;

Photography studio;

Real estate services when located on the first floor with access and frontage on Main Street;

Residential units, limited to upper floors only for nontransient occupancy;

Service station, pursuant to Section 17.136.080;

Spa;

Supportive housing, limited to upper floors only;

Tanning salon;

Tattoo and/or piercing salon;

Theaters, movie and legitimate;

Tobacco/smoke shop, including the sale of tobacco, tobacco and/or nicotine products and equipment for smoking;

Transitional housing, limited to upper floors only;

Used merchandise store, including clothing, with no off-hours or exterior drop-off donation areas permitted;

~~Variety store~~;

Wine shops. "Wine shops" are establishments that purchase and sell wines from multiple wineries and distributors. Wines may be made in other counties in California, other states or other countries. Incidental wine tastings may occur in wine shops. Wine shops are not owned by wineries and must possess a Type 20, 21, or 42 license from ABC;

Winery tasting rooms. "Winery tasting rooms" are establishments that sell wines on behalf of one or more wineries and enable consumers to taste wine (with and without charge) as a regular part of the sales process. The wines for tasting and for sale must be made from a minimum of seventy-five percent (75%) Napa Valley grapes and must be labeled Napa Valley or be a subappellation of the Napa Valley. The permit requires a Type 02 ABC license. Food may be provided if it is at no cost to the consumer, is made off premises and the facilities are approved by Napa County Environmental Management;

Other similar uses found consistent with the general plan and the CB district pursuant to procedures in Chapter 17.08.

* Note: The city has established a limit on the number of eating and drinking establishments within such establishments as listed in the regulated food and beverage establishments inventory. This inventory may be amended by action of the city council.

** Note: The city has established a limit on the number of transient occupancy rooms permitted in the city to those existing or approved on September 28, 1993, as listed in the hotel, motel, and B&B inventory. This inventory may be amended by action of the city council.

(Ord. 15-2 § 9: Ord. 10-8 § 2 (Exh. A (part)): Ord. 09-6 § 2 (Exh. A (part)): Ord. 04-8 § 3: Ord. 02-6 § 7: prior code § 27.72)

SERVICE COMMERCIAL (SC) DISTRICT

17.52.020 Permitted uses.

The following uses are permitted in the SC district within usable floor areas of two hundred (200) square feet or greater. ~~A use permit shall be required when a business consists of two or more of the following permitted uses:~~

Accounting, auditing, and bookkeeping;

Appliance store;

~~Architectural office;~~

Audio-visual store;

~~Auditing office;~~

Auto supply store;

Automatic bank teller;

~~Automotive services, including repair;~~

~~Bakery, commercial baking only with no retail sales or seating;~~

~~Bank, credit union or financial institution;~~

~~Beauty shop/barber shop, including manicures, pedicures, make-up, facials, waxing, electrolysis, and piercing, when accessory to the primary use of hairstyling;~~

Boat sales and service;

Bookkeeping services;

~~Cabinet shop;~~

Camera and photo supply store;

Commented [AH25]: Falls under broader Office Use category.

Commented [AH26]: Falls under broader Office Use category.

Commented [AH27]: Moved to Conditional Use and combined with sales.

Commented [AH28]: No Planning Commission consensus on whether this should be permitted or conditional due to chemicals used. Staff needs Council direction on this item.

Commented [AH29]: Moved to Conditional Uses as more appropriate in an industrial area.

Catering establishments, no retail sales;

Child care facilities consistent with state law;

Cleaning and janitorial services;

Clothing store, limited to the sale of new clothing and clothing accessories;

Commercial art/photography service;

Computer supply store and data processing services, including retail sales;

Credit institution;

Credit union office;

Commented [AH30]: Combined with banks above.

Dance studios and schools;

Emergency shelter;

Commented [AH31]: Recommend as a Conditional Use after conferring with state law.

Engineering, architectural and surveying services;

Commented [AH32]: Falls under broader Office Use category.

Engraving services;

Farm supply and Ffeed store;

Florist;

Frame shop;

Fruit and vegetable market;

Furniture stores, new and unfinished;

Glazing businesses;

Graphic design services;

Hardware store;

Hobby store;

~~Home~~ health care equipment and services;

Home furnishings and interior decorating stores, limited to establishments engaged in the retail sale of such items as china, glassware, and metalware for kitchen and table use; bedding and linen; brooms and brushes; lamps and shades; mirrors and pictures; carpets and rugs; and window coverings;

Insurance agents, brokers and service;

Legal services;

Commented [AH33]: Falls under broader Office Use category.

The St. Helena Municipal Code is current through Ordinance 17-3, passed October 24, 2017.

St. Helena Municipal Code

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Locksmith;

Luggage store;

~~Media representatives;~~

~~Medical offices;~~

Music recording studio;

Nail salon;

~~Newspaper distribution facilities, no retail sales;~~

Office use, local-serving business and professional offices; off-site winery offices are permitted with no wine tasting;

Opticians and optometrist shop, including repair;

Paint, glass and wallpaper store;

Painting contractor/services;

Party supplies and service;

~~Personnel services;~~

Pet store, services, supplies;

Plumbing and contractor/services;

~~Postal and mail service;~~

Printing and copy service;

~~Real estate services;~~

~~Repair shops, excluding the repair of heavy equipment;~~

Residential units, upper floor only in conjunction with a mixed use project;

Reupholstery and furniture repair;

Saddle and equestrian store and repair;

Saw, knife and tool sharpening shops;

~~Secretarial, mail, message and postal services;~~

Security services;

Shoe repair;

Sign maker;

Commented [AH34]: Falls under broader Office Use category.

Commented [AH35]: Consider moving to Conditional Use?

Commented [AH36]: Added a staffing services use below.

Commented [AH37]: Falls under broader Office Use category.

Commented [AH38]: Moved to conditional uses and clarified.

Commented [AH39]: Created staffing service and postal service uses.

The St. Helena Municipal Code is current through Ordinance 17-3, passed October 24, 2017.

Sporting goods store;

Staffing services;

Supportive housing, upper floor only in conjunction with a mixed use project;

Surveyor;

Telephone center, including sales and maintenance;

Title company;

Towing services;

Transitional housing, upper floor only in conjunction with a mixed use project;

Travel agency;

Trophy shop;

Used merchandise stores, including clothing, with no off-hours or exterior drop-off donation areas permitted;

Veterinary services without overnight boarding of animals;

Video rental store, including the sale and rental of VCR equipment, video tapes, promotional posters related to the video tapes which are for sale or lease, laser discs, and sale of pre-packaged snack foods not involving preparation or refrigeration on premises;

Other similar uses found consistent with the general plan and the SC district pursuant to Chapter 17.08. (Ord. 15-2 § 10; Ord. 10-8 § 2 (Exh. B (part)); Ord. 09-6 § 2 (Exh. A (part)); Ord. 04-8 § 5: prior code § 27.81)

17.52.030 Conditional uses.

The following list of uses require approval of a use permit as regulated by Chapter 17.168. A use permit is also required for a business which consists of two or more of the permitted uses listed in Section 17.52.020. Approval of a use permit is subject to finding the use consistent with the policies of the general plan and the purpose of the SC zoning district. When a use permit is considered for a use in the SC district the standard use permit findings included in Section 17.168.050 shall be made to determine consistency of the use with the policies of the general plan and the purpose of the SC zoning district:

Ambulance services;

Animal boarding facility;

Automobile, and truck, and motorcycle rental;

Automobile sales, service and repair;

Beauty shop/barber shop, including manicures, pedicures, make-up, facials, waxing, electrolysis, piercing, massage and tanning when accessory to the primary use of hairstyling;

Commented [AH40]: Falls under broader Office Use category.

Commented [AH41]: Falls under broader Office Use category.

Commented [AH42]: Moved to Conditional Use.

Commented [AH43]: Falls under broader Office Use category.

Commented [AH44]: Antiquated use.

Commented [AH45]: Moved to permitted uses with the exception of massage and tanning which have remained conditional uses.

Breweries, including tasting;

Cabinet making shop;

Car wash;

Catalogue office/retail center, including storage of merchandise;

Commented [AH46]: Remove, modify?

Child care facilities;

Commented [AH47]: Moved to permitted uses per state law.

Clothing store, limited to the sale of new clothing and clothing accessories;

Commented [AH48]: Moved to permitted uses.

Drinking establishments serving alcoholic and/or nonalcoholic beverages as regulated by Section 17.52.090(D), provided the following are not allowed:

1. Establishments serving customers within their vehicles on the premises or preparing beverages/food intended for consumption within their vehicles on the premises,
2. Establishments primarily preparing beverages/food for consumption off the premises,
3. Music/entertainment which is not accessory to the approved use and/or audible beyond the confines of the building in which such music/entertainment is being performed,
4. Drive-in or walk-up window for take-out service;

Eating and drinking establishments as regulated by Section 17.52.090(D), provided the following are not allowed:

1. Establishments serving customers within their automobiles on the premises or preparing food intended for consumption within their automobiles on the premises,
2. Establishments primarily preparing food for consumption off the premises,
3. Music/entertainment which is not accessory to the approved use and/or audible beyond the confines of the building in which such music/entertainment is being performed;
4. The addition of on-site general liquor sales to an existing eating establishment when the operation of the eating place has been in violation of any city ordinance or any conditions of a use permit within the preceding two years and the premises do not conform in all respects with municipal code requirements,
5. Drive-in or walk-up window for take-out service,
6. Formula or take-out food establishments;*

Commented [AH49]: Leave, modify, delete?

Electric and gas utilities;

Equipment rental and leasing;

Farm supply stores;

Commented [AH50]: Moved to permitted uses.

Farmers' market;

Food product development;

Formula business. "Formula business" (not including formula restaurants, which are prohibited) means a business which is required by contractual or other arrangement to maintain any of the following: standardized services, decor, uniforms, architecture, signs or other similar features. This shall include, but not be limited to, retail sales and service, visitor accommodations, wholesale and industrial operations;

~~Furniture stores, new and unfinished;~~

Commented [AH51]: Moved to permitted uses.

Grocery stores; limited to ten thousand (10,000) square feet in size with retail sales of meat, produce, dairy, baked goods, and groceries with accessory sales of household goods and delicatessen items;

Gunsmith;

~~Health club and fitness centers;~~

Commented [AH52]: Allow as a permitted use?

~~Home furnishings stores, limited to establishments engaged in the retail sale of such items as china, glassware, and metal ware for kitchen and table use; bedding and linen; brooms and brushes; lamps and shades; mirrors and pictures; carpets and rugs; and window coverings;~~

Commented [AH53]: Moved to Permitted Use.

Hotels and motels;**

Laundry, self-serve cleaning and garment services;

Light manufacturing uses;

Liquor stores, retail sales only;

Local passenger transportation and services, includes train depot;

Lumber and other building materials business;

~~Massage services;~~

~~Miscellaneous food establishments with no seating where food is not prepared for immediate consumption;~~

Commented [AH54]: Catering businesses are a listed permitted use.

Mortuary and funeral homes;

Motor vehicle sales, new and/or used vehicles;

Nursery, lawn and garden supply stores with retail sales;

Off-site winery offices with nonpublic wine tasting. Tasting of wine may be offered to wine distributors and wine merchants;

Parking facilities, commercial;

Performing arts facility;

~~Plant nurseries, including retail sales;~~

Commented [AH55]: Nursery use provided above.

Pool ~~and spa~~ supply and sales;

~~Sanitary-Janitorial~~ services;

Schools and educational services;

Service station, pursuant to Section 17.136.080;

~~Small engine and/or equipment repair shops, excluding the repair of heavy equipment;~~

~~Tobacco/smoke shop, including the sale of tobacco, tobacco and/or nicotine products and equipment for smoking;~~

Tanning salon;

Taxidermist;

Theater, movie and legitimate;

~~Towing services and yards;~~

~~Used merchandise stores, including clothing, with off-hours or exterior drop-off donation areas;~~

Utilities;

~~Vehicle Bicycle and scooter rental businesses, including trucks, bicycles and four-stroke mopeds (that meet standard manufacturer specifications), but excluding motorcycles;~~

Commented [AH56]: Auto, truck and motorcycle rental uses are listed above. This is specific to bikes and scooters.

1. Storage or display of rental vehicles shall not be permitted within the public right-of-way, except where the city has jurisdiction over the sidewalks and as may be allowed by use permit with the following conditions in subsection (2) below.

2. For those vehicle rental businesses that wish to establish storage or display of rental bicycles/scooters on a sidewalk, the following will be required:

- a. One-and-one-half-foot "recovery zone" from the edge of curb that must be kept free of obstructions (CalTrans requirement).
- b. A four-foot clear path of travel along the sidewalk must be maintained to provide disabled access.
- c. Bicycles/scooters must be brought indoors when the business is closed.
- d. An encroachment permit must be obtained from the city of St. Helena. Application must include documentation of required liability insurance. The city of St. Helena maintains the preeminent right to use the sidewalk and suspend the right to encroach whenever the city needs use of the sidewalk for other public use or for repair.

Warehouse and wholesale business, excluding retail sales;

Wine shops. “Wine shops” are establishments that sell wines from multiple wineries and distributors. Wines may be made in other counties in California, other states or other countries. Incidental wine tastings may occur in wine shops. Wine shops are not owned by wineries and must possess a Type 20, 21, or 42 license from ABC;

Wineries;

Winery tasting rooms. “Winery tasting rooms” are establishments that sell wines on behalf of one or more wineries and enable consumers to taste wine (with and without charge) as a regular part of the sales process. The wines for tasting and for sale must be made from a minimum of seventy-five percent (75%) Napa Valley grapes and must be labeled Napa Valley or be a subappellation of the Napa Valley. The permit requires a Type 02 ABC license. Food may be provided if it is at no cost to the consumer, is made off-premises and the facilities are approved by Napa County Environmental Management;

Other similar uses found consistent with the general plan and the SC district pursuant to Chapter 17.08.

* Note: The city has established a limit on the number of eating and drinking establishments. Such establishments are listed in the regulated food and beverage establishments inventory. This inventory may be amended by action of the city council.

** Note: The city has established a limit on the number of transient occupancy rooms permitted in the city to those existing or approved on September 28, 1993, as listed in the hotel, motel, and B&B inventory. This inventory may be amended by action of the city council.

(Ord. 11-5 § 2 (Exh. A); Ord. 10-8 § 2 (Exh. B (part)): Ord. 10-4 § 5; Ord. 09-6 § 2 (Exh. A (part)): Ord. 04-8 § 6; prior code § 27.82)

CITY OF ST. HELENA

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ST. HELENA, CALIFORNIA, AMENDING ST. HELENA MUNICIPAL CODE CHAPTER 17.48 (CENTRAL BUSINESS DISTRICT) AND CHAPTER 17.52 (SERVICE COMMERCIAL DISTRICT) TO UPDATE AND MODIFY PERMITTED AND CONDITIONAL USES IN EACH DISTRICT.

The City Council of the City of the City of St. Helena ordains as follows:

SECTION 1. Findings. The City Council finds as follows:

A. City of St. Helena Municipal Code Chapters 17.48 and 17.52 regulate permitted and conditional uses in the Central Business (CB) and Service Commercial (SC) zoning districts.

B. The purpose of regulating uses is to allow the proper integration of essential or desirable uses which may only be suitable in certain locations or zoning districts, or to ensure that such uses are designed or arranged appropriately.

C. In order to facilitate a better functioning code and more efficient processes, the City desires to make a number of minor amendments to the SHMC by modifying the lists of permitted and conditional uses in the CB and SC districts.

D. The City's Planning Commission reviewed the amendments proposed by this Ordinance at a duly noticed public hearing on September 4, 2018. After all interested parties were given full opportunity to be heard, and to present evidence, the Planning Commission voted to recommend to the City Council that the Council adopt the amendments to Chapters 17.48 and 17.52 proposed by this Ordinance.

E. On October 9, 2018, the City Council conducted a duly noticed public hearing to consider this ordinance, and all interested parties were given full opportunity to be heard and to present evidence.

F. The proposed amendments would further the public necessity, convenience, general welfare and good zoning practice by creating more efficient and effective regulatory processes.

SECTION 2. Compliance with CEQA. The City Council hereby finds that the action to adopt this Ordinance to amend Chapters 17.48 and 17.52 of the St. Helena Municipal Code is exempt from the requirements of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.) pursuant to Guidelines Sections 15061(b)(1), 15061(b)(2), and specifically, the "General Rule" Section 15061(b)(3), where it can be seen with certainty that the proposed action will have no significant effect on the environment, projects are exempt from the requirements of CEQA. Further the City Council finds that the proposed modifications to City of

St Helena regulations, Chapters 17.48 and 17.52 of the Municipal Code, are consistent with the environmental impact analysis of the 1993 General Plan EIR.

SECTION 3. General Plan Consistency. The proposed amendments are consistent with the General Plan in that they will encourage commercial uses that are compatible and complementary to the image and character of St. Helena (policies 2.6.27, 2.6.35, 2.6.36, 2.6.38 and 3.4.2).

SECTION 4. Amendment. SHMC Chapters 17.48 “Central Business District” and 17.52 “Service Commercial District” are hereby amended and restated as set forth in the attached **Exhibit A.**

SECTION 5. 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 6. Effective Date. This ordinance shall take effect and be in force 30 days after its adoption, and a summary of this ordinance shall be published once with the names of the members of the Council voting for and against the ordinance in the St. Helena Star, a newspaper of general circulation published in the City of St. Helena.

THE FOREGOING ORDINANCE was introduced at a regular meeting of the St. Helena City Council on the 9th day of October, 2018 and was adopted at a regular meeting of the St. Helena City Council on the 23rd day of October, 2018 by the following vote:

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

APPROVED:

Alan Galbraith, Mayor

ATTEST:

CITY OF ST. HELENA

Cindy Tzafopoulos, City Clerk

I, CINDY TZAFPOULOS, 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 9th day of October, 2018. That thereafter said Ordinance was duly adopted and passed at a regular meeting of the City Council on the 23rd day of October, 2018 by the following vote:

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

EXHIBIT A**CENTRAL BUSINESS (CB) DISTRICT****17.48.020 Permitted uses.**

The following uses are permitted in the CB district within usable floor areas of two hundred (200) square feet or greater:

Auto supply store;

Bakery, limited to products baked on the premises;

Bank and savings and loan institutions;

Bicycle and four-stroke moped (that meet standard manufacturer specifications) rental businesses, excluding motorcycles (as a primary or accessory use);

Bicycle store, retail sales, repairs, and rentals;

1. Storage or display of rental vehicles shall not be permitted within the public right-of-way, except where the city has jurisdiction over the sidewalk and as may be allowed by use permit with the following conditions in subsection (2) below.
2. For those vehicle rental businesses that wish to establish storage or display of rental bicycles on a sidewalk, the following will be required:
 - a. One-and-one-half-foot “recovery zone” from the edge of curb that must be kept free of obstructions (CalTrans requirement).
 - b. A four-foot clear path of travel along the sidewalk must be maintained to provide disabled access.
 - c. Bicycles must be brought indoors when the business is closed.
 - d. An encroachment permit must be obtained from the city of St. Helena. Application must include documentation of required liability insurance. The city of St. Helena maintains the preeminent right to use the sidewalk and suspend the right to encroach whenever the city needs use of the sidewalk for other public use or for repair.

Bookstore;

Chamber of Commerce office;

Clothing store, limited to the sale of new clothing and clothing accessories;

Consignment shop;

Computer and computer supply store;

Confectionery shop;

Dry cleaners, drop-off and pick-up only;

EXHIBIT A

Florist;

Frame shop (gallery allowed only as accessory to the primary use);

Furniture store, new and unfinished;

General Retail, the sale of goods in small quantities directly to the consumer except those uses prohibited in Section 17.48.060;

Hardware store;

Hobby, toy, and game store;

Home furnishings and interior decorating stores, limited to establishments engaged in the retail sale of such items as china, glassware, and metalware for kitchen and table use; bedding and linen; brooms and brushes; lamps and shades; mirrors and pictures; carpets and rugs; and window coverings;

Ice cream, frozen yogurt and shaved ice shops as regulated by Section 17.48.090(C) including sale of these items as accessory to an approved food establishment;

Music store;

Newsstand;

Office use, local-serving business and professional offices, upper floors only for properties with frontage on Main Street. Off-site winery offices are permitted with no wine tasting;

Opticians and optometrist shop;

Paint and wallpaper store;

Pharmacy and drugstore;

Photographic supply store;

Postal services;

Printing and copy services;

Real estate services located in spaces without frontage on Main Street;

Tailor and dressmaking;

Variety store except those uses prohibited in Section 17.48.060;

Watch and clock shop, provided the business includes on-premises repair;

Watch, clock, and/or jewelry repair shops;

Other similar uses found consistent with the general plan and the CB district pursuant to Chapter 17.08. (Ord. 11-5 § 2 (Exh. B); Ord. 10-8 § 2 (Exh. A (part)); Ord. 09-6 § 2 (Exh. A (part)); Ord. 04-8 § 2: prior code § 27.71)

EXHIBIT A**17.48.030 Conditional uses.**

The following list of uses require approval of a use permit as regulated by Chapter 17.168. A use permit is also required for a business which consists of two or more of the permitted uses listed in Section 17.48.020. Approval of a use permit is subject to finding the use consistent with the policies of the general plan and the purpose of the CB zoning district. When a use permit is considered for a use in the CBD, the standard use permit findings included in Section 17.168.050 shall be made to determine consistency of the use with the policies of the general plan and the purpose of the CB zoning district:

Antique store;

Art gallery;

Barber shop/beauty shop, including manicures, pedicures, make-up, facials, waxing, electrolysis, piercing, massage, and tanning when accessory to the primary use of hairstyling;

Catering establishments;

Cleaners and Dry Cleaners;

Delicatessen as regulated by Section 17.48.090(C);

Department store;

Drinking establishments serving alcoholic and/or nonalcoholic beverages as regulated by Section 17.48.090(C), provided the following are not allowed:

1. Establishments serving customers within their vehicles on the premises or preparing beverages or food intended for consumption within their vehicles on the premises,
2. Establishments primarily preparing beverages or food for consumption off the premises,
3. Music or entertainment which is not accessory to the approved use and/or audible beyond the confines of the building in which such music or entertainment is being performed,
4. Drive-in or walk-up window for take-out service;

Eating and drinking establishments as regulated by Section 17.48.090(C), provided the following are not allowed:

1. Establishments serving customers within their automobiles on the premises or preparing food intended for consumption within their automobiles on the premises,
2. Establishments primarily preparing food for consumption off the premises,
3. Music or entertainment which is not accessory to the approved use and/or audible beyond the confines of the building in which such music or entertainment is being performed,

EXHIBIT A

4. The addition of on-site general liquor sales to any existing eating establishment when the operation of the eating place has been in violation of any city ordinance or any conditions of a use permit within the preceding two years and the premises do not conform in all respects with municipal code requirements,
5. Drive-in or walk-up window for take-out service,
6. Formula or take-out food establishments;*

Farmers' market;

Foodstore, no seating permitted;

Formula business. "Formula business" (not including formula restaurants, which are prohibited) means a business which is required by contractual or other arrangement to maintain any of the following: standardized services, decor, uniforms, architecture, signs or other similar features. This shall include, but not be limited to, retail sales and service, visitor accommodations, wholesale and industrial operations;

Health clubs;

Hotel, rental of rooms limited to upper floors;**

Household appliance and repair shop;

Jewelry store, provided the business includes on-premises repair;

Laundromat or Laundry;

Liquor store;

Locksmith;

Market;

Massage salon;

Off-site winery offices with nonpublic wine tasting. Tasting of wine may be offered to wine distributors and wine merchants only;

Parking facilities (including parking for a fee) when not required to serve an approved use;

Pawnshops, subject to police chief review of information included in state or local statutes;

Photography studio;

Real estate services when located on the first floor with access and frontage on Main Street;

Residential units, limited to upper floors only for nontransient occupancy;

Service station, pursuant to Section 17.136.080;

Spa;

EXHIBIT A

Supportive housing, limited to upper floors only;

Tanning salon;

Tattoo and/or piercing salon;

Theaters, movie and legitimate;

Tobacco/smoke shop, including the sale of tobacco, tobacco and/or nicotine products and equipment for smoking;

Transitional housing, limited to upper floors only;

Used merchandise store, including clothing, with no off-hours or exterior drop-off donation areas permitted;

Wine shops. "Wine shops" are establishments that purchase and sell wines from multiple wineries and distributors. Wines may be made in other counties in California, other states or other countries. Incidental wine tastings may occur in wine shops. Wine shops are not owned by wineries and must possess a Type 20, 21, or 42 license from ABC;

Winery tasting rooms. "Winery tasting rooms" are establishments that sell wines on behalf of one or more wineries and enable consumers to taste wine (with and without charge) as a regular part of the sales process. The wines for tasting and for sale must be made from a minimum of seventy-five percent (75%) Napa Valley grapes and must be labeled Napa Valley or be a subappellation of the Napa Valley. The permit requires a Type 02 ABC license. Food may be provided if it is at no cost to the consumer, is made off premises and the facilities are approved by Napa County Environmental Management;

Other similar uses found consistent with the general plan and the CB district pursuant to procedures in Chapter 17.08.

* Note: The city has established a limit on the number of eating and drinking establishments within such establishments as listed in the regulated food and beverage establishments inventory. This inventory may be amended by action of the city council.

** Note: The city has established a limit on the number of transient occupancy rooms permitted in the city to those existing or approved on September 28, 1993, as listed in the hotel, motel, and B&B inventory. This inventory may be amended by action of the city council.

(Ord. 15-2 § 9: Ord. 10-8 § 2 (Exh. A (part)): Ord. 09-6 § 2 (Exh. A (part)): Ord. 04-8 § 3: Ord. 02-6 § 7: prior code § 27.72)

SERVICE COMMERCIAL (SC) DISTRICT**17.52.020 Permitted uses.**

The following uses are permitted in the SC district within usable floor areas of two hundred (200) square feet or greater:

EXHIBIT A

Accounting, auditing, and bookkeeping;
 Appliance store;
 Audio-visual store;
 Auto supply store;
 Automatic bank teller;
 Bakery;
 Bank, credit union or financial institution;
 Beauty shop/barber shop, including manicures, pedicures, make-up, facials, waxing, electrolysis, and piercing, when accessory to the primary use of hairstyling;
 Boat sales and service;
 Bookkeeping services;
 Camera and photo supply store;
 Catering establishments, no retail sales;
 Child care facilities consistent with state law;
 Cleaning and janitorial services;
 Clothing store, limited to the sale of new clothing and clothing accessories;
 Commercial art/photography service;
 Computer supply store;
 Dance studios and schools;
 Emergency shelter;
 Engraving services;
 Farm supply and feed store;
 Florist;
 Frame shop;
 Fruit and vegetable market;
 Furniture stores, new and unfinished;
 Glazing businesses;
 Graphic design services;

EXHIBIT A

Hardware store;

Hobby store;

Health care equipment and services;

Home furnishings and interior decorating stores, limited to establishments engaged in the retail sale of such items as china, glassware, and metalware for kitchen and table use; bedding and linen; brooms and brushes; lamps and shades; mirrors and pictures; carpets and rugs; and window coverings;

Locksmith;

Luggage store;

Music recording studio;

Nail salon;

Newspaper distribution facilities, no retail sales;

Office use, local-serving business and professional offices; off-site winery offices are permitted with no wine tasting;

Opticians and optometrist shop, including repair;

Paint, glass and wallpaper store;

Painting contractor/services;

Party supplies and service;

Pet store, services, supplies;

Plumbing and contractor/services;

Postal and mail service;

Printing and copy service;

Residential units, upper floor only in conjunction with a mixed use project;

Reupholstery and furniture repair;

Saddle and equestrian store and repair;

Saw, knife and tool sharpening shops;

Security services;

Shoe repair;

Sign maker;

EXHIBIT A

Sporting goods store;

Staffing services;

Supportive housing, upper floor only in conjunction with a mixed use project;

Telephone center, including sales and maintenance;

Transitional housing, upper floor only in conjunction with a mixed use project;

Trophy shop;

Used merchandise stores, including clothing, with no off-hours or exterior drop-off donation areas permitted;

Veterinary services without overnight boarding of animals;

Other similar uses found consistent with the general plan and the SC district pursuant to Chapter 17.08. (Ord. 15-2 § 10; Ord. 10-8 § 2 (Exh. B (part)); Ord. 09-6 § 2 (Exh. A (part)); Ord. 04-8 § 5; prior code § 27.81)

17.52.030 Conditional uses.

The following list of uses require approval of a use permit as regulated by Chapter 17.168. A use permit is also required for a business which consists of two or more of the permitted uses listed in Section 17.52.020. Approval of a use permit is subject to finding the use consistent with the policies of the general plan and the purpose of the SC zoning district. When a use permit is considered for a use in the SC district the standard use permit findings included in Section 17.168.050 shall be made to determine consistency of the use with the policies of the general plan and the purpose of the SC zoning district:

Ambulance services;

Animal boarding facility;

Automobile, truck, and motorcycle rental;

Automobile sales, service and repair;

Breweries, including tasting;

Cabinet making shop;

Car wash;

Catalogue office/retail center, including storage of merchandise;

Drinking establishments serving alcoholic and/or nonalcoholic beverages as regulated by Section 17.52.090(D), provided the following are not allowed:

1. Establishments serving customers within their vehicles on the premises or preparing beverages/food intended for consumption within their vehicles on the premises,

EXHIBIT A

2. Establishments primarily preparing beverages/food for consumption off the premises,
3. Music/entertainment which is not accessory to the approved use and/or audible beyond the confines of the building in which such music/entertainment is being performed,
4. Drive-in or walk-up window for take-out service;

Eating and drinking establishments as regulated by Section 17.52.090(D), provided the following are not allowed:

1. Establishments serving customers within their automobiles on the premises or preparing food intended for consumption within their automobiles on the premises,
2. Establishments primarily preparing food for consumption off the premises,
3. Music/entertainment which is not accessory to the approved use and/or audible beyond the confines of the building in which such music/entertainment is being performed,
4. The addition of on-site general liquor sales to an existing eating establishment when the operation of the eating place has been in violation of any city ordinance or any conditions of a use permit within the preceding two years and the premises do not conform in all respects with municipal code requirements,
5. Drive-in or walk-up window for take-out service,
6. Formula or take-out food establishments;*

Electric and gas utilities;

Equipment rental and leasing;

Farmers' market;

Food product development;

Formula business. "Formula business" (not including formula restaurants, which are prohibited) means a business which is required by contractual or other arrangement to maintain any of the following: standardized services, decor, uniforms, architecture, signs or other similar features. This shall include, but not be limited to, retail sales and service, visitor accommodations, wholesale and industrial operations;

Grocery stores; limited to ten thousand (10,000) square feet in size with retail sales of meat, produce, dairy, baked goods, and groceries with accessory sales of household goods and delicatessen items;

Gunsmith;

Health club and fitness centers;

Hotels and motels;**

Laundry, self-serve cleaning and garment services;

EXHIBIT A

- Light manufacturing uses;
 - Liquor stores, retail sales only;
 - Local passenger transportation and services, includes train depot;
 - Lumber and other building materials business;
 - Massage services;
 - Mortuary and funeral homes;
 - Motor vehicle sales, new and/or used vehicles;
 - Nursery, lawn and garden supply stores with retail sales;
 - Off-site winery offices with nonpublic wine tasting. Tasting of wine may be offered to wine distributors and wine merchants;
 - Parking facilities, commercial;
 - Performing arts facility;
 - Pool and spa supply and sales;
 - Janitorial services;
 - Schools and educational services;
 - Service station, pursuant to Section 17.136.080;
 - Small engine and/or equipment repair shops, excluding the repair of heavy equipment;
 - Tobacco/smoke shop, including the sale of tobacco, tobacco and/or nicotine products and equipment for smoking;
 - Tanning salon;
 - Taxidermist;
 - Theater, movie and legitimate;
 - Towing services and yards;
 - Used merchandise stores, including clothing, with off-hours or exterior drop-off donation areas;
 - Utilities;
 - Bicycle and scooter rental businesses, excluding motorcycles;
1. Storage or display of rental vehicles shall not be permitted within the public right-of-way, except where the city has jurisdiction over the sidewalks and as may be allowed by use permit with the following conditions in subsection (2) below.

EXHIBIT A

2. For those vehicle rental businesses that wish to establish storage or display of rental bicycles/scooters on a sidewalk, the following will be required:
- a. One-and-one-half-foot “recovery zone” from the edge of curb that must be kept free of obstructions (CalTrans requirement).
 - b. A four-foot clear path of travel along the sidewalk must be maintained to provide disabled access.
 - c. Bicycles/scooters must be brought indoors when the business is closed.
 - d. An encroachment permit must be obtained from the city of St. Helena. Application must include documentation of required liability insurance. The city of St. Helena maintains the preeminent right to use the sidewalk and suspend the right to encroach whenever the city needs use of the sidewalk for other public use or for repair.

Warehouse and wholesale business, excluding retail sales;

Wine shops. “Wine shops” are establishments that sell wines from multiple wineries and distributors. Wines may be made in other counties in California, other states or other countries. Incidental wine tastings may occur in wine shops. Wine shops are not owned by wineries and must possess a Type 20, 21, or 42 license from ABC;

Wineries;

Winery tasting rooms. “Winery tasting rooms” are establishments that sell wines on behalf of one or more wineries and enable consumers to taste wine (with and without charge) as a regular part of the sales process. The wines for tasting and for sale must be made from a minimum of seventy-five percent (75%) Napa Valley grapes and must be labeled Napa Valley or be a subappellation of the Napa Valley. The permit requires a Type 02 ABC license. Food may be provided if it is at no cost to the consumer, is made off-premises and the facilities are approved by Napa County Environmental Management;

Other similar uses found consistent with the general plan and the SC district pursuant to Chapter 17.08.

* Note: The city has established a limit on the number of eating and drinking establishments. Such establishments are listed in the regulated food and beverage establishments inventory. This inventory may be amended by action of the city council.

** Note: The city has established a limit on the number of transient occupancy rooms permitted in the city to those existing or approved on September 28, 1993, as listed in the hotel, motel, and B&B inventory. This inventory may be amended by action of the city council.

(Ord. 11-5 § 2 (Exh. A); Ord. 10-8 § 2 (Exh. B (part)): Ord. 10-4 § 5; Ord. 09-6 § 2 (Exh. A (part)): Ord. 04-8 § 6; prior code § 27.82)



Report to the City Council
Council Meeting of October 23, 2018

Agenda Section: Consent

Subject: Consideration and proposed approval of a resolution authorizing the City Manager to execute a Professional Services Agreement with Baker & Taylor, LLC for the supplying of library materials to the St. Helena Public Library not to exceed the amount annually budgeted for library materials by City Council for three years with the option of two one-year extensions.

CEQA 1 Not a CEQA project
Determination:

Prepared By: Chris Kreiden, Library Director

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

Libraries purchase the majority of new materials for their collections from wholesale distributors who maintain large inventories of titles from many publishers and producers. Obtaining books and other media through these suppliers offers libraries many advantages over purchasing from individual publishers including:

- Higher discounts off of retail prices.
- Larger and more varied inventories.
- Efficiencies in placing orders, including the ability to easily upload orders to a library's catalog.
- The option to have books and media arrive at the library with time-saving physical processing provided by the supplier.

Because the St. Helena Public Library's annual expenditures for library materials exceeds the City's purchasing policy threshold, and in order to obtain the best pricing from competing vendors, the Library issued a Request For Proposal (RFP) for a Library

Materials Vendor on August 29, 2018. The RFP was published on the City's website and, additionally, copies of the RFP were emailed to four possible vendors. Six proposals were received by the submission deadline of September 28, 2018 at 4pm. Vendors who specialized in providing only certain types of materials and associated services were also encouraged to submit a proposal.

DISCUSSION

Library staff evaluated the six proposals received. The most important criteria used was cost considerations including discounts extended and charges for additional services like Mylar covers for the jackets of hardback books; an easy-to-use vendor website; and value-added services like selection tools and standing order programs.

Of the six vendors who responded to the RFP, one supplied books only, one audiobooks only, one provided audiobooks and DVDs, and three could supply both audiovisual and book formats. Barnes & Noble was in the last group, however because of its discount rate (0-25%), ordering procedure, and limited associated services, it was decided that they were not compatible with the Library's needs. The chart below gives a brief summary of materials provided, discounts offered, and costs of added services used by the Library:

	Baker & Taylor	Ingram	Brodart	Midwest	Recorded Books
Materials Supplied	All	All	Books	CDs & DVDs	CDs
Discount on DVDs	28.5%	28%		25%	
Discount on Audiobooks	45.5%	45%		Retail price (repackaged at no additional cost)	Produced 40% Distributed 10%
Discount on Trade Hardcovers	45.5%	46%	45%		
Discount on Paperbacks	40.5%	40%	40%		
Adding Mylar Cover to Hardbacks	\$0.60	\$0.65	\$0.60		
Adding Laminate to Paperbacks	\$1.99		\$2.00		
Repackaging Audiobooks	\$3.99-\$5.49	\$3.80-\$6.00			
Processing: Shrink Wrap Removal	\$0.55	\$0.55		\$0.50	

Staff then narrowed the choices to two: Baker & Taylor and Ingram. Baker & Taylor offers a slightly higher discount for DVDs, Audiobooks, and Paperbacks, though slightly less for Trade Hardbacks. The cost of covering the jackets of hardback books with Mylar is \$.05 per jacket less with Baker & Taylor.

When staff evaluated vendor websites, Baker & Taylor's online order database was considered easier to use. Staff enjoyed the ease in which already ordered or selected materials could be identified. It also offered a less-cluttered visual presentation and easier-to-use system of search filters. These features result in greater staff efficiency in the selection and ordering of library materials. Another is the compatibility of creating a list in LibraryAware (our reader advisory list provider) which can be easily sent to our online Baker & Taylor account and then ordered. While this ability is not essential, it does save staff time when selecting and ordering these materials.

FISCAL IMPACT

The annual budget for Library materials is established through the City's budget process and funds for Library materials (which also include digital resources) are appropriated annually, and are budgeted at \$102,600 for FY 2018-19. This contract does not commit to any specific level of annual expenditures.

RECOMMENDED ACTION

Staff recommends City Council approve a resolution authorizing the City Manager to execute an agreement for Library Materials Vendor with Baker & Taylor, LLC for a period of three years with an option for two one-year extensions.

ATTACHMENTS

[RFP Library Services](#)

[Baker & Taylor RFP Response for St. Helena PL](#)

[PSA Baker & Taylor 102318](#)

[Resolution Baker & Taylor](#)



CITY OF ST. HELENA
St. Helena Public Library

REQUEST FOR PROPOSALS
LIBRARY MATERIALS VENDOR

DATE ISSUED: Wednesday, August 29, 2018
DATE DUE: Friday, September 28, 2018, 4PM

CONTACT: Chris Kreiden, Library Director
chris@shpl.org
(707) 967-2805

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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- 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.

The St. Helena Public Library ("Library"), a department of the City, offers materials of all types, including hardcover and paperback books, audiobooks, music, DVDs, and other formats; suitable for all ages from infant through senior citizens. Collections focus on popular reading, listening, and viewing; curriculum support for elementary and secondary schools; and independent learning. Special emphasis is placed on providing Spanish language materials for our Latino population. The Library's budget for Library Materials is approximately \$102,000 in Fiscal Year 2018/2019.

The Library currently uses the CARLX Integrated Library System (ILS).

II. SOLICITATION

The St. Helena Public Library is seeking proposals from qualified vendors to supply books, audio books, and audio visual materials (collectively "Library Materials"). Library Materials must comply with current copyright and intellectual property laws.

The information submitted in proposals will be used to evaluate and qualify vendors to supply Library Materials. There is no guarantee that a prequalified vendor will receive any contract, and contracts will not be exclusive, as the Library will continue to purchase Library Materials from a number of vendors.

The Library reserves the right to award one or more contracts based upon the proposals. Multiple Awards may be made if the Library determines, in its sole discretion, that award to two or more proposers is necessary to ensure adequate availability, delivery, service or product compatibility. The purpose of this RFP is to identify suppliers that will offer the Library the best overall value and service.

The deadline for submitting proposals is 4:00PM on Friday, September 28, 2018.

III. SCOPE OF WORK

The Library expects to purchase materials using this Request for Proposals in a number of defined areas: adult books; children's and young adult/teen books; audiovisual materials in various formats (mainly DVDs and audiobooks); continuation or standing order materials; automatic shipment plans; and possible other services as available from the vendor.

Important considerations to the Library are the cost of materials, availability of materials, website functionality, collection development tools, ordering efficiency, packaging and receiving requirements, deliver requirements, and level of customer service, including handling of returns.

It is the intent of this Scope of Work to describe the specifications and essential services for the provision of Library Materials to the Library on an as needed basis. The Scope of Work is to be used as a general guide and is not intended to be a complete list of all materials and services necessary to complete the request.

For each of the services specified in the following sections, Customer Services, Selection Tools, Ordering and Order Fulfillment, Invoicing, Standing Orders/Continuations, Cataloging, and Processing, each vendor shall indicate its ability to comply with the specifications of service. Please describe how the vendor fulfills the following requirements:

CUSTOMER SERVICES:

1. The vendor shall designate one customer service representative at the vendor's office and a sales representative to serve as the representative to the Library to respond to questions and feedback about: claims, cancellations, order fulfillment, delivery, invoicing, delays, and any other issues.
2. The vendor shall provide customer service phone numbers and e-mail addresses for primary contacts and service specialists for use by Library staff.
3. The vendor shall respond in a timely manner (within one (1) business day) to all questions and concerns from the Library related to claims, delivery, invoicing, cancellations, etc.
4. The vendor shall provide the Library with:
 - Backorder status report every 30 days.
 - Cancelled titles report every 30 days.
 - A monthly statement of outstanding invoices and credits.
5. The vendor will demonstrate prior successful provision of Library Materials to similar libraries as verified by references.

SELECTION TOOLS:

1. The vendor shall describe provision of a website(s) or comparable resource to the Library with the following features:
 - Multi-user "shopping carts" which serve as a way for the Library staff to select titles and save those titles in lists on the vendor's website or other resource. Shopping carts should be able to be created from scratch or by modifying vendor supplied lists.
 - Unique logins and passwords allowing for individual personalization, with the ability for administrative oversight capabilities to aggregate lists and manage users.

- Bibliographic and marketing information for titles, including release date and inventory and in-stock information.
 - Full text literary reviews from nationally recognized professional sources (such as Publisher's Weekly, Library Journal, School Library Journal, and Booklist) and/or citations which cite the magazines in which literary reviews appear.
 - Flexible and robust searching capabilities including the ability to filter based on format, audience, publication date, and other such search criteria.
 - Describe how your product provides duplicate order checking at the time of materials selection and ordering.
 - Formal and informal training and support of the online tool provided at no additional cost.
2. The vendor should explain any additional costs or user licensing fees associated with this product.

ORDERING AND ORDER FULFILLMENT:

1. The vendor shall support electronic ordering via the vendor's website.
2. The vendor must be willing to provide multiple account numbers to the Library and to sort and ship materials by account number, so each shipment will contain materials for that account number only.
3. The Library requires the fulfillment of back ordered materials within 180 days. If the back ordered materials are not fulfilled within 180 days, such failure shall automatically constitute a cancellation without further notice or action from the Library.
4. The vendor will agree to impose no minimum order per shipping location requirement during the life of this contract.

INVOICING:

1. Invoices shall display titles, ISBN's, individual purchase order numbers, quantities, list prices, the percentage discounted for the list price of each title, and net cost after discount/extended price. The total of cataloging and processing, sales tax, shipping costs, and any other added services, should be provided as separate line items on each invoice. Itemized invoices shall include an invoice number and date of shipment.
2. Two copies of the invoice will be included with shipment.
3. Terms of payment shall be no less than 60 days.

DELIVERY OF ORDERS:

1. Library Materials are to be delivered to: St. Helena Public Library, 1492 Library Lane, Saint Helena, CA 94574.
2. The shipping label on each carton shall include the name of the specific account, the carton number (for example 1 of 4), and shipper's tracking number.
3. All Library Materials must be adequately protected to prevent damage during shipping.
4. Shipping containers, including contents, shall not weigh more than 50 pounds.
5. The vendor should supply up-to-date tracking information for any shipments delivered to the Library.
6. The vendor shall not charge shipping fees that exceed standard USPS or UPS shipping rates.
7. The successful vendor will be expected to ship in-stock items within 72 hours of order submittal.

8. The Library expects to receive items ordered in advance of the publication date at least five (5) working days ahead of the on-sale date when allowed by the publisher.

CREDITS AND RETURNS:

1. The vendor shall provide a mechanism for all claims and returns, including but not limited to, short shipments, incorrect titles supplied, damaged shipments, incorrect processing and/or cataloging.
2. Return policy must be explained in the proposal and any charges associated with returns.
3. The vendor must accept any publisher defective material up to one year and issue full credit with no restocking fee.
4. Credit memos for returned items shall be clearly identified.

STANDING ORDERS/CONTINUATIONS:

1. The vendor must describe any standing order plans available, such as automatic purchase or shipment plans, and the costs for such plans.
2. The vendor shall offer the ability to place standing orders via its website or some similar means. The Library shall be able to place standing orders for new authors/titles, modify quantities of items on order, and cancel standing order author/titles.

CATALOGING:

1. The vendor will preferably be able to provide MARC records that follow national standards of cataloging including AACR2 and RDA that must be available for download into the Library's ILS system.
2. The vendor will preferably be able to provide a 9xx field in each bibliographic record. This field shall be populated with order information, including fund, item price, purchase order number, and order date.

PROCESSING:

1. Books: Supply and apply book-jacketing.
2. Audiovisual materials:
 - Remove shrink-wrap.
 - Supply cases for titles with multiple parts.
3. Price for each type of processing service offered by the vendor should be enumerated.

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
FRIDAY, SEPTEMBER 28, 2018 AT 4:00 PM
 Responses received after this date and time will not be considered.

PROPOSED SCHEDULE FOR THE REVIEW AND SELECTION PROCESS		
MILESTONE	DATE	TIME
Release RFP	August 28, 2018	9:00AM
Question submittal deadline	September 12, 2018	4:00PM
Questions posted on City website (cityofsthelena.org/rfps)	September 18, 2018	5:00PM
Proposal due date	September 28, 2018	4:00PM
Review and scoring of submittals	October 4, 2018	
Interviews w/finalists	TBD	TBD
Award of contract	October 23, 2018	6:00 PM
Execute contract and notice to proceed	October 23, 2018	6:00 PM

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

V. PROPOSAL REQUIREMENTS AND FORMAT

If interested in this RFP, please notify Chris Kreiden by email at chris@shpl.org so you may be added to the notification list for addendums. Failure to notify Ms. Kreiden 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 consultant.

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.

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 Library Materials Vendor and hand-delivered or mailed to:

City of St. Helena
Office of the City Clerk
Attention: Cindy Tzafoopoulos
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 Vendor (25 points)
- Part 3: Understanding of Project Scope (25 points)
- Part 4: Detailed Discounts & Costs of Services (40 points)
- Part 5: 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 name(s) of the principal officers, partners, and staff to be assigned to this project.
2. The mailing address, telephone number, and the name of the main point of contact for the vendor.
3. A summary of the vendor's experience and qualifications and the significant advantages to selecting the vendor.
4. An acknowledgement of receiving any addendum(s) to the RFP document sent out by the City.

PART 2 | EXPERIENCE AND QUALIFICATIONS OF VENDOR (25 POINTS)

Provide detail relating to the experience and qualifications of the vendor, including an organizational chart showing all key personnel who will be assigned to Library staff. Discuss the vendor's financial stability, capacity, and resources. Information describing the vendor's primary business and market focus, including length of time in business, general business history, standing order capability, and amount of stock in inventory for specific library materials.

PART 3 | UNDERSTANDING OF PROJECT SCOPE (25 POINTS)

Provide detail to indicate the vendor's ability to comply with the specifications of service and fulfill the requirements under Scope of Work.

PART 4 | DETAILED DISCOUNTS & COSTS OF SERVICES (40 POINTS)

Provide details on pricing structure and proposed discount of retail prices for all products and services provided by the vendor. Please attach pricing lists. Vendor should outline charges for providing processing and cataloging services.

PART 5 | REFERENCE REVIEW (5 POINTS)

The review team will conduct a background reference review of each respondent. Please include the following information for three (3) references: Name, title, and contact information.

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 vendor 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 Project Manager is Chris Kreiden, Library Director. Any questions concerning the scope of work and the selection process shall be directed to Ms. Kreiden, at chris@shpl.org. Any and all questions and responses concerning this RFP will only be accepted in writing, via email. All questions must be received by September 12, 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 vendor's responsibility to check the website for updates.

4. PUBLIC RECORDS

This RFP document and all submittals in response thereto are public records. Prospective vendors 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.

EXHIBIT A

AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT, made and entered into on [REDACTED], 2018 by and between the City of St. Helena, located in the County of Napa, State of California (City), and [REDACTED] (Consultant).

RECITALS:

A. City desires to employ Consultant to furnish professional services in connection with the project described as [REDACTED].

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 that 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 [REDACTED], 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. Each original invoice furnished shall include the expenses incurred during the preceding month, the cumulative Agreement amount,

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PSA Template 081418

EXHIBIT A

and the amount remaining on the Agreement. 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 Consultant to be paid within 30 days of receipt of invoice. If the City disputes any charges or expenses, the City will return the original invoice 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).

EXHIBIT A

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. 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, environmental engineer or other 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.

EXHIBIT A

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. Consultant'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. 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 affecting the coverage required by these specifications at any time.

SECTION 8 – INDEMNIFICATION

A. To the fullest extent allowed by law (including without limitation California Civil Code Sections 2782 and 2782.8), as may be applicable, 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) (collectively, "Liabilities"), 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.

EXHIBIT A

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, active negligence, or willful acts or misconduct.

E. Duty to Cooperate. Each party shall notify the other party immediately in writing of any claim or damage related to activities or services performed under this Agreement. The parties shall cooperate with each other in the investigation and disposition of all Liabilities arising out of the activities or services under this Agreement.

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 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 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 AND ANTI-FRAUD AND ANTI-CORRUPTION POLICIES

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

EXHIBIT A

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.

C. Consultant understands and acknowledges City maintains an anti-fraud and anti-corruption policy to protect the City, its operations, and its employees from and against financial risks, operational breaches, and unethical, fraudulent and corrupt activities. Consultant represents and warrants that Consultant, its subcontractor(s) / subconsultant(s) and their respective employees providing services pursuant to the Agreement are (1) in good standing; (2) have not been previously investigated, convicted, or debarred for fraudulent or corrupt activities; (3) will not participate in fraudulent or corrupt activities, and (4) will take steps to ensure that its employees and subcontractor(s) / subconsultant(s) employees do not participate in any fraudulent or corrupt activities. Consultant acknowledges and agrees further that it has a duty to and will report to City any information or incident(s) about possible fraudulent or corrupt activities Consultant may discover, and will cooperate in any fraud or corruption investigation conducted, with respect to Consultant's service provided pursuant to this Agreement.

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

EXHIBIT A

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:

EXHIBIT A

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, 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. 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:



EXHIBIT A

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 – ATTORNEYS' 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.

EXHIBIT A

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, or 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 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

EXHIBIT A

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:

City:

By: _____

By: _____

Name: _____

Name: Mark T. Prestwich

Title: _____

Title: City Manager

Approved as to Form:

By: _____

Name: Thomas B. Brown

Title: City Attorney

EXHIBIT A

Exhibit A
“Scope of Services”

Exhibit B
“Compensation”



CITY OF ST. HELENA
St. Helena Public Library

REQUEST FOR PROPOSALS
LIBRARY MATERIALS VENDOR:
ADDENDUM NO. 1

DATE: Thursday, September 13, 2018

Please refer to the above Request for Proposal (RFP) document in your possession and be advised of the following:

1. Questions and Answers

Q1. We can provide DVDs, CDs, books, audiobooks, etc., however we do not provide MARC coding and consultant services. Can we still submit a proposal?

A. Yes.

Q2. Will a vendor be considered for award if they only bid on the book or the audiovisual portion of this contract?

A. Yes.

Q3. What will the possible length of the contract be?

A. The length of the contract will be 3 years with the option of 2 one year extensions.

Q4. Has the City of St. Helena gone out to bid for Library Materials Vendor previously?

A. No.

Q5. Does the materials budget listed in the introduction cover only print and audiovisual materials as covered under this RFP, or also materials outside of the scope of the RFP such as subscriptions?

A. The figure includes materials outside the scope of the RFP, like subscriptions and digital materials.

Q6. Are digital materials such as eBooks and eAudiobooks included under his RFP?

A. No.

Q7. Does the Library purchase materials in languages other than English?

A. Yes, we purchase materials in Spanish.

Q8. Does the Library require a full MARC record for every item ordered?

A. No.

Q9. Does the Library currently catalog their own materials, or do they receive MARC records from their current materials vendor or another source?

A. We receive most of our MARC records from our current vendor. We also acquire records from OCLC and a few are cataloged in-house.

Q10. Does the Library require jacketing for both hardcover and paperback titles?

A. No, just hardcover books.

Q11. For audiovisual materials, are items repackaged in vendor cases only if they have multiple discs?

A. Yes.

Q12. Can the Library provide details on their preferred cases, e.g. brand/supplier, whether locking cases are needed?

A. We do not need locking cases. DVDs are usually left in their original plastic cases. For audiobooks, we currently use cases from WTS Media: 60-VC12SW for items with up to 10 discs and 60-90145 for items with 10 to 20 discs.

Q13. Is any other physical processing needed for either book or audiovisual materials, e.g. spine labels, barcodes, property stamps, theft, RFID?

A. Currently our vendor processing consists of jacketing hardcover books, the removal of shrink-wrap from DVDs, and repackaging of audiobooks. We are interested in pricing for options like spine labels, barcoding, and property stamps. We do not need RFID or anti-theft processing.

Q14. Section V (Proposal Requirement and Format) states the submittal is limited to 20 double-sided pages, plus exhibits and appendices. Is the Cover Letter included in the 20 page limit?

A. Yes.

Q15. Would it be acceptable to include the vendor's full returns policy, category definitions, details on standing order programs as appendices?

A. Yes.

Should you have any questions regarding this addendum please contact Chris Kreiden at chris@shpl.org or (707) 967-2805.

Baker & Taylor's Response to:



CITY OF ST. HELENA

St. Helena Public Library

REQUEST FOR PROPOSALS

LIBRARY MATERIALS VENDOR

CITY OF ST. HELENA OFFICE OF THE CITY CLERK

ATTENTION: CINDY TZAFPOULOS

1480 MAIN STREET

ST. HELENA, CA 94574





September 26, 2018

Ms. Cindy Tzaopoulos
City of St. Helena
Office of the City Clerk
1480 Main Street
St. Helena, CA 94574

PART 1 | COVER LETTER/EXECUTIVE SUMMARY

RE: Request for Proposals for Library Materials Vendor
Due: Friday, September 28, 2018 at 4:00 PM

Dear Ms. Tzaopoulos:

Thank you for allowing Baker & Taylor the opportunity to participate in the City of St. Helena's Request for Proposals for Library Materials Vendor for the St. Helena Public Library. Our attached response follows the format requested, with responses appearing underneath the associated question/declaration as outlined within your instructions.

We have reviewed and fully understand the work to be done for the St. Helena Public Library. We are confident that you will find through our response that we have the experience and the resources to meet the unique requirements of the St. Helena Public Library.

Should you have any questions upon reviewing our response, please feel free to contact me at 800-775-7930, ext. 3135. I will be pleased to answer any questions or to clarify any information.

We look forward to your response to our proposal. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Stefanie Kremer".

Stefanie Kremer
Director, Pricing Services
Baker & Taylor, LLC
2550 W. Tyvola Road, Suite 300
Charlotte, NC 28217
stefanie.kremer@baker-taylor.com

Executive Summary

Baker & Taylor is a leading full-line distributor of books, videos and music products to library facilities. We also provide our customers with value-added proprietary data products and customized management and outsourcing services. We have been in business over 187 years and have developed long-term relationships with our customers and with the major book publishers, movie studios and recording labels.

We ship more than 1 million unique ISBNs (SKUs) annually. We maintain one of the largest combined in-stock book, video and music inventories in the United States with approximately 1 million titles in inventory and over 3.3 million available for order.

Our proprietary database contains detailed, comprehensive, up-to-date information on over 9 million book, video, and music titles. It is currently available to customers on a subscription basis, in user-friendly formats with powerful search capabilities.

1. The name(s) of the principal officers, partners, and staff to be assigned to this project.

Principal officers of Baker & Taylor, LLC include:

Patrick Connolly	President
David Cully	Vice President
Timothy Henrichs	Treasurer
Mark Sproat	Secretary

Key staff members assigned to service the St. Helena Public Library are as follows:

David Hargrave	Vice President, Public Library Sales
Bob Williams	AV Inside Sales Representative
Donna Elam	Customer Service Representative
Cynthia Hoffman	Continuations Services Support Representative
Darion Jackson	Credit Representative

2. The mailing address, telephone number, and the name of the main point of contact for the vendor.

Baker & Taylor's mailing address is 2550 W. Tyvola Road, Suite 300, Charlotte, NC 28217 and our telephone number is 800-775-1800. The Library's primary contact for Sales is provided below. For additional contacts in Customer Service and other areas, please see our organizational chart provided in Part 2.

David Hargrave
Vice President, Public Library Sales, Western Region
David.Hargrave@Baker-Taylor.com
800.775.7930 x1390

3. A summary of the vendor's experience and qualifications and the significant advantages to selecting the vendor.

Baker & Taylor is a leader in the library market because of the wide range of products offered and because of the products and services developed during our decades of service. The oldest book distributor in the United States, B&T has provided economical pricing and excellent services for over 187 years. Our contacts and experience in the library marketplace have enabled us to establish the most comprehensive coverage of materials and range of services in the industry. Please refer to Part 2 of this proposal, where we have provided further details on Baker & Taylor's extensive experience and qualifications as a Library Materials Vendor. Our goal is to address library customers' particular needs, including:

- Online ordering and order confirmation
- Automated or outsourced cataloging services
- Opening day collection preparation
- Continuing collection development and refinement
- Automatic receipt of pre-profiled book titles
- Preparing books for circulation

Baker & Taylor employs over 2,600 people in national and international locations. Our headquarters are located in Charlotte, NC, with operations and distribution centers nationwide, including, Reno, Nevada; Momence, Illinois; Commerce, Georgia and Bridgewater, New Jersey.

4. An acknowledgement of receiving any addendum(s) to the RFP document sent out by the City.

Baker & Taylor acknowledges that we are in receipt of Addendum No. 1, issued by the City on September 13, 2018.

PART 2 | EXPERIENCE AND QUALIFICATIONS OF VENDOR

Baker & Taylor has a long-standing tradition of being the “any book” wholesaler. We are a leading full-line distributor of books and audiovisual products to library facilities, with annual sales of more than 115 million books from over 75,000 publishers and imprints. The oldest book distributor in the United States, B&T has provided economical pricing and excellent services for over 187 years. Our contacts and experience in the library marketplace have enabled us to establish the most comprehensive coverage of materials and range of services in the industry.

Baker & Taylor began in 1828 as a Hartford, Connecticut bindery and subscription book publisher. Founders, David Robinson and B. B. Barber, then opened a bookstore to distribute their own and other publisher's materials. Seven years later, Robinson and Barber moved their rapidly growing business to New York City. In 1885, James S. Baker and Nelson Taylor acquired the company, which was now focused on the distribution of other publisher's materials. In 1912, B&T discontinued publishing altogether and devoted itself entirely to the wholesaling of all types of library materials. In 1970, W.R. Grace & Co. bought Baker & Taylor. During the '70's and '80's, B&T experienced significant growth, increasing our market share and providing greater breadth of services to all consumers and markets.

B&T senior management and the Carlyle Group acquired Baker & Taylor in 1992 and in July of 2003, Willis Stein & Partners acquired Baker & Taylor. In June of 2006, Castle Harlan, Inc. acquired Baker & Taylor. In April of 2016, Follett Corporation acquired Baker & Taylor. Baker & Taylor is headquartered in Charlotte, North Carolina, and operates distribution, technical support, and sales centers worldwide. Our Charlotte location maintains all sales administration, human resources, and finance operations. Book distribution centers are strategically located in Bridgewater, New Jersey; Commerce, Georgia; Momence, Illinois; and Reno, Nevada.

Working with Baker & Taylor will afford the Library the opportunity to collaborate with a team of individuals with many years of library and collection development experience. This team, specially selected for your projects and accounts, represents expertise in cataloging, collection development, service and service implementation.

<i>Project Team Member</i>	<i>Job Description</i>
<i>David Hargrave – Vice President, Public Library Sales, West (Reports to Sr. Vice President, Public Libraries) David.Hargrave@Baker-Taylor.com 800.775.7930 x1390</i>	<i>Dave will oversee service and sales for the Library. Dave is responsible for communicating regularly with direct reports, as well as the contract division, customer services, and operations. In addition, he also maintains contact with customers, consulting on collection development and service issues.</i>
<i>Martin Warzala - Director, Collection Management Services (Reports to VP, Technical Services & Product Development) Martin.Warzala@baker-taylor.com 800 775-3600 x7043</i>	<i>Martin works with the Library to create, implement, and manage a collection development workflow that meets the needs of the library.</i>
<i>Rob Daniels - Director, Standing Order Services Robert.Daniels@Baker-Taylor.com 800 775-3600 x7289</i>	<i>Rob oversees and provides customer services, including customized selection lists, for Continuations and standing order accounts, profiles, orders and fulfillment.</i>

<i>Cynthia Hoffman - Support Representative Cynthia.Hoffman@Baker-Taylor.com 800 775-3600 x7287</i>	<i>Cynthia will provide additional one-on-one support for Continuation Services needs the library may have.</i>
<i>Donna Elam, Customer Service Donna.Elam@Baker-Taylor.com 800 775-7930 x2746</i>	<i>Donna will be the Library's primary customer service point of contact.</i>
<i>Darion Jackson, Credit Representative (Reports to the Director, Customer Financial Services) Darion.Jackson@Baker-Taylor.com 800.340.5370 x 3360</i>	<i>Darion manages inquiries related to outstanding invoices, invoice payments, statements and other credit related functions.</i>
<i>Bob Williams – AV Inside Sales Rep Robert.Williams@baker-taylor.com 800-775-2600 x 5815</i>	<i>Bob will manage any entertainment (Audio Visual) questions or needs the library may have.</i>

Standing order services are available for popular materials via our Automatically Yours programs (author-driven profiles) and for traditional series materials via our Continuation Services program (series profiles).

Our Continuation Services database includes 40,000+ Series representing in excess of 250,000 individual titles. These include numbered and unnumbered monographic series, proceedings, non-subscription serials, sets in progress, selected U.S. government documents, and publications of the United Nations and other international agencies, as distributed in the U.S. Some of our best-selling series include: World Almanac and Book of Facts, Writer's Market, Rand McNally Road Atlas, Physician's Desk Reference, Scott Standard Postage Catalogue, Fodor's Travel Series, Peterson's Guides and Who's Who Directories.

Unlike other vendors in the industry, B&T does not limit your selection of series and titles to a closed listing. B&T offers a wide variety of publishers and has an extensive offering in text, technical and reference series collections. If you are interested in receiving a series which is not in our database, we will contact the appropriate Publisher to determine its availability and establish it for you.

Please see our response in Part 3, Scope of Work, Standing Orders/Continuations for more information on B&T's Continuation Services, Automatically Yours programs and standing order capabilities.

Our national distribution network is comprised of four book and audio visual distribution centers that maintain a combined inventory of over 17.5 million items representing over 1 million unique media and book titles. We supply all categories of materials for all levels of library patrons, including general adult readers, researchers, professionals, and Children and Teens. In addition to items that are stocked in our distribution centers, we maintain a product database that contains over 7 million items. Furthermore, our new VIP program gives access to an additional 800,000 titles with in stock availability and adds to B&T's offering, totaling over 2 million of in stock titles.

Print/Audiobook:

Baker & Taylor's title database currently contains over 6.5 million records and our cataloging database over 5 million records. Our national inventory is over 18 million volumes, including 1 million in-stock titles representing over 75,000 publishers and imprints.

Title inventory includes Adult, Young Adult, and Juvenile selections, Fiction and Non-Fiction, appropriate for any audience or reading level. Choose from popular literature, classic literature, technical editions, reference

editions and more.

DVD/Blu-ray:

Baker & Taylor stocks over 48,000 titles. We stock the industry's widest supply of titles in all viewing categories. In addition to stocking all of the major studio theatrical hit releases, we also have an extensive inventory of instructional, how-to, juvenile, animated, documentary, movie musical, music video, Bollywood, and Spanish language selections. Children's selections are available for popular movie/TV programming as well as educational pieces suitable for K-12 grade student learning.

Music CD:

Baker & Taylor stocks over 50,000 titles. Represented genres include: Latin, Soul, Reggae, Rhythm & Blues, Jazz, Country & Western, Pop, Classical, New Age, Soundtracks, Rap, Hip Hop, Blues, Rock, Alternative, Latin Rock, Blue Grass, Tropical, Norteno, Tejano, Regional Mexican, World Music, Children's Music, Adult Contemporary, Contemporary Christian, Gospel, Folk, Polka, Dance, Holiday, and many more.

PART 3 | UNDERSTANDING OF PROJECT SCOPE

SCOPE OF WORK

The Library expects to purchase materials using this Request for Proposals in a number of defined areas: adult books; children's and young adult/teen books; audiovisual materials in various formats (mainly DVDs and audiobooks); continuation or standing order materials; automatic shipment plans; and possible other services as available from the vendor.

Important considerations to the Library are the cost of materials, availability of materials, website functionality, and collection development tools, ordering efficiency, packaging and receiving requirements, deliver requirements, and level of customer service, including handling of returns.

It is the intent of this Scope of Work to describe the specifications and essential services for the provision of Library Materials to the Library on an as needed basis. The Scope of Work is to be used as a general guide and is not intended to be a complete list of all materials and services necessary to complete the request.

For each of the services specified in the following sections, Customer Services, Selection Tools, Ordering and Order Fulfillment, Invoicing, Standing Orders/Continuations, Cataloging, and Processing, each vendor shall indicate its ability to comply with the specifications of service. Please describe how the vendor fulfills the following requirements:

CUSTOMER SERVICES:

1. The vendor shall designate one customer service representative at the vendor's office and a sales representative to serve as the representative to the Library to respond to questions and feedback about: claims, cancellations, order fulfillment, delivery, invoicing, delays, and any other issues.

Your Customer Service Representative, Donna Elam, is available to provide information and answer any questions. Additionally, David Hargrave, VP, Public Library Sales – Western Region, will assist you on a regional basis to ensure accurate order service and fulfillment.

Our representatives are always pleased to assist you with account issues or questions. Service staff is available 6:30 am to 3:00 pm PST, Monday through Friday.

Online Customer Support (OCS) is available 7 days per week, 24 hours per day. OCS is Baker & Taylor's free web-based account management system. The OCS system's sophisticated search options include the ability to query orders by Purchase Order Number, B&T Number, ISBN, and Order Date Range. You can also view detailed information, including order and account status by purchase order number, warehouse location, quantities and prices, and shipping details for UPS shipments.

Technical Support for Electronic Services

Our Product Support team is available to assist with any questions on Title Source or any other Baker & Taylor service. Staff is available between 6:30 am and 3:00 pm PST Monday through Friday and may be reached by calling (800) 775-3700 or emailing tech.support@baker-taylor.com.

2. The vendor shall provide customer service phone numbers and e-mail addresses for primary contacts and service specialists for use by Library staff.

Customer Service:

Your Customer Service Representative, Donna Elam, can be reached by phone at 1-800-775-1200, extension 2746 or via email at Donna.Elam@baker-taylor.com. David Hargrave, VP, Public Library Sales – Western Region, can be reached by calling 1-800-775-7930, ext. 1240 or emailing David.Hargrave@baker-taylor.com. Your Inside AV Sales Consultant, Bob Williams, is also available to assist with audiovisual orders and questions and can be reached by calling 1-800-775-2600, extension 5818 or emailing Robert.Williams@baker-taylor.com.

As the Library's Customer Service Representatives, these staff members are responsible for account set up and control, order management, and day-to-day activities concerning account profiles. They also maintain daily communication with their customers, sales representatives, and the contract department. These individuals will serve as your initial contact points for any customer service issues.

3. The vendor shall respond in a timely manner (within one (1) business day) to all questions and concerns from the Library related to claims, delivery, invoicing, cancellations, etc.

Baker & Taylor will respond to customer questions or inquiries via email or phone within 24 hours, however, it may take longer than 24 hours to provide resolution to a more complex issue or question.

Baker & Taylor Agrees to respond in a timely manner (within one (1) business day) to all questions and concerns from the Library related to claims, delivery, invoicing, cancellations, etc.

4. The vendor shall provide the Library with:

- Backorder status report every 30 days.
- Cancelled titles report every 30 days.
- A monthly statement of outstanding invoices and credits.

Backordered items will appear on your status report, which will accompany each invoice. Additionally, backorder reports can be provided, per account, upon request. Please contact your Customer Service Representative for additional information.

Continuation Services

As these are automatic shipment accounts, all series items are backordered pending the next series issue. Ship history and "next release" reports may be generated on regular intervals, per timeframes as designated by the Library.

DVD/Music CD

Back order status reports may be generated at scheduled intervals (weekly, monthly, etc.) or upon request. Backorder status is also available on-line via our On-Line Customer Support website (OCS). The status of any firm ordered item may be viewed at any time via our Online Customer Support website (OCS).

Online Customer Support

Online Customer Support (OCS), available via our website www.baker-taylor.com, is Baker & Taylor's free web-based account management system. The OCS system's sophisticated search options include the ability

to query orders by Purchase Order Number, B&T Number, ISBN, and Order Date Range. You can also view detailed information, including order and account status by purchase order number, warehouse location, quantities and prices, and shipping details for UPS shipments. There's even an option that helps you print invoices and order details for your records.

Orders Placed via Title Source

Orders placed electronically via the Title Source will receive an order confirmation within minutes of receipt. Confirmation will detail a status of Confirmed, Backordered, or Cancelled for each line item of the order. As backordered items move through the fulfillment process and are shipped for delivery, the online status maintained in Title Source will update to reflect the activity.

5. The vendor will demonstrate prior successful provision of Library Materials to similar libraries as verified by references.

Please see our references provided in Part 5 – Reference Review.

SELECTION TOOLS:

1. The vendor shall describe provision of a website(s) or comparable resource to the Library with the following features:
 - Multi-user “shopping carts” which serve as a way for the Library staff to select titles and save those titles in lists on the vendor’s website or other resource. Shopping carts should be able to be created from scratch or by modifying vendor supplied lists.
 - Unique logins and passwords allowing for individual personalization, with the ability for administrative oversight capabilities to aggregate lists and manage users.
 - Bibliographic and marketing information for titles, including release date and inventory and in-stock information.
 - Full text literary reviews from nationally recognized professional sources (such as Publisher’s Weekly, Library Journal, School Library Journal, and Booklist) and/or citations which cite the magazines in which literary reviews appear.
 - Flexible and robust searching capabilities including the ability to filter based on format, audience, publication date, and other such search criteria.
 - Describe how your product provides duplicate order checking at the time of materials selection and ordering.
 - Formal and informal training and support of the online tool provided at no additional cost.

Baker & Taylor’s Title Source 360™ website is a revolutionary way to order product from one trusted source. Through the latest innovative technology, Title Source 360™ provides users with fast, accurate and personalized search results, and makes ordering easier than ever. Find the products you need and order them quickly and easily with a streamlined checkout process all online at ts360.baker-taylor.com.

Baker & Taylor’s Title Source 360™ is the most extensive database of bibliographic acquisitions information for U.S. publications. This subscription database includes book, e-book, spoken word audio, DVD, and music CD titles. Each record gives current print status (i.e. Not-Yet-Published, Out-of-Print), in-stock availability, latest list price, and the Library’s estimated discounted price. Title information is updated daily.

Title Source 360™ Benefits:

- Largest database of book titles and media products
- Fast, customized search results based on prior searches or user profile
- Intuitive interface
- Inventory view and title searching within cart
- Product release calendar
- Special offers and promotions
- Live customer support
- Customized profiles
- Streamlined order management
- Simple batch entry upload and ordering process

Title Source 360™ makes it faster and easier to order books, movies or music products — now you can have millions of products at your fingertips with one easy-to-use ordering system.

Customized Search and Browse Capabilities

Title Source 360™ enhanced search capabilities include type-ahead and spell-checking to aid in your search.

Wealth of data at your fingertips

Each view provides publisher/producer status, inventory level, estimated discounted price, and cart and order duplication indication— without a single click of a button.

Enhanced MARC profiler

This feature makes integration with your ILS easy and efficient. Output customized, best available, MARC records with your required ILS data including, but not limited to, notes, location codes, fund codes, and collection codes, to create on-order records. On-order records can be used in the acquisitions process and to enable patrons to place holds on pre-pub titles.

Easy Cart Management

The innovative cart drawer is easily accessible on every page, so you can keep your lists and carts organized. Choose from multiple batch entry options: basic data entry, copy and paste and file import—multiple formats are supported.

Innovative Shared Cart Workflow

Share your cart with multiple users and control each step of the process, including selecting who can perform which function and assigning completion deadlines.

The Title Source 360™ database contains detailed, comprehensive, up-to-date information on over 8 million book titles, 200,000 DVD titles, and 750,000 music titles. Data elements also include: 45 key search indices (including LC and Dewey classes), eleven filter criteria (including stock status, publication date, binding, format, and grade level), and duplicate checking between orders and selection carts.

Key Features of Title Source 360™ are:

- Updated daily to insure accurate and current information, including in-stock titles, pre-publication, and new release titles

- Real-time inventory data
- Rich bibliographic information, including over 4.8 million jacket images in full color, first chapters, annotations, tables of contents, as well as standard bibliographic data such as author, ISBN, price, publisher/producer, and publication
- Fully searchable Tables of Contents (1,300,000) and Annotations (4.1 Million). Approximately 1.2 million full-text reviews, including Kirkus, Library Journal, Publishers Weekly, School Library Journal, Horn Book, Choice, VOYA, BookPage, BookList, Foreword, AudioFile and E-Streams
- Automatically access titles by review publication date
- Over 45 search indices, including BISAC, LC and Dewey classes
- Create, merge, copy, export and transfer selection carts. Carts can even be emailed to other users
- Download MARC records into your ILS system with 9XX tags
- Duplicate checking between orders and selection carts
- Ordering grid capabilities for the library to track multiple branch distribution of title copies as well as three other user defined fields
- Order grid information may be downloaded to the library's ILS system for ordering and/or transmitted in the electronic order file sent from Title Source 360™
- Access to Lease Pre-publication lists and Quick Call
- Access to lookup ISBN's in library OPAC with one click
- Administrator determines levels of access for user IDs

Shared Cart Functionality:

- Simultaneous Access to or Sharing of a single cart by multiple users within single Title Source 360™ account.
- Enhanced Duplicate Checking allows a user to perform a duplicate check for a single title before and/or after placing the title in the cart. Those customers using our Grid Distribution system will see appropriate Grid information displayed in the printable popup window alongside previously provided duplicate information.
- An Inline Grid Distribution Table is incorporated within the Detailed Title Display to give users the ability to enter multiple rows without having to go to a separate grid screen. It is also available as a popup read-only window for shared grid carts.
- A Requisition Table for shared non-grid carts displays the requisition information supplied by all users and is viewable within the Detailed Title Display or from a popup window when using the Multiple Title Display. Information collected and displayed for each user includes: quantity, notes, and any Grid entries.

- Administrators and Cart Owners can find and replace Grid entries that may be obsolete.

System Requirements:

- Internet Explorer (version 5.0 or higher)
- An internet connection (56K or higher recommended)

Title Source 360™ is designed to support library workflows, and is integrated with Baker & Taylor's collection development service FirstLook™ and your integrated library system (ILS).

2. The vendor should explain any additional costs or user licensing fees associated with this product.

As part of Baker & Taylor's comprehensive proposal, we are pleased to offer a Title Source 360™ package to the Library Free of Charge. This configuration will include an Administrative ID with one additional user id and full text reviews (excluding BookList and Choice).

ORDERING AND ORDER FULFILLMENT:

1. The vendor shall support electronic ordering via the vendor's website.

The library may place orders via telephone, facsimile, printed selection lists, printed purchase orders, or electronically for all categories of materials. Electronically includes the library's acquisition system as well as Baker & Taylor's TitleSource 360™ database. Via TitleSource 360™ the library can see real time inventory.

Baker & Taylor can also receive FTP Enriched EDIFACT orders for books, spoken word audio, Music CD, DVD and Blu-Ray orders.

2. The vendor must be willing to provide multiple account numbers to the Library and to sort and ship materials by account number, so each shipment will contain materials for that account number only.

Baker & Taylor will create account numbers as necessary in response to the library needs with no limit on the number of accounts. We will also sort and ship materials by account number, so each shipment will contain materials for that account number only. Each carton in a shipment is numbered, and the final carton also indicates total carton count (e.g. 1, 2, 3, and 4 of 4).

3. The Library requires the fulfillment of back ordered materials within 180 days. If the back ordered materials are not fulfilled within 180 days, such failure shall automatically constitute a cancellation without further notice or action from the Library.

Baker & Taylor will comply with the Library request for a 180 day backorder period. All orders not received within the backorder period will be automatically cancelled per your request.

4. The vendor will agree to impose no minimum order per shipping location requirement during the life of this contract.

Baker & Taylor will comply.

INVOICING:

1. Invoices shall display titles, ISBN's, individual purchase order numbers, quantities, list prices, the percentage discounted for the list price of each title, and net cost after discount/extended price. The total of cataloging and processing, sales tax, shipping costs, and any other added services, should be provided as separate line items on each invoice. Itemized invoices shall include an invoice number and date of shipment.

Baker & Taylor's book invoices include the invoice number, invoice date, account number, "bill to" name and address, "ship to" name and address, purchase order number for each title, reference/link to packing slip [ATS number], title/author, binding, ISBN, quantity, list price, discount, net price, net total cost after discount, and total invoice amount. The library may choose the order in which books appear on the invoice: by purchase order and then alphabetically by title or, if the library chooses, in the same order as the original purchase order, or author, or publisher. Baker & Taylor's ATS number (authorization to ship) is included on each invoice and packing slip and will allow the library to match the packing slips to invoices.

Audio Visual invoices will list the account number, purchase order number, quantity, title, producer's list price, discount, extended price, and total price. Processing and cataloging charges will also be listed. Titles can be listed by purchase order, artist, title or item number. The invoice number is listed on both the invoice and the packing list. In addition, Baker & Taylor's ATS number (authorization to ship) is included on each invoice and packing slip and will allow the library to match the packing slips to invoices.

Please see Exhibit F for a sample invoice.

2. Two copies of the invoice will be included with shipment.

Baker & Taylor will include two copies of the invoice with each shipment.

3. Terms of payment shall be no less than 60 days.

Baker & Taylor will comply. Payment terms will be net 60 days from the date of invoice. Ownership transfer and invoicing will occur on the date cataloging and processing is completed and the materials are shipped.

DELIVERY OF ORDERS:

1. Library Materials are to be delivered to: St. Helena Public Library, 1492 Library Lane, Saint Helena, CA 94574.

Baker & Taylor will comply.

2. The shipping label on each carton shall include the name of the specific account, the carton number (for example 1 of 4), and shipper's tracking number.

Baker & Taylor's enhanced shipping label includes the pack date, freight carrier, purchase order number, account name and full address with Attn: lines, account number, B&T picklist number, carton number and individual carton weight. Each carton in a shipment is numbered, and the final carton also indicates total carton count (e.g. 1, 2, 3, and 4 of 4).

3. All Library Materials must be adequately protected to prevent damage during shipping.

Items are packaged securely to protect against any damage, dirt, or moisture and are boxed in new cartons, to protect against any damage during shipment. Should damage occur, Baker & Taylor will accept the return of items that are damaged, defective, or incorrectly shipped. Please see the enclosed Returns Policies (Exhibit E) for further details on credits and returns.

4. Shipping containers, including contents, shall not weigh more than 50 pounds.

Baker & Taylor will comply.

5. The vendor should supply up-to-date tracking information for any shipments delivered to the Library.

The Library can view detailed information on order and account status, warehouse location, quantities and prices, and shipping details. If a shipping carrier, such as UPS, has external tracking capabilities, a link in the OCS system will take the Library directly to the carrier's website where additional information on your shipment's status is available. There is even an option that helps the Library to print invoices and order details for record keeping.

6. The vendor shall not charge shipping fees that exceed standard USPS or UPS shipping rates.

Orders will be delivered FOB Destination, with Free Shipping from your primary service center in Reno, NV.

Staff accounts (for personal use) are available; orders for these accounts will be taxed appropriately and will be invoiced for any shipping costs.

7. The successful vendor will be expected to ship in-stock items within 72 hours of order submittal.

Baker & Taylor will ship in-stock items within 72 hours of orders that are non-processed or have Mylar jackets. Processed material will be shipped 6-8 days from receipt of order.

8. The Library expects to receive items ordered in advance of the publication date at least five (5) working days ahead of the on-sale date when allowed by the publisher.

Baker & Taylor can provide current, high demand, new release titles to the Library on or before street date. This means that the Library will have these popular titles on their shelves and ready to circulate as soon as they are available.

Street Date Receipt for Bestseller Material

Baker & Taylor's pre-publication ordering program accepts early orders for highly anticipated, high-demand titles and delivers the titles on or before the general release date (street date). Pre-publication orders are backordered on your account and stock is then reserved for your order.

In order to receive these titles prior to street date, please place orders at least 5 weeks prior to the scheduled publication date.

Popular Titles Ordered in Advance of Street Date

Baker & Taylor abides by all the rules and regulations as set forth in the manufacturing industry. Baker & Taylor

will work with our operations team to ensure bestsellers/popular new titles are released in our system as soon as possible based on manufacturer/producer guidelines. Once titles are released in our system, we will catalog and process materials and ship to the library prior to street date.

CREDITS AND RETURNS:

1. The vendor shall provide a mechanism for all claims and returns, including but not limited to, short shipments, incorrect titles supplied, damaged shipments, incorrect processing and/or cataloging.

Baker & Taylor will comply. Please see attached Returns Policies included as Exhibit E.

2. Return policy must be explained in the proposal and any charges associated with returns.

Baker & Taylor will comply. There are no charges associated with returns. Please see attached Returns Policies included as Exhibit E.

3. The vendor must accept any publisher defective material up to one year and issue full credit with no restocking fee.

Baker & Taylor will comply. Our standard policy is to accept publisher defective material for up to six months but we will extend this timeframe to accept publisher defective material for the St. Helena Public Library for up to one year. Please see attached Returns Policies included as Exhibit E.

4. Credit memos for returned items shall be clearly identified.

Baker & Taylor will accept the authorized return of items that are damaged, defective, incorrectly processed, or incorrectly shipped. Please see the enclosed returns policy, Exhibit E, for further details on credits and returns. To make a return, simply contact your Customer Service Representative within the time period specified to obtain an authorization number for your return. Once the authorization has been obtained, the library can either have a no charge replacement shipped to the library, or may have the credit applied to the invoice in question. Please see the enclosed sample credit memo, Exhibit G, for reference.

STANDING ORDERS/CONTINUATIONS:

1. The vendor must describe any standing order plans available, such as automatic purchase or shipment plans, and the costs for such plans.
2. The vendor shall offer the ability to place standing orders via its website or some similar means. The Library shall be able to place standing orders for new authors/titles, modify quantities of items on order, and cancel standing order author/titles.

Automatically Yours

Baker & Taylor's Automatically Yours, a free author-based or series-based standing order program, delivers the latest publications right to your door. Select your favorite authors or series, and Baker & Taylor will send the latest titles, as soon as they are released. Additional details and plan brochures are available on our website at www.baker-taylor.com/ay, under Public Library Programs. Firm Order discounts (provided in Exhibit B) will apply.

Our buying department promptly places orders with Publishers 5-6 months prior to publication date to ensure that our library customers automatically receive their standing order titles in a timely manner. Monthly backorder confirmation reports are transmitted to alert our customers of forthcoming titles.

Automatically Yours has several different programs to choose from:

- Popular Adult Fiction Authors– featuring over 1,200+ fiction authors
- Popular Adult Fiction Authors eBooks- featuring 250+ fiction authors
- Popular Adult Non-Fiction authors- featuring 200+ non-fiction authors
- B&T CATS Authors/Illustrators – featuring over 900 of the most popular children and young adult authors, both fiction and non-fiction.
- B&T CATS Series- 3500+ popular children’s and teen’s series
- CATS Awards – over 80 different domestic and international awards and honors
- Spoken Word Audio- CD-1000+ Popular Adult Fiction Authors
- Spoken Word Audio- Digital Download- featuring 100 Popular Adult Fiction authors
- Large Print Popular Adult Fiction Authors -- over 1,100 authors
- Nonfiction Series
- Mass Market Series
- Book Club Plans
- Inspirational Authors – Offers over 250 authors to choose
- Graphic Novels - Available for Adult and Teen titles. Choose from more than 500 series.

Coming in 2018, Baker & Taylor will be implementing a new standing order module to TitleSource 360™ where libraries can easily view and manage all of their Continuations series and Automatically Yours popular series, authors, and award winners on standing order. This automated acquisitions update will streamline and increase the speed of the material ordering process.

With the dramatic rise in video demand, Baker & Taylor offers the following Automatically Yours DVD Standing Order Programs.

- Adult & TV Automatically Yours DVD Standing Order
- CATS (Children’s And Teen Services) DVD Series Standing Order
- Box Office Hits Standing Order

Continuation Services & Standing Order Programs:

Since 1958, Baker & Taylor has been servicing over 6,000 public, academic and school libraries worldwide with our Continuation Services program. Baker & Taylor has extensive knowledge and experience in this area and offers the most comprehensive program available in the industry. This economical and efficient service enables librarians to select the titles they need on a standing order basis, order from a single source, and manage costs and collections with precise reports. Our commitment to customers is to regularly monitor 40,000+ Series offerings from 14,000+ Publishers to identify, order and ship titles in a timely and efficient manner. The Continuation Services department employs a group of experienced Research Analysts whose primary function is to review publisher catalogs, web sites and trade journals to identify current and forthcoming issues contained in our Series offerings. With over 80 years of collective experience in the industry, their mission is to keep our comprehensive series/title database current, accurate and complete. Our seasoned buying department promptly places orders with Publishers 3-6 months prior to publication date to ensure that our Continuation’s customers automatically receive their standing order titles in a timely manner.

Discounts for continuations materials are provided in Exhibit B.

Only Baker & Taylor can provide ALL of the following standing order services to the library:

- Access to a 40,000+ Series/title database
- 14,000+ publishers monitored
- Free Price Quotation Service
- Alternate-year cycling
- Pre-Payment Incentive Plan
- Free Comprehensive Management Reports
- Customized Subject Selection Lists
- Processing components (Value-added services)
- Series & Title Status reports delivered electronically
- Navigator (quarterly publication of Continuations titles)
- Customer access to database via the World Wide Web: <http://compass.btol.com>
- Free Account Transfer Service
- Publisher flyer mailings announcing “new & noteworthy” Series
- And much more

Baker & Taylor Continuation Services Support Center

Over the years, Baker & Taylor Continuation Services has added many new tools and services to meet the ever-changing needs of the libraries we serve. In October 2003, we formed a new team dedicated to providing libraries with tools and services designed to help in the analysis of their standing order reference collections.

Librarians are busier than ever and are constantly inundated with information. They’re faced with tighter budgets, fewer staff, and ever-increasing demands for time and information. We fully recognize that our customers need to be aware of essential series offerings that can help better serve their patrons. The Support Center representatives will supplement the relationships our customers already have with their Field Sales Consultants and Continuation Services Customer Account Representatives, by keeping customers informed of important Continuations products and services.

The Support Center team utilizes a variety of resources, including series analysis reports, customized series selection lists, electronic and phone communication, to build and maintain a bond with our Continuations customers. Personalized, direct communications give our library customers the specific information they need.

Not only can our Support staff analyze your currently profiled series, but they can also provide specialized selection lists for your review. The following is just a sampling of series selection lists, which are currently available upon request: Top 100, Essential Reference, Medical Reference, Travel, Test Preparation, State-specific series, Antiques & Collectibles, Publisher-specific series, and many more.

Title Transfer Service

Baker & Taylor will handle time-consuming account transfer tasks and will work closely with the library to ensure that specific needs are met. Baker & Taylor will forward:

- Cancellation notices to applicable Publishers/Vendors

- The library will receive both the original notice sent on the libraries behalf by Baker & Taylor, as well as the returned original cancellation confirmation from the applicable Publishers/Vendors
- Additional follow-up requests are sent to Publishers/Vendors if cancellations are not confirmed
- Upon receipt of confirmations Baker & Taylor will confirm series start dates with the library to avoid possible duplication

The library will supply the following:

- Sufficient letterhead and envelopes
- Contact name and title of individual who will be responsible to work with Baker & Taylor in the account transfer process
- A list of titles to be cancelled
- Publishers/Vendors information including: Name, address, contact name, account number and, if possible, the last issue received from Publishers/Vendors

Once the account transfer service is in process, the library must refuse standing order shipments from Publishers/Vendors based on a Baker & Taylor designated date. Once Publishers/Vendors confirm cancellation, only then, will the titles be added to the libraries' profile starting with the next edition to be published. Baker & Taylor has procedures in place to make your transition as easy as possible and to avoid any duplication. In the unlikely event duplicates are received, Baker & Taylor will be flexible with its cancellation/returns policy within the first few months of the transition.

Note: All titles that are cancelled will be added to the libraries' profile

Series

Our Continuation Services database includes 40,000+ Series representing in excess of 250,000 individual titles. These include numbered and unnumbered monographic series, proceedings, non-subscription serials, sets in progress, selected U.S. government documents, and publications of the United Nations, and other international agencies as distributed in the U.S. Some of our best-selling series include: World Almanac and Book of facts, J K Lesser's income tax guide, Guinness world records, writer's marker, and McNally Road Atlas, Kevel's antiques and collectibles price guide, physicians' desk reference, chase's calendar of events, time Almanac, Peterson's guides, Fodor's travel guides, and Scott standard postage stamp catalogues.

Unlike other vendors in the industry, B&T does not limit your selection of series and titles to a closed listing. B&T offers series from a wide variety of publishers and has an extensive offering in text, technical and reference series collections. If you are interested in receiving a series, which is not in our database, we will contact the appropriate Publisher to determine its availability and establish it for you.

Compass

Compass enables the library to access our Continuations database and program online. Using Compass, librarians can now reduce time consuming phone calls and paperwork by modifying profiles, creating bibliographic searches, submitting claims, and developing management reports on-line, 24-hours a day.

The benefits of this system include:

- View/modify your CS profile on-line. Subscribers can make title changes, add series, or review pending shipments at their convenience.
- Access to Enriched Series/title database containing over 250,000+ titles. Search options include: ISBN, title, publisher, author, editor, subject categories, and more.

- On-line claims and new series request service - Now, claiming a specific issue or requesting new series is only a mouse-click away. Our program specialists will constantly monitor submitted claims and provide daily updates, so subscribers can make informed decisions.
- Alphabetical search function which enables a user to easily navigate through their profiled series based on the first letter of a Series title.
- A print profile feature allows a user to print or view a complete list of their profiled series from their own personal computer.
- Pop-up messages to keep users informed every step of the way, as they make modifications to their profile.
- A detailed Compass user's manual which can be accessed directly from the website.
- A direct hyperlink to a dedicated Customer Account Representative who will be able to answer questions, process requests, and research claims.
- On demand collection analysis which offers analysis of current library collection and recommends series of interest in subject matter where the library may need to enhance their collection.
- Compass displays all available issues within a specific series – now the Library can complete incomplete sets, find missing back issues, or order extra copies of an issue in a popular series with just a few keystrokes.

Compass has been designed to be quick and easy-to-use. Baker & Taylor has not employed any complex graphics, which can delay download time. The “point and click” interface means that information is never more than a text box away, with no complex commands to remember or difficult menus to navigate. The entire library staff will be able to use Compass without the need for time-consuming training sessions or complicated user manuals.

Title Notification Services for Continuations

In addition to our traditional standing order services, all Baker & Taylor Automatically Yours popular authors and series and Continuations non-fiction serials and series are eligible for our new title notification service. New titles from authors and series on your profiles can be delivered as carts to designated TitleSource 360™ users at the library.

CATALOGING:

1. The vendor will preferably be able to provide MARC records that follow national standards of cataloging including AACR2 and RDA that must be available for download into the Library's ILS system.

Baker & Taylor will comply. All cataloging follows the specifications endorsed and enacted by the Library of Congress as of the date of record creation. Presently, this is RDA. We do not retrospectively update records; records are maintained in the form and format as originally created.

2. The vendor will preferably be able to provide a 9xx field in each bibliographic record. This field shall be populated with order information, including fund, item price, purchase order number, and order date.

Baker & Taylor will comply. Baker & Taylor can support enriched EDI ordering with the Library's CARL.X system. As an alternative, this information may also be passed to B&T via orders using our Title Source website.

PROCESSING:

1. Books: Supply and apply book-jacketing.

Baker & Taylor will comply. Please see Exhibit A for further details and pricing for Baker & Taylor's cataloging and processing services.

2. Audiovisual materials:
 - Remove shrink-wrap.
 - Supply cases for titles with multiple parts.

Baker & Taylor will comply. Please see Exhibit A for further details and pricing for Baker & Taylor's cataloging and processing services.

3. Price for each type of processing service offered by the vendor should be enumerated.

Baker & Taylor offers a comprehensive range of processing/cataloging services for the shelf-ready preparation of book, spoken word audio CD, DVD, Blu-ray, and music CD product through techXpress. This service provides cataloging and processing solutions and service levels designed to accommodate every need. Our techXpress services will provide MARC and a printed spine label for any title with an existing record in our cataloging database. Please see Exhibit A for details and pricing for Baker & Taylor's cataloging and processing services.

PART 4 | DETAILED DISCOUNTS & COSTS OF SERVICES

Baker & Taylor is pleased to outline discount terms and conditions of sale for the St. Helena Public Library. Your proposed discount terms and pricing for value added services for print and audiovisual materials are outlined on the following pages in Baker & Taylor's Exhibits A and B.

The discounts extended to the library by Baker & Taylor will remain firm throughout the contract period, however, publishers' list prices are subject to change without notice. Your discount will be applied to the publisher's list price at the time of shipment. Please refer to Exhibit B for additional discount information.

"Baker & Taylor's Enhanced Services Program" (Exhibit C) describes in detail a valuable service that will save time and money when procuring titles from small and hard to find publishers. By utilizing B&T's vast publisher and title database, the Library can purchase a wide variety of low demand and small print run titles from associations and limited edition, prepayment, and non-returnable publishers. These titles will be invoiced at list price plus a \$4.95 per unit surcharge.

Further, Baker & Taylor has provided a listing of category types and their definitions (Exhibit D). The category number will match the discount categories (and number) as stated on the Terms and Conditions of Sale. This will clarify what criteria are used to classify a particular binding category and how it relates to the discounts offered.

PART 5 | REFERENCE REVIEW

Baker & Taylor is pleased to provide the following references per your request:

Paul Rojas
Library Director
HAYWARD PUBLIC LIBRARY
835 C St.
Hayward, CA 94541
hplbookbuyer@hayward-ca.gov
(510) 293-8685

Sandre Cunha
Technical Services Manager
MONTEREY PUBLIC LIBRARY
625 Pacific Street
Monterey, CA 93940
cunha@monterey.org
(831) 646-3740

Anissa Malady
Technical Services Manager
SOUTH SAN FRANCISCO PUBLIC LIBRARY
840 West Orange Avenue
South San Francisco, CA 94080
malady@plsinfo.org
(650) 829-3860

VI. | PROPOSAL TERMS AND CONDITIONS

8. PROFESSIONAL SERVICES AGREEMENT

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

Response to Exhibit A – Agreement for Professional Services

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.
- 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, environmental engineer or other professional engineer, or land surveyor ("design professional"), Consultant shall maintain at least \$2,000,000 of professional liability insurance.

Due to the nature of services we provide, this coverage is not applicable.

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.

We respectfully request to remove this section (Item F), as policy deductibles will have no impact on the Library or on the City when there is a claim.

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.

For Section G, Item 1, we respectfully request this verbiage be added:

1. The City, its agent, officers, officials, employees, and volunteers are to be covered as additional insured **by blanket endorsement** 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.

H. Waiver of Subrogation. Consultant'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. 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 affecting the coverage required by these specifications at any time.

We request to remove the following, as all evidence of required coverage is detailed on the Certificate of Insurance:

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. To the fullest extent allowed by law (including without limitation California Civil Code Sections 2782 and 2782.8), as may be applicable, 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) (collectively, “Liabilities”), 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, active negligence, or willful acts or misconduct.

E. Duty to Cooperate. Each party shall notify the other party immediately in writing of any claim or damage related to activities or services performed under this Agreement. The parties shall cooperate with each other in the investigation and disposition of all Liabilities arising out of the activities or services under this Agreement.

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.

City of St. Helena agrees to allow Baker & Taylor to handle the defense and settlement of any third party claims covered by section 8. Regarding any other claims under section 8, Baker & Taylor will be responsible for actual, out-of-pocket expenses incurred by City, but not indirect, consequential, incidental, or punitive damages. Baker & Taylor will not have any responsibility for any claims due to causes beyond Baker & Taylor’s reasonable control notwithstanding the foregoing, the aforementioned indemnification obligations shall not apply to any knowing or negligent acts of the City or Owner.

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.

Upon award of this RFP by the St. Helena Public Library to Baker & Taylor, this entire response document submitted by Baker & Taylor and the RFP Document submitted by the St. Helena Public Library will become part of the contract agreement between the two parties.

EXHIBIT A
PRICING PROPOSAL

TechXpress Services
Book Material Cataloging/Processing Pricing for the St. Helena Public Library

Baker & Taylor is pleased to offer the following discounted prices for our book processing services to the St. Helena Public Library (standard, TechXpress services):

Mylar Jacket (glued) and a spine label	\$0.77/unit
Mylar Jacket (taped) and a spine label	\$0.77/unit
Mylar Jacket (Loose)	\$0.60/unit
Mylar Jacket (Glued)	\$0.67/unit
Mylar Jacket (Taped)	\$0.67/unit
Spine Label	\$0.18/label
B&T Barcode	\$0.18/label
Book Pocket and Insert	\$0.20/unit
Ownership Label	\$0.18/label
Customer Supplied Stamp	\$0.12/location
MARC Record (for any title with an existing record in our cataloging database)	\$0.35/record
Theft Detection (3M or Checkpoint)	\$0.55/unit
RFID application (library supplied tag)	\$0.18/tag
RFID application (B&T Supplied tag)	\$0.25/tag
RFID Linking	\$0.30/tag
Cover Lamination (10 mil Clear Poly paperback cover reinforcement)	\$1.99/unit
Processing of Spoken Word Books (includes case, publisher art inserted into the case)	\$3.99/unit
Digital Media Processing of Spoken Word Books (includes digitally scanned publisher art inserted in an Eco-Case with Library identification Label)	\$5.49/unit*

* Due to publisher restriction, digitally scanned artwork is not available for Blackstone Audio product.

Many other services are available; please contact your Sales Consultant for assistance with price information.

EXHIBIT A
PRICING PROPOSAL

A/V Cataloging and Processing

Baker & Taylor is pleased to offer the following prices for our A/V processing services to the St. Helena Public Library (standard, TechXpress services):

Removal of shrink-wrap and security strips	\$.55/unit
Digital Media Processing (single disc releases) Includes removal of shrink-wrap and security devices, re-package in upgraded case, insertion of scanned publisher artwork, and two embedded labels	\$ 1.69/unit
DVD/Blu-ray bundles (multi disc sets) Includes removal of vendor shrink-wrap and security devices, re-package in upgraded DVD / BD cases as appropriate, the insertion of scanned vendor cover artwork (includes two embedded labels per cover) and the editing/removal of incorrect format info from cover front. Additional component charges as noted below:	\$3.35/bundle
Additional Embedded Labels	\$.15/label
Hand Applied Labels	\$.15/label

EXHIBIT B

Baker & Taylor, LLC
Discount Terms and Conditions of Sale (Print Material, Spoken Word Audio, & Continuations)
St. Helena Public Library

Baker & Taylor, LLC is pleased to offer the discount terms and conditions listed below.

Product Category	Category Definition (a)	Price Indicator	Discount
I.	Adult Trade Hardcover Editions (Popular Fiction & Non-Fiction, and may include some spoken word audio)	0 - (zero) (Hardcover Trade Editions) C - (Hardcover Computer Books)	45.5%
II.	Juvenile Trade Hardcover Editions (Popular Fiction & Non-Fiction)	J	45.5%
III.	Adult Quality Paperback Editions (Popular Fiction & Non-Fiction)	B - (Paperback Trade Editions) C - (Paperback Computer Books)	40.5%
IV.	Juvenile Quality Paperback Editions (Popular Fiction & Non-Fiction)	G	40.5%
V.	Mass Market Paperback Editions	P	40.5%
VI.	Single Edition Reinforced (Juvenile)	R	35.0%
VII.	Publisher's Library Edition (Juvenile)	Z	21.0%
VIII.	University Press Trade Editions (may be of any binding and include some spoken word audio)	A	10.0%
IX.	Text, Technical, Reference, Professional Medical, Small Press, some University Press titles (excluding University Press Trade Editions) and/or Titles of Limited Demand (may be of any binding and include some spoken word audio)	S/X/N - (Text, Technical, or Reference Editions) L - (Hardcover Editions from Small Press and Hardcover Titles of Limited Demand—primarily Adult) 7 - (Hardcover Titles of Limited Demand—primarily Juvenile) M - (Paperback Editions from Small Press and Paperback Titles of Limited Demand—primarily Adult) 1 - (Paperback Titles of Limited Demand—primarily Juvenile) T/U/V/W/4/Letter O - (Specialty Textbooks)	S = 10.0% X = 10.0% N = 0.0%(b) L = 10.0% (c)(d) 7 = 35.0% (d) M = 10.0% (c)(d) 1 = 35.0% (d) T = 0.0% U = 0.0% V = 0.0% W = 0.0% 4 = 10.0% Letter O = 10.0% 5 = 0.0% 6 = 10.0% 8 = 10.0%
X.	Imported English and Non-English Language Editions	F/K/3	F = 0.0% K = 10.0% 3 = 0.0%
XI.	Enhanced Service Program	Y / Q	0.0 % + \$4.95/unit (e)
XII.	Spoken Word Audio	H	45.5%
XIII.	Board Books	I	35.0%
XIV.	Novelty Items/Activity Books	I	35.0%
XV.	Special Programs, such as: - Paw Prints and Follett Bound Editions - Turtleback Editions - Playaway Audio Editions	D E All Playaway Audio editions	D = 0.0% E = 0.0% 25.0%

- (a) Please see Exhibit D for full category definitions, which are attached hereto and incorporated herein by reference. Materials produced for TextStream print-on-demand services may fall into any category.
- (b) Titles which receive minimal publisher discount will be invoiced at publisher's list price.
- (c) Represents publishers with limited sales volume, based upon a semi-annual review. These titles may be of any binding type or publisher of origin.
- (d) Represents individual titles which do not qualify for preferred stock status (based upon a quarterly review) and individual titles which qualify for preferred stock status, but have limited demand (calculated over a rolling 12 month period). These titles may be of any binding type or publisher of origin.
- (e) Titles where Baker & Taylor receives no discount from the publisher or prepayment is required by the publisher or publishers whose titles have limited demand and/or non-commercial publishers will be invoiced at list price plus \$4.95/unit service charge.

EXHIBIT BTERMS AND CONDITIONS OF SALE – AUDIO VISUAL MATERIAL

Please refer to the following Terms and Conditions of Sale for the discounts offered to the St. Helena Public Library for **Audio Visual Material**.

Media Type	Price Range	Discount off Current Producer's List Price
DVD/Blu-Ray	Any Price	28.5%*
Music CD	Any Price	26.0%*

List prices used for calculating discounts are manufacturers' current, suggested list prices, where available. Where no list price is supplied by the manufacturer, a list price will be assigned by Baker & Taylor.

*AV titles with minimal discount or supplier restrictions or titles from small, specialty vendors will be invoiced at Manufacturers Suggested Retail Price.

EXHIBIT B

Baker & Taylor, LLC
Discount Terms and Conditions of Sale

Also, please note that:

- Publisher's list price is subject to change without notice.
 - Except where otherwise noted, book discounts are applied to current publisher's list price at the time of shipment.
 - Baker & Taylor reserves the sole right to be the final determinant of product categories, category definitions and price indicators. The discounts vary based on this determination.
 - Titles are categorized by Baker & Taylor for pricing purposes by considering the binding, general marketing categories, demand for certain titles, preferred stock status, cost of acquisition, cost of distribution, and the size or type of publisher, as well as factors related to relationships with publishers such as shipping terms, payment terms, publisher's discount, returnability to publishers and other factors.
 - Product categories, category definitions and price indicators are subject to change at Baker & Taylor's sole discretion, without notice, based upon the above-described factors for categorizing titles.
 - For domestic titles where no publisher list price is assigned by the publisher, Baker & Taylor will assign such titles a price in its electronic catalog which is based upon Baker & Taylor's estimate of market conditions.
 - For imported titles where no publisher list price is assigned by the publisher for the U.S. market, Baker & Taylor will assign such titles a U.S. dollar price in its electronic catalog which is based upon Baker & Taylor's estimate of market conditions.
 - For Paw Prints and Follett Bound editions, Baker & Taylor will assign such titles a price in its electronic catalog which is based upon Baker & Taylor's estimate of market conditions.
 - Titles of limited demand or from small or specialty publishers generally are included in Product Category IX or Product Category XI.
 - The discount terms and conditions listed do not apply to Baker & Taylor's Continuation Services or Approval Programs.
 - Baker & Taylor provides an invoice that identifies the publisher's current list price, the discount offered, and the exact price charged for each title ordered.
-

EXHIBIT C**Baker & Taylor, LLC
ENHANCED SERVICES PROGRAM**

Baker & Taylor is pleased to offer a service that will save your library time and money when procuring titles from small and hard to find publishers. By utilizing B&T's vast publisher and title database, the library can purchase a wide variety of low demand and small print run titles from associations and limited edition, prepayment, and non-returnable publishers.

Baker & Taylor's Enhanced Services Program provides the library with access to millions of active book titles representing over 66,000 imprints. This breadth of coverage is greater than that of any other book industry wholesaler.

The "ESP" program builds on B&T's already outstanding publisher relations by:

- Expanding our vendor relations team responsible for the follow-up of all publisher orders, improving the speed of delivery of all titles to the library;
- Widening our publisher base to include hundreds of small non-commercial publishers formerly considered apply direct by the book industry; and
- Increasing our reporting capabilities by providing order status reports for 100% of all titles not yet published and by supplying anticipated publication release dates for all out of stock items.

This category includes material where Baker & Taylor receives no discount from the publisher or prepayment is required by the publisher or books of small, limited in demand and/or non-commercial publishers. Any publisher which is not in compliance with Baker & Taylor's purchasing requirements would be in this category. Materials in this category may be of any binding. These titles will be invoiced at list price plus \$4.95/unit service charge.

For libraries concerned about purchasing these types of titles, B&T's TitleSource 360™ can assist the librarian in researching a particular item's category and format. Surcharge titles will appear with a Y or Q in the discount code field. Additionally, you may contact your Customer Service representative or Information Services via phone, fax, or email (btinfo@baker-taylor.com) to determine surcharge titles before placing an order.

As a convenience to the library, B&T can exclude these titles from all orders by adjusting your account profile setup. Please contact your Customer Service Representative for additional information.

EXHIBIT D

CATEGORY DEFINITIONS

- I. **Adult Trade Hardcover Editions (O, C)** (may include some spoken word audio materials)
High demand materials from widely distributed publishers designed for the general consumer, usually dealing with a subject matter having broad mass appeal. These titles are typically released in hardback and can be either fiction or current non-fiction. Publisher promotional/media expenditures and print runs are customarily higher for these titles than for most others. Inventory is maintained with preferred stock status (regularly stocked in three to four major warehouses). An example of a trade edition would be: 14th Deadly Sin by James Patterson, ISBN: 9780316404021.
- II. **Juvenile Trade Hardcover Editions (J)**
High demand, juvenile materials from widely distributed publishers designed for the general consumer, usually dealing with a subject matter having broad mass appeal. These titles are typically released in hardback and can be either fiction or current non-fiction. Publisher promotional/media expenditures and print runs are customarily higher for these titles than for most others. Inventory is maintained with preferred stock status (regularly stocked in three to four major warehouses). An example of a trade edition would be: Are You Ready to Play Outside by Mo Willems, ISBN: 9781423113478.
- III. **Adult Quality Paperback Editions (B, C)**
High demand paperback materials from widely distributed publishers, other than the standard rack size paperback, typically found in bookstores and other retail outlets. Inventory is maintained with preferred stock status (regularly stocked in three to four major warehouses). An example of a quality paperback would be: The Boys in the Boat by Daniel Brown, ISBN 9780143125471.
- IV. **Juvenile Quality Paperback Editions (G)**
High demand, juvenile paperback materials from widely distributed publishers, other than the standard rack size paperback, typically found in bookstores and other retail outlets. Inventory is maintained with preferred stock status (regularly stocked in three to four major warehouses). An example of a quality paperback would be: Tuck Everlasting by Natalie Babbitt, ISBN: 9780312369811.
- V. **Mass Market Paperback Editions (P)**
A standard rack size paperback typically found in bookstores or other retail outlets. An example of a mass market paperback would be: The City of Ember by Jeanne Duprau, ISBN: 9780375822742.
- VI. **Single Edition Reinforced (R)**
A high quality binding designed to provide a long shelf life in a heavy use environment. Although the binding is fanned and glued it may not be sewn, which is typically found in the publisher library edition. Subject content can include both fictional and non-fiction works appealing to juveniles as well as adults. These bindings are identified by the publisher to Baker & Taylor. An example of a single edition reinforced binding would be: Because of Winn Dixie by Kate DiCamillo, ISBN 9780763650070.
- VII. **Publisher Library Editions (Z)**
Fiction as well as non-fiction materials appealing to both juveniles and adults, designed with the rugged durability required of the environment typically found in a library setting. Publisher Library Editions are traditionally of the highest quality, usually fanned, sewn and glued to provide the greatest possible shelf life of any binding. These bindings are identified by the publisher to Baker & Taylor. An example of a publisher library edition would be: Curious George Visits the Library by Margaret Rey, ISBN: 9781599614199.
- VIII. **University Press Trade Editions (A)** (may include some spoken word audio materials)
This category would include any University Press Trade Editions, both adult and juvenile, and are subject to publisher reclassification. An example of a university press trade edition would be: Alexander McQueen: Savage Beauty by Andrew Bolton, ISBN: 9780300169782.
- IX. **Text, Technical, Reference, Small Press, and/or Titles of Limited Demand (S, X, N, L, M, V, T, U, W, Letter O, 1, 4, 5, 6, 7, 8)**
Category of materials includes, but is not limited to, text, technical, reference, professional medical, small press, and some university press titles (excluding University Press Trade Editions). It includes titles purchased from publishers on a non-returnable basis, those publishers that extend little discount to Baker & Taylor, and publishers whose titles have limited sales volume based upon a semi-annual review. It includes individual titles which do not qualify for preferred stock status (based upon a quarterly review) and individual titles which qualify for preferred stock status, but have limited demand (calculated over a rolling 12 month period). Additionally, any publisher which is not in compliance with some of Baker & Taylor's purchasing requirements could be in this category. Materials in this category are both adult and juvenile, may be of any binding and may include some spoken word audio materials. Examples within this category would be: The Merck Index, ISBN: 9781849736701, Strategies That Work, ISBN: 9781571104816, Beauty and the East ISBN: 9781566563871, Generals of the Bulge: Leadership in the U.S. Army's Greatest Battle ISBN 9780811711999, Frankie Works the Night Shift, ISBN 9780060090951, and Floods, ISBN 9781624030031
- X. **Imported English and Non-English Language Editions (F, K, 3)**
Titles produced and distributed outside of the domestic US. These titles may be of any binding type and represent various publishers. An example would be El Angel Caído by Nalini Singh, ISBN 9788490625224.
- XI. **Enhanced Service Program Titles (Y/Q)**
This category includes materials where Baker & Taylor receives no discount from the publisher, or prepayment is required by the publisher, or publishers which have restrictions on returns, or books of small or non-commercial publishers with limited sales volume based upon a semi-annual review. Any publisher which is not in compliance with Baker & Taylor's purchasing requirements would be in this category. Materials in this category may be of any binding. These titles will receive no discount and are subject to a service charge. An example within this category would be: Business Income Coverage Guide, ISBN: 9781941627532.
- XII. **Spoken Word Audio (H)**
Materials designed for the general consumer, usually dealing with a subject matter having broad mass appeal. These titles can be either fiction or current non-fiction. An example of a spoken word audio edition would be: The Complete Sherlock Holmes by Sir Arthur Conan Doyle ISBN: 9781491542286.
- XIII. **Board Books (I)**
Durable materials from widely distributed domestic publishers designed for young children; pages are manufactured of heavy gauge cardboard to prevent tearing. These editions typically feature few pages, simple themes and colorful illustrations or photographs. An example of a board book would be: Runaway Bunny by Margaret Wise Brown, ISBN: 9780061074295.
- XIV. **Novelty Items/Activity Books (I)**
Specially packaged gift set or novelty item related to a book product or attached as an accessory to a book product. These items would include a book with toy, rag books, washable cloth books, books with accessories or kits, electronic sound books, sticker books, tracing books or coloring books. This category also includes any non-book merchandise such as model kits, hobby kits, flash cards or jigsaw puzzles. An example of an item in this category would be: Very Hungry Caterpillar Cookbook & Cookie Cutters Kit by Lara Starr, ISBN 9781452125527.
- XV. **Special Programs (D and E as indicated in the Discount Terms and Conditions of Sale)**
Programs, formats, or editions offered only by Baker & Taylor or not included in any other category. These programs include but may not be limited to Paw Prints, FollettBound and Turtleback editions. Examples of items in this category would be: Clifford's Valentine's Day by Norman Bridwell, ISBN 9781435201736 (PawPrints prebound edition) and Junie B. Jones is Captain Field Day by Barbara Park, ISBN 9780613337670 (Turtleback prebound edition).

EXHIBIT E
RETURNS POLICIES
INSTITUTIONAL RETURNS POLICY
 (Revised July 2015)

The following guidelines are required to ensure prompt handling of your return. All product returns (**excluding Book Leasing programs**) require prior authorization from a Customer Service Representative. **You may contact your appropriate representative via the toll-free number listed on your packing list.**

How to Obtain Return Authorization

Please use the Return Authorization Form from your shipment's packing list to make all returns. Contact your Customer Service Representative for return authorization. **All claims must be made within 45 days from the date of invoice.**

1. When calling for return authorization, please have the following information available:
 - A. Return Authorization Form
 - B. Your account number and ATS# from the shipment's packing list (located mid-page under the Return Authorization Form explanation)
 - C. Reason for the claim/return
 - D. Action being requested -
 1. Replacement of product
 2. Credit to your account; no replacement product necessary
2. Your Customer Service Representative will assign your return an authorization number (RTA#). To expedite the process, please clearly mark the RTA# on the Return Authorization Form and on the outside of the carton in the upper right corner from the shipping label.
3. Make your return via an insured and traceable carrier; Baker & Taylor is not liable for returns lost in transit.
4. **Products incorrectly shipped by Baker & Taylor may be returned with authorization within 45 days of the product's date of invoice.** Product(s) meeting the definition of Publisher defective may be returned with prior authorization within six months of the product's date of invoice. Products purchased with value-added processing services which have been shipped as ordered are considered non-returnable.

DAMAGED SHIPMENTS: If you receive a damaged carton(s) which resulted in damaged product(s), please hold the product(s) and save the carton for Carrier inspection. If the damage is visible at the time of delivery, bring it to the Carrier's attention and note it on the Bill of Lading. Then, contact your Baker & Taylor Customer Service Representative via the toll-free number listed on the packing list.

CLAIMING SHORTAGES: Please check your packing list or invoice before claiming shortages. **All claims must be made within 45 days from the product's invoice date.** Please ensure you have received all cartons of a shipment prior to signing for receipt from the Carrier. Cartons you have signed for as received from the Carrier are not claimable as shortages from Baker & Taylor.

INTERNATIONAL CUSTOMERS ONLY: For information on making returns of damaged, defective, or incorrect products, please contact your local International Sales Office or our International Customer Service Department (internationallibrarycustomerservice@baker-taylor.com). You may also refer to the website http://www.btol.com/international-libraries_details.cfm?sideMenu=Contact%20Us&home=home_help_details.cfm&ctx=1

All returns should be sent to:
Baker & Taylor Returns Center
 Department R
 251 Mt. Olive Church Road
 Commerce, GA 30599

AV RETURNS POLICY

Library & Education Account Audio/Video Product Returns Policy (Revised June 2016)

The following guidelines are required to ensure the prompt handling of your Audio / Video (AV) returns; Music CD, DVD, Blu-ray and 4k disc product. Note; Vinyl product is not returnable, per manufacturer's policies, and is a "one way" sale. All Music CD, DVD, Blu ray and 4K disc AV product returns **(excluding DVD/BD lease return product - please contact AV Customer Service for separate return procedures for your DVD/BD Lease program product)** require prior return authorization from an AV Customer Service Representative. **Please contact your AV Customer Service Rep at 800.775-1700.**

How to Obtain Return Authorization

Contact your AV Customer Service Representative for return authorization numbers. **All claims must be made within 45 days of invoice date.**

1. When calling for return authorization, please have the following information available:
 - A. Your account number and invoice #s
 - B. Reason for the claim/return
 - C. Action being requested -
 1. Replacement of product (defective return will receive a replacement of the same title)
 2. Credit to your account; no replacement product necessary for incorrectly shipped items
 3. Overstock return credit requires Customer Service Manager and Sales Manager approval
2. Your AV Customer Service Representative will assign your return an authorization number (RA#). To expedite the process, please clearly mark the RA# on the outside of the carton in the upper right corner from the shipping label and on inserted documents.
3. Ship your return via an insured and traceable carrier; Baker & Taylor is not liable for returns lost in transit.
4. **Products incorrectly shipped by Baker & Taylor requires an authorization to be returned. Product should be returned within seven days of invoice date; must be returned within 45 days of the product's invoice date.** Product(s) meeting the definition of a Manufacturer's defective may be returned with a prior authorization. Products purchased with value-added processing services which have been shipped as ordered are considered non-returnable, unless disc is defective. In which case a replacement of same title will be sent (multi disc sets require all discs to be returned).

DAMAGED SHIPMENTS: If you receive a damaged carton(s) which resulted in damaged Audio/Video product(s), please hold the product(s) and save the carton for Carrier inspection. If the damage is visible at the time of delivery, bring it to the Carrier's attention and note it on the Bill of Lading. Then, contact your **Baker & Taylor AV Customer Service Rep** via the toll-free number above.

CLAIMING SHORTAGES: Please check your packing list or invoice before claiming shortages. **All claims must be made within 15 days from the product's invoice date.** Please ensure you have received all cartons of a shipment prior to signing for receipt from the Carrier. Cartons you have signed for as received from the Carrier are not claimable as shortages from Baker & Taylor.

All returns with RA# should be sent promptly to:

Baker & Taylor Returns Center
Dept. R
251 Mt. Olive Church Road
Commerce, GA 30599

Questions? Contact your B&T
AV Customer Service Rep (800.775-1700)
Email via AVInfo@Baker-Taylor.com or
LibraryAVcustomerservice@baker-taylor.com
Baker & Taylor AV Sales 800.775-2600 x2050

CONTINUATION SERVICES RETURN POLICY

STANDING-ORDER CANCELLATION AND RETURN POLICY

Baker & Taylor Continuation Services is a customized standing-order program designed for public, academic and school libraries. Customers may sign up for series on a standing-order basis, and will automatically receive every publication as they become available from publishers. Due to the nature of this program, only the exact amount of required books is ordered from each publisher on behalf of profiled customers. It is therefore necessary to adhere to a firm cancellation/return policy.

CANCELLATION POLICY

The customer must notify Continuation Services at 800-775-3600 at least 30 DAYS PRIOR TO PUBLICATION DATE to request the cancellation of a title or the deletion of a series from their profile.

To keep customers informed of their backordered titles, Continuation Services shipments include a Backorder Status Report. This report lists titles which a customer can expect to receive within the next three months. NOTE: Backorder Status Reports should be reviewed immediately upon receipt of shipment. Also, Master Profile Reports, a listing of all series on a customer's standing-order profile, are available upon request. Registered users may also view/maintain their standing order profiles and backordered titles via <http://compass.btol.com>.

RETURN POLICY

The following guidelines are required to ensure prompt handling of your return. All Continuation Services product returns require authorization from your Continuation Services Customer Account Representative in Bridgewater, New Jersey.

- Products incorrectly shipped by Baker & Taylor may be returned with authorization within 45 days of the product's date of invoice.
- Product(s) meeting the definition of Publisher defective may be returned with prior authorization within six months of the product's date of invoice.
- Products purchased with value-added processing services, which have been shipped as ordered or property stamped by your library, are considered non-returnable.
- A title, which is ordered and received through Baker & Taylor Continuation Services, cannot be returned if a duplicate is received from another source. These books should be returned to the other supplier.

HOW TO OBTAIN RETURN AUTHORIZATION

Please use the Return Authorization Form from your shipment's packing list to make all returns. Contact your Continuation Services Customer Account Representative at 800-775-3600 for return authorization. All claims for damages and shortages must be made within 45 days from the date of invoice.

1. When calling for return authorization, please have the following information available:
 - a. Return Authorization Form – attached to the carton packing list
 - b. Your Continuation Services "C" account number, invoice and/or ATS# from the shipment's packing list
 - c. Reason for claim/return
 - d. Action being requested:
 - i. Replacement of product
 - ii. Credit to your account; no replacement product necessary
2. Your Customer Account Representative will assign your return an authorization number (RTA#). To expedite the process, please clearly mark the RTA number on the Return Authorization Form and on the outside of the carton in the upper right corner of the shipping label. **Ship returns to: Baker & Taylor; Attn: Dept. R; Commerce Service Center; 251 Mt. Olive Church Road; Commerce, GA 30599-1100.**
3. Make your return via an insured and traceable carrier; Baker & Taylor is not liable for returns lost in transit.

DAMAGED SHIPMENTS

If you receive a damaged carton(s), which resulted in a damaged product(s), please hold the product(s) and save the carton for carrier inspection. If the damage is visible at the time of delivery, bring it to the carrier's attention and note it on the Bill of Lading. Then, contact your Baker & Taylor Continuation Services Customer Account Representative via the toll-free number listed below.

CLAIMING SHORTAGES

Please check your packing list or invoice before claiming shortages. All shortage claims must be made within 45 days from the product's invoice date. Please ensure you have received all cartons of a shipment prior to signing for receipt from the carrier. Cartons you have signed for as received from the carrier are not claimable as shortages from Baker & Taylor.

Continuation Services • 1120 U.S. Route 22 East Bridgewater, NJ • Ph: 800-775-3600 • Fax: 908-541-7867 or 800-775-1600
Email: btcontinuations@baker-taylor.com • www.baker-taylor.com/continuations • <http://compass.btol.com>

EXHIBIT F

SAMPLE INVOICE



Sample Book Invoice with Processing Charges

INVOICE

INVOICE # 5000815500
 INVOICE DATE 05/11/16
 ACCOUNT # XXXXXX Lxxxxxx 3 000000
 ATS # SUM00000000
 PAGE 001

SHIPPED FROM SOMERVILLE
 CUSTOMER SERVICE 1-800-775-1200
 CREDIT 800.340.5370/INTL 704.998.3399
 GST/TAX ID # 00-00000000000000
 PO # SAMPLE

BILL	ACCOUNT #	XXXXXX Lxxxxxx 3 000000
	SAN #	XXX
	NAME:	SAMPLE
	ADDRESS	XXX XXXXXXXX XXXXXXXX XXXXXXXX, XX XXXXX
SHIP	ACCOUNT #	XXXXXX Lxxxxxx 3 000000
	SAN #	XXX
	NAME	SAMPLE
	ADDRESS	XXX XXXXXXXX XXXXXXXX XXXXXXXX, XX XXXXX

ALL CLAIMS MUST BE MADE WITHIN 45 DAYS OF INVOICE. RETURN AUTHORIZATION REQUIRED. NOT RESPONSIBLE FOR GOODS SENT UNINSURED.

SHIPMENT FOR ORDER 00000001										
QTY	TITLE		AUTHOR	TYPE	ISBN	PUB	PRICE	DISC.	NET PRICE	EXTENDED PRICE
	BT ORDER #	CUSTOMER PO #	FUND #	CUST REF #	ISBN-10					
1	PRIVATE VEGAS 00000003	SAMPLE3	PATTERSON, JAME 333333	PAP	9781455515936 1455515930	GDCTL	xx.xx	xx.x%	xx.xx	xx.xx
1	SHOE DOG 00000003	SAMPLE3	KNIGHT, PHILIP 333333	HRD	9781501135910 1501135910	SIMON	xx.xx	xx.x%	xx.xx	xx.xx
1	WICKED CHARMS 00000003	SAMPLE3	EVANOVICH, JANE 333333	PAP	9780553392739 0553392735	RANMM	xx.xx	xx.x%	xx.xx	xx.xx
3	PAGE TOTAL									xx.xx
SUB TOTAL										xx.xx
USD CURRENCY										
1	MYLAR JACKET STANDAR	AT	x.xx	=	x.xx	VAS				x.xx

CITY TAX 0.00
 COUNTY TAX 0.00
 STATE TAX 0.00
 TOTAL

TERMS : 00 NET 30 DAYS
 AMOUNTS BILLED IN USD

TOTAL AMOUNT DUE	xx.xx
REMIT TO: BAKER & TAYLOR P.O. BOX 277930 ATLANTA, GA 30384-7930 **NEW REMITTANCE ADDRESS**	

PLEASE INDICATE INVOICE # ON YOUR REMITTANCE

EXHIBIT G

SAMPLE CREDIT MEMO



Credit Memo - Spoken Word Audio Sample

Item 4.2

CREDIT/DEBIT MEMO COPY

INVOICE # 5000598820
INVOICE DATE 04/04/14
ACCOUNT # XXXXXX Lxxxxxx 3 000000
ATS # SOM0000000

PAGE 001

SHIPPED FROM BRIDGEWATER
CUSTOMER SERVICE 1-800-775-1200
CREDIT 800.340.5370/INTL 704.998.3399

GST/TAX ID # 00-00000000000000
PO # BID SAMPLE

BILL TO ACCOUNT # XXXXXX Lxxxxxx 3 000000
SAN # XXX
NAME: SAMPLE CREDIT MEMO
ADDRESS XXX XXXXXXXX XXXXXXXX
XXXXXXXX, XX XXXXX

MAIL TO NAME: SAMPLE CREDIT MEMO
ADDRESS XXX XXXXXXXX XXXXXXXX
XXXXXXXX, XX XXXXX

SHIP TO ACCOUNT # XXXXXX Lxxxxxx 3 000000
SAN # XXX
NAME SAMPLE CREDIT MEMO
ADDRESS XXX XXXXXXXX XXXXXXXX
XXXXXXXX, XX XXXXX

CREDIT MEMOS MUST BE USED WITHIN 12 MONTHS OF DATE OF ISSUE OR THEY EXPIRE. PREPAYMENTS AND DEPOSITS ON ACCOUNT EXCLUDED.

MEMO REASON: DU07
RTAC054046

QTY	TITLE	AUTHOR	TYPE	ISBN	PUB	PRICE	DISC.	NET PRICE	EXTENDED PRICE	CODE
	BT ORDER #	CUSTOMER PO	FUND #	CUST REF #	ISBN-10					
1	SAMPLE TITLE 1 00000001	BID SAMPLE	AUTHOR 1 222222	CMD	9780756613228 0756613221	DKMER	XX.XX	XX.X %	XX.XX	XX.XX
1										

SUB TOTAL XX.XX
USD CURRENCY

TOTAL

AMOUNTS CREDIT IN USD

TOTAL AMOUNT XX.XX

REMIT TO: BAKER & TAYLOR,
P.O. BOX 277930
ATLANTA, GA 30384-7930
NEW REMITTANCE ADDRESS

PLEASE INDICATE CREDIT # ON YOUR REMITTANCE

AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT, made and entered into on October 23, 2018 by and between the City of St. Helena, located in the County of Napa, State of California (City), and Baker and Taylor (Consultant).

RECITALS:

A. City desires to employ Consultant to furnish professional services in connection with the project described as Library Materials Vendor.

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 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 consultant the amount specified in Exhibit A, “Proposal”, Section 2 “Pricing Proposal” attached hereto and made a part hereof. Total compensation shall not exceed pricing and discounted rates provided in the Proposal, Section 2, Exhibits A, and B 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. Each original invoice furnished shall include the expenses incurred during the preceding month, the cumulative Agreement amount, and the amount remaining on the Agreement. City shall independently review each invoice submitted to determine whether the work performed and expenses incurred are in compliance

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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 the City disputes any charges or expenses, the City will return the original invoice 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.

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. Due to the nature of services provided, this coverage is not applicable.

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 by blanket endorsement 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.

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H. Waiver of Subrogation. Consultant'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. 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.

SECTION 8 – INDEMNIFICATION

A. To the fullest extent allowed by law (including without limitation California Civil Code Sections 2782 and 2782.8), as may be applicable, 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) (collectively, "Liabilities"), 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, active negligence, or willful acts or misconduct.

E. Duty to Cooperate. Each party shall notify the other party immediately in writing of any claim or damage related to activities or services performed under this Agreement. The parties shall cooperate with each other in the investigation and disposition of all Liabilities arising out of the activities or services under this Agreement.

F. City of St. Helena agrees to allow Baker & Taylor to handle the defense and settlement of any third-party claims covered by Section 8. Regarding any other claims under Section 8, Baker & Taylor will be responsible for actual, out-of-pocket expenses incurred by the City, but not indirect, consequential, incidental, or punitive damages. Baker & Taylor will not have any responsibility for any claims due to causes beyond Baker & Taylor's reasonable control notwithstanding the foregoing, the aforementioned indemnification obligations shall not apply to any knowing or negligent acts of the City or Owner.

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 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 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 AND ANTI-FRAUD AND ANTI-CORRUPTION POLICIES

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.

C. Consultant understands and acknowledges City maintains an anti-fraud and anti-corruption policy to protect the City, its operations, and its employees from and against financial risks, operational breaches, and unethical, fraudulent and corrupt activities. Consultant represents and warrants that Consultant, its subcontractor(s) / subconsultant(s) and their respective employees providing services pursuant to the Agreement are (1) in good standing; (2) have not been previously investigated, convicted, or debarred for fraudulent or corrupt activities; (3) will not participate in fraudulent or corrupt activities, and (4) will take steps to ensure that its employees and subcontractor(s) / subconsultant(s) employees do not participate in any fraudulent or corrupt activities. Consultant acknowledges and agrees further that it has a duty to and will report to City any information or incident(s) about possible fraudulent or corrupt activities Consultant may discover, and will cooperate in any fraud or corruption investigation conducted, with respect to Consultant's service provided pursuant to this Agreement.

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, gender, gender identity and gender expression as protected categories specifically and expressively in that category, physical

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Baker and Taylor 102318

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: To Consultant: Baker & Taylor
 Attn: Stefanie Kremer
 2550 W. Tyvola Road, Suite 300
 Charlotte, NC 28217
 stefanie.kremer@baker-taylor.com

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 – ATTORNEYS' 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.

Upon award of this RFP by the City of St. Helena to Baker & Taylor, this entire response document submitted by Baker & Taylor and the RFP Document submitted by the City of St. Helena will be come part of the contract agreement between the two parties.

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, or 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 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:

City:

By: _____

By: _____

Name: _____

Name: Mark T. Prestwich

Title: _____

Title: City Manager

Approved as to Form:

By: _____

Name: Thomas B. Brown

Title: City Attorney

CITY OF ST. HELENA

RESOLUTION NO. 2018-

Consideration and proposed approval of a resolution authorizing the City Manager to execute a Professional Services Agreement with Baker & Taylor, LLC for the supplying of library materials to the St. Helena Public Library not to exceed the amount annually budgeted for library materials by City Council for three years with the option of two one-year extensions.

RECITALS

WHEREAS, On August 29, 2018 the City of St. Helena issued a Request for Proposal (RFP) for a Library Materials Vendor; and

WHEREAS, On September 28, 2018, at the close of the RFP at 4pm, the City had received six proposals to supply materials to the St. Helena Public Library; and

WHEREAS, Baker & Taylor, LLC has represented that they have the necessary expertise, experience, and qualifications to supply books, audio books, and audiovisual materials (collectively "library materials"); and

WHEREAS, Baker & Taylor, LLC has competitive proposed discounts for library materials and pricing structure for additional services; and

WHEREAS, City and Consultant desire to enter into an agreement for three years with the option of two one-year extensions for the supplying of library materials in an amount not to exceed the amount annually budgeted for library materials by City Council.

RESOLUTION

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

1. Authorize the City Manager to execute a Professional Services Agreement with Baker & Taylor, LLC not to exceed the annually budgeted amount for library materials for three years with the option of two one-year extensions.

Approved at a Regular Meeting of the St. Helena City Council on October 23, 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 October 23, 2018

Agenda Section: Consent

Subject: Consideration and adoption of a resolution converting the part-time, limited-term Senior Planner position to a full-time, limited term Senior/Associate/Assistant Planner position ending June 30, 2020.

CEQA 1 Not a CEQA project
Determination:

Prepared By: Noah Housh, Planning & Community Improvement Director

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

During the FY 2018-19 budget planning process City Council approved a part-time, limited term Senior Planner position for a total cost of \$55,000 to the General Fund. Separately, City Council approved \$140,000 for as-needed, planning consulting services (M-Group) to address on-going needs associated with development review, CEQA analysis and policy implementation. During the budget process it was anticipated planning consulting services would continue to be utilized during the FY 2019-20 budget.

DISCUSSION

The City completed two recruitment's and conducted two rounds of interviews for a part-time, and then full time limited term Senior Planner position and no viable candidates were identified.

In response, staff listed a full-time, limited term Assistant/Associate/Senior level planner position in an effort to find qualified applicants who may be able to fill the need for additional staff support. After conducting a third recruitment and subsequent round of interviews, staff has identified potential candidates for the planner position, at either the Senior or Assistant level.

Staff is recommending City Council convert the part-time, limited term Senior Planner position to a full-time, limited term Senior/Assistant/Associate planner position. The proposed term for this position is approximately one and one-half years thru June 30, 2020. At that time, staff will evaluate the current development work load as well as the status of the prioritized policy projects (e.g. Economic Development, Citywide Housing Strategy, Comprehensive Zoning Code Update) and status of policy efforts (e.g. Implementing adopted housing legislation, completing Design Guidelines) to determine if there is a need to continue the position and, if necessary, make recommendations to City Council for consideration. The total costs for this position for the remainder of FY 2018-19 is estimated at \$105,500 and costs for FY 2019-20 is estimated at \$143,000 (Senior level). The City can absorb these costs within the approved FY 2018-19 budget as detailed below.

In September, the M-Group Consultant staff working with the City submitted her resignation and since that time M-Group had indicated they can not provide replacement consulting staff to the City. Out of the \$140,000 budgeted in FY 2018-19 for consulting services, approximately \$25,000 has been spent (M-Group had been providing the City with planning consulting services on a part-time basis) leaving a balance of \$115,000. Staff recommends ceasing to use planning consulting services for in-house support staff and utilizing available funds from the remaining balance to fund a full-time, limited term Senior, Associate or Assistant level planner position. The existing contract could still facilitate future CEQA or other individualized projects, as needed.

Utilizing a full-time, limited term position and eliminating the use of planning consultants will lead to a cost savings in FYs 2018-19 and 2019-20. The estimated cost savings is approximately \$60,000 over FY 2018-19 and FY 2019-20.

FISCAL IMPACT

The fiscal impact to the General Fund is an estimated cost savings of \$60,000 for FY 2018-19 and FY 2019-20.

RECOMMENDED ACTION

Staff recommends City Council adopt a resolution approving the conversion of the part-time, limited term Senior Planner position to a full-time, limited-term Senior/Assistant/Associate Planner position ending June 30, 2020.

ATTACHMENTS

[Full-time, limited term Senior/Associate/Assistant Planner Resolution](#)

CITY OF ST. HELENA

RESOLUTION NO. 2018-__

**APPROVAL OF CONVERTING THE PART-TIME, LIMITED TERM SENIOR PLANNER POSITION TO
A FULL-TIME, LIMITED TERM SENIOR PLANNER, ASSOCIATE, OR ASSISTANT PLANNER
POSITION ENDING JUNE 30, 2020.**

RECITALS

- A. On June 12, 2018, City Council approved Resolution 2018-77 adopting the FY 2018-19 budget; and
- B. Included in the Resolution, City Council approved one part-time, limited term Senior Planner position for a total cost of \$55,000; and
- C. The FY 2018-19 adopted budget included \$140,000 for as-needed planning consulting services to address on-going needs associated with development review and policy implementation; and
- D. The City completed two rounds of interviews for a part-time, limited term Senior Planner position and no viable candidates were identified; and
- E. In response, staff listed a full-time, limited term assistant/associate/senior level planning position in an effort to find qualified applicants; and
- F. After conducting a third round of interviews, staff had identified an excellent candidate for the Senior/Associate/Assistant Planner position; and
- G. Staff is recommending converting the part-time, limited term Senior Planner position to a full-time, limited term Senior Planner, Associate, or Assistant Planner position ending June 30, 2020.

RESOLUTION

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

1. Approval of converting the part-time, limited term Senior Planner position to a full-time, limited term Senior, Associate, or Assistant Planner position ending June 30, 2020.

Approved at a Regular Meeting of the St. Helena City Council on October 23, 2018 by the following vote:

Mayor Galbraith: _____

Vice Mayor White: _____

Councilmember Dohring: _____

Councilmember Koberstein: _____

Councilmember Ellsworth: _____

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Tzafopoulos, City Clerk



Report to the City Council
Council Meeting of October 23, 2018

Agenda Section: New Business

Subject: Napa Valley Vine Trail Update and City Council Discussion

CEQA Determination: **Not a CEQA project**

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

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

The Napa Valley Vine Trail Coalition (NVVT) is a grass-roots nonprofit with a vision to build a walking/biking trail system to connect the entire Napa Valley--physically, artistically, and culturally. The NVVT is working to design, fund, construct, and maintain 47 safe and scenic miles of level, paved, family-friendly, dog-friendly, free-access Class I trail, stretching from Vallejo's Ferry to Calistoga.

DISCUSSION

NVVT Representatives: Chuck McMinn, Founder and Board President, and Philip Sales, Executive Director, will be providing a presentation on the trail progress countywide and an update on the progress of proposed trail connection routes from Calistoga to St. Helena, from Yountville to St. Helena, and through the City of St. Helena. NVVT scheduled a similar discussion with the St. Helena Unified School District Board at a publicly noticed meeting on October 11, 2018.

FISCAL IMPACT

Not applicable.

RECOMMENDED ACTION

Discussion and feedback to Napa Valley Vine Trail and City staff.

ATTACHMENTS

[VT for SH City Council 10-2018.Updated](#)



Napa Valley Vine Trail

SH City Council Update
October, 2018





Up for Discussion Today

- Update on Saint Helena to Calistoga Route
- Investigation of a “School to School” Route in SH



Who uses the Vine Trail?

- 2017 Existing 12.5 miles (automatic bike and ped counters)

Napa Valley Vine Trail Users Jan 2017-Jan 2018				Percentages	
Location	All	Pedestrians	Cyclists	Peds	Cyclists
Tulocay	152,534	81,852	70,682	53.7%	46.3%
Oak Knoll South	87,451	27,446	60,005	31.4%	68.6%
Oak Knoll North	108,455	22,532	85,923	20.8%	79.2%
	348,440	131,830	216,610	37.8%	62.2%
Days of Week	Percentages				
Weekends	39%				
Weekdays	61%				
	100%				

- Quarterly Zip Code Surveys (intercept surveys)

Zip Code Survey	Locals	Tourists	Total	Survey Hours
Nov-17	88	10	98	4
Feb-18	222	40	262	20
Jun-18	424	200	624	20
Sep-18	611	326	937	16
Total	1345	576	1921	60
%	70%	30%		



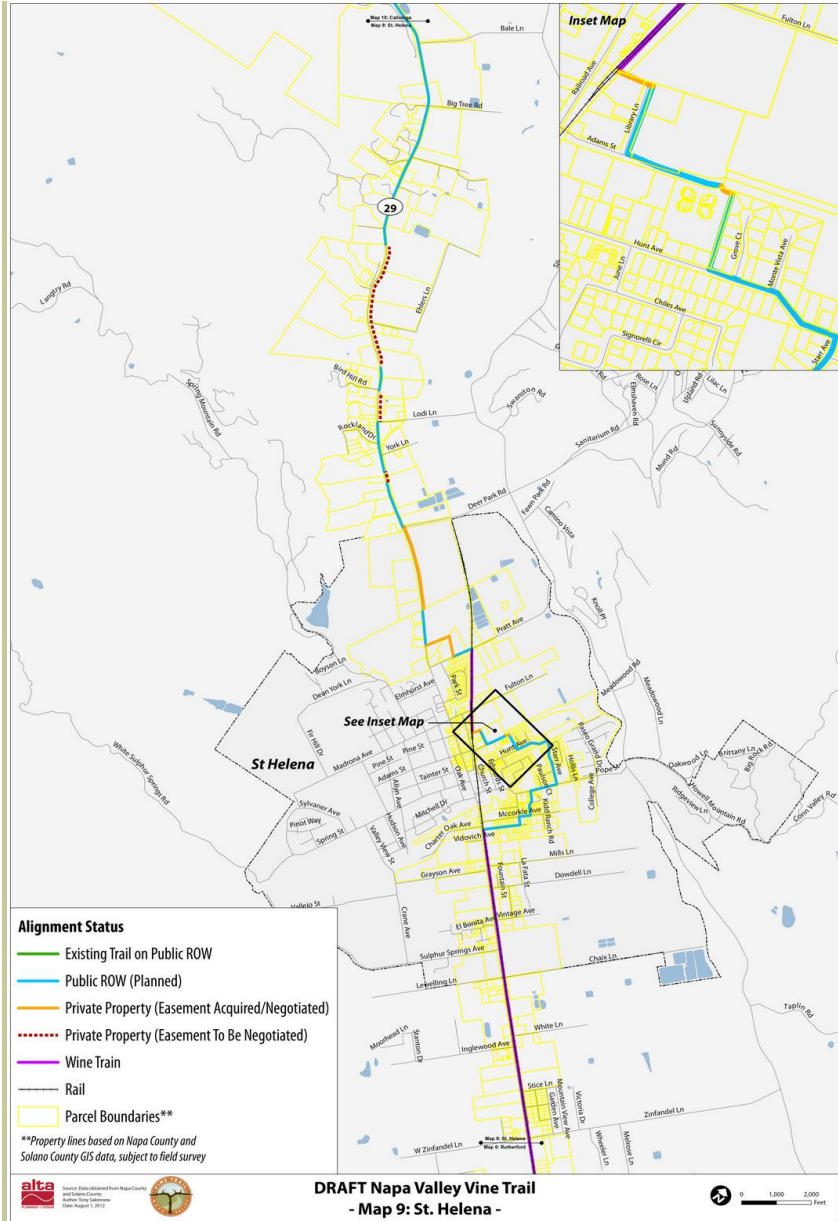
Vine Trail Use Summary Existing 12.5 miles Napa to Yountville

- 348,440 Uses of the Vine Trail (real time counts)
- =174,220 Round Trips on Vine Trail
- = 477 reduction Single Occupancy Vehicles off Soscol/SR29 corridor per day
- 37.8% Pedestrians
- 62.2% Cyclists
- 61% uses on weekdays
- 39% uses on weekends
- 70% Locals (based on Zip code intercept surveys)
- 30% Visitors outside of Napa)



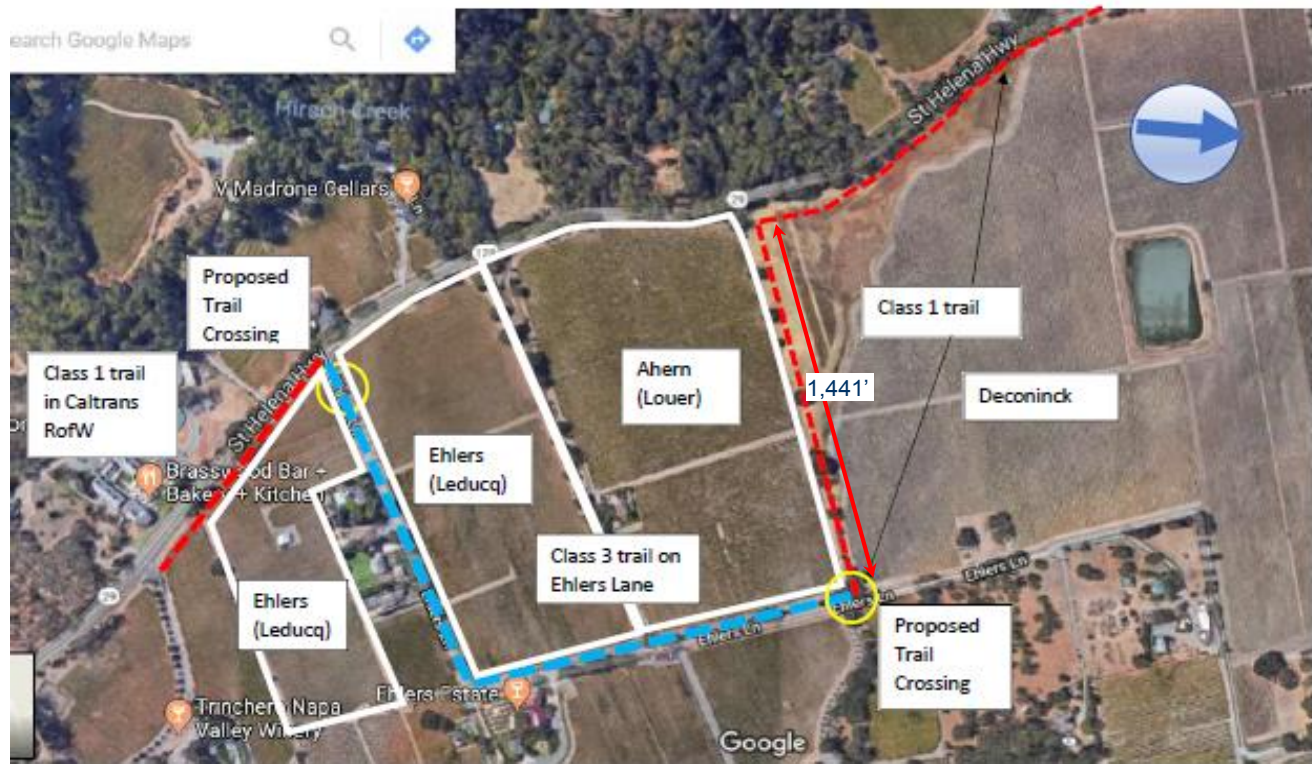
St Helena - Calistoga Section

- ~ 9 miles
- \$9.3M Project
- \$200K Donated for Engineering- 2012
- 11 Private Property Easements-11 secured
- \$6.9 Million ATP/OBAG Grants
- \$2.4 Million in VT Donations being raised
- \$650K from SH, CA, County





Route Pinch Point-Ehlers Lane





Saint Helena School to School Trail





Saint Helena School to School Trail





School to School Route

- Pros
 - Safe for the 1,000 students a day that attend these schools
 - Removes ~470 cars a day from SH roads
 - Encourages healthier student actions
- Cons
 - Does it fit?
 - Can we obtain the affected landowners agreements
 - Congestion, parking impact on Oak Avenue
- Next Step
 - Fund a feasibility study to examine the issues, hear from all constituencies



Yountville to Saint Helena

- Engineering has started.
- WT is super supportive
- 12 private easements will be needed.

Vine Trail Needed Easements, Madison to Whitehall				
Property Owners	Contact	Width (ft)	Length (ft)	Appx sf
GRGICH HILLS CELLARS	Violet Grgich	2	3,190	6,380
MARKHAM VINEYARDS	Dave Flannery	2	765	1,530
BECKSTOFFER VINEYARDS	Andy Beckstoffer	1	595	298
ROBERT MONDAVI		12	1,185	13,628
REALTY INCOME PROPERTIES	Debra Domen	7	2,010	14,070
ROGER AND DARLENE ASBILL		7	408	2,856
ATHENE NEAL Mark Neal	Mark Neal	7	626	4,382
CHAIX FAMILY VINEYARD	Mark Neal	7	980	6,860
MARGOT CULCASI		2	320	626
BEVERLY BORGES		2	425	700
ST HELENA SCHOOL DISTRICT	Mary Lou Wilson	2	340	680
NIEBAUM COPPOLA ESTATE		7	625	4,375
Total			11,469	56,384

ST. HELENA PLAN



Chapter 3

St. Helena Plan

Pedestrian Setting

St. Helena is a rural suburban community in northern Napa County. St. Helena has a small-town atmosphere with approximately 6,000 residents within four square miles. The city's downtown is an attractive pedestrian corridor lined with pedestrian-scaled lighting as well as shopping and restaurants that honor the region's esteemed wine industry. SR 29 (Main Street) runs through the downtown core and carries high traffic volumes with frequent congestion. The downtown only has a few marked crosswalks, which presents challenges for pedestrians navigating traffic to cross the street. Sidewalk gaps are also common. New development south of the Sulphur Creek Bridge on Main Street as well as existing nearby attractions such as Gotts Roadside burger stand, a popular local eatery, and several hotels and inns present the need for improved sidewalk facilities that connect to downtown. The land use patterns for the city are shown in *Exhibit SH-1*. An interactive city destination map, including the locations of public buildings, shopping and tourist attractions, is provided on St. Helena's website and can be found at the following link: <http://visitingmedia.com/collections/city-of-st-helena-california/>.

ST. HELENA PLAN

Existing Policies and Programs

To help guide the development of key programs and policies for this plan, St. Helena's existing approaches to facilitating and enhancing walking were reviewed with a benchmarking matrix that compares the existing programs, policies, and practices with national best practices. The benchmarking analysis categorizes each jurisdiction's programs, policies, and practices into three areas as follows:

- **Key Strengths** (areas where the jurisdiction is exceeding national best practices)
- **Enhancement Areas** (areas where the jurisdiction is meeting best practices)
- **Opportunity Areas** (areas where the jurisdiction should consider meeting best practices)

As summarized in **Table SH-1**, the City of St. Helena has worked to create a pedestrian-friendly community through the adoption of several pedestrian-oriented ordinances and the implementation of reduced speed zones. This plan provides a framework for additional investments to create an accessible, connected pedestrian network citywide. Particular areas of opportunity that this plan addresses directly are the development of a pedestrian facility inventory, completion of walking audits, and collection of pedestrian volumes. The full benchmarking analysis for St. Helena, with associated recommendations, is presented in **Appendix SH-A**.

TABLE SH-1: ST HELENA BENCHMARKING HIGHLIGHTS		
Plans, Policies, & Programs	St. Helena Current Practice	Best Practice Examples
Key Strengths		
ADA Transition Plan Involving non-traditional partners such as public health agencies, pediatricians, etc., in the planning or design of pedestrian facilities may create opportunities to be more proactive with pedestrian safety, identify pedestrian safety challenges and education venues, and secure funding. Additionally, under-reporting of pedestrian-vehicle collisions could be a problem that may be partially mitigated by involving the medical community in pedestrian safety planning.¹	Live Healthy Napa County, a coalition of local community stakeholders for improving health in Napa County, recently completed the Napa County Community Health Improvement Plan (CHIP) in February 2014. The document proposes a plan to address health issues through new policies and health promotion strategies, including transportation policies that encourage walking and biking. In St. Helena, health agencies are involved in the development review process, but there is no special involvement for pedestrian facilities. Live Healthy Napa County completed the first ever Napa County Community Obesity Prevention Plan (Jan. 2015), which addresses the need to increase active transportation options countywide.	• Seek opportunities to meet goals in the CHIP related to active transportation, such as improving the built environment by ensuring all necessary sidewalk repairs are included in the city's Capital Improvement Program (CIP), and including additional pedestrian infrastructure projects in the program. Consider a trip and fall monitoring program and/or incorporating public comment from the recommended online comment form under Public Involvement below. • Continue to involve health agencies in the development review process, especially when it related to active transportation improvements. • Ensure consistency with the CHIP by seeking partnership opportunities between health agencies and SRTS Safe Routes to School to expand the reach of education and promotion of walking.

ST. HELENA PLAN

TABLE SH-1: ST HELENA BENCHMARKING HIGHLIGHTS

Plans, Policies, & Programs	St. Helena Current Practice	Best Practice Examples
Complete Streets Policy Routine Accommodations or Complete Streets Policies accommodate all modes of travel and travelers of all ages and abilities.	The City of St. Helena has a Complete Streets Policy resolution which follows the template provided by MTC. The next update to the General Plan will incorporate Complete Streets policies and principles; however, it has yet to be adopted. For implementation of the Complete Streets policy, designs of projects affecting the transportation system must be reviewed by the Active Transportation Committee for consistency with the Vine Trail plans and the Countywide Bicycle Plan. Routine data collection is also required to evaluate how well all users are being served by the transportation network. Commercial and residential development projects are required to include sidewalks and the city additionally requests ADA-compliant driveway designs during development review.	- Consider opportunities for Complete Streets, specifically pedestrian pathways and/or sidewalks, during restriping, repaving, new roadway construction, and utility installation projects. - Follow MTC's checklist procedure and guidelines for project review to ensure routine application of the Complete Streets policy. - Consider maintaining a GIS database of data collected as part of the policy evaluation, to include pedestrian volumes collected in this plan.
Newspaper Rack Ordinance Newspaper racks may obstruct walkways and reduce accessibility and pedestrian visibility when ordinances are not in place. A Newspaper Rack Ordinance improves the pedestrian realm by reducing clutter and organizing sidewalk zones and may detail size, location, and maintenance requirements.	St Helena has an ordinance which requires the placement and maintenance of a news rack not to interfere with building access or reduce the pedestrian travel way to less than six feet.	
Street Tree Ordinance Street trees enhance the pedestrian environment by providing shade and a buffer from vehicles. Street trees may also enhance property values, especially in residential neighborhoods. However, street trees, when improperly selected, planted, or maintained, may cause damage to adjacent public utilities.	The St Helena Tree Committee developed the Master Street Tree List, a guide that organizes trees into categories depending on the recommended street type (large commercial, major in-town streets, and small neighborhood streets). The guide includes a list of undesirable trees, in accordance with the city's street tree ordinance, which lists trees that cannot be planted without proper root-control barriers due to their potential to cause damage to sidewalks. According to the St Helena tree ordinance, property owners are responsible for repairing sidewalk damage by trees fronting their property, while the city takes responsibility for trimming and maintaining trees on Main Street.	
Speed Limits and Speed Surveys Pedestrian fatality rates increase exponentially with vehicle speed. Thus, reducing vehicle speeds in pedestrian zones may be one of the most important strategies for enhancing pedestrian safety.	Engineering speed studies are prepared every 5 years in St Helena, in accordance with state law. The city does use reduced speed limits of 15 mph in school zones as needed. De facto speed limits are 25 miles per hour.	- Proactively consider pedestrian volumes when setting speed limits, and consider traffic calming in pedestrian zones where speed surveys suggest traffic speeds are too high. - Ensure design standards in pedestrian areas do not contribute to a routine need for traffic calming.

ST. HELENA PLAN

TABLE SH-1: ST HELENA BENCHMARKING HIGHLIGHTS

Plans, Policies, & Programs	St. Helena Current Practice	Best Practice Examples
Key Opportunities		
Sidewalk or Street Furniture Ordinance Street furniture encourages walking by accommodating pedestrians with benches to rest along the route or wait for transit; trash receptacles to maintain a clean environment; street trees for shade, etc. Uniform street furniture requirements also enhance the design of the pedestrian realm and may improve economic vitality.	St Helena has no specific street furniture ordinance, but sidewalk dining is allowed with a permit in the zoning code. A four feet clear path of travel must be maintained.	Consider adopting a Street Furniture Ordinance to include guidance for the design of transit stops and locations for additional street furniture amenities, other than those associated with transit stops, as appropriate.
Inventory of Pedestrian Facilities A GIS-based sidewalk inventory enables project identification and prioritization, as well as project coordination with new development, roadway resurfacing, etc.	The city does not have a GIS inventory of sidewalks or other pedestrian facilities, although trails and pathways are shown graphically in the City Bicycle Master Plan. Sidewalks are included in the City's Capital Improvement Program and has budgeted approximately \$17,000/year for the last 3 years for sidewalk repairs, although not all of it was spent.	- This plan has developed a GIS-based inventory of sidewalks, curb ramps, crosswalks, and paths Citywide. This facility inventory could be expanded to include informal pathways and potential pedestrian opportunity areas in the City. - Consider implementing a trip and fall monitoring program and/or mapping public comment from the recommended comment form to ensure all necessary sidewalk repairs are included in the City's Capital Improvement Program (CIP).
Walking Audit Program Walking audits provide an interactive opportunity to receive feedback from key stakeholders about the study area as well as discuss potential solutions and their feasibility. They can be led by city staff, advocacy groups, neighborhood groups, or consultants.	St. Helena has not conducted pedestrian walking audits before this plan.	Conduct regular walking audits as part of a citywide safety program for pedestrians. This effort could complement a "trip and fall" program or health-oriented programs within the city, as well as distribution of the media campaign NVTa is pursuing.
Pedestrian Volumes Pedestrian volume data is important for prioritizing projects, developing collision rates, and determining appropriate pedestrian infrastructure.	The City of St Helena does not collect pedestrian volumes as a matter of routine.	- Use collected volumes in this plan to identify pedestrian nodes in the next update to the General Plan. - Routinely collect pedestrian and bicycle volumes by requiring them to be conducted in conjunction with all traffic studies and manual intersection turning movement counts. - Geo-code existing and future pedestrian volume data with GIS software along with other data such as pedestrian control devices and collisions to analyze data for trends or hotspots related to pedestrian safety.

Notes:

- Sciortino, S., Vassar, M., Radetsky, M. and M. Knudson, "San Francisco Pedestrian Injury Surveillance: Mapping, Underreporting, and Injury Severity in Police and Hospital Records," *Accident Analysis and Prevention*, Volume 37, Issue 6, November 2005, Pages 1102-1113

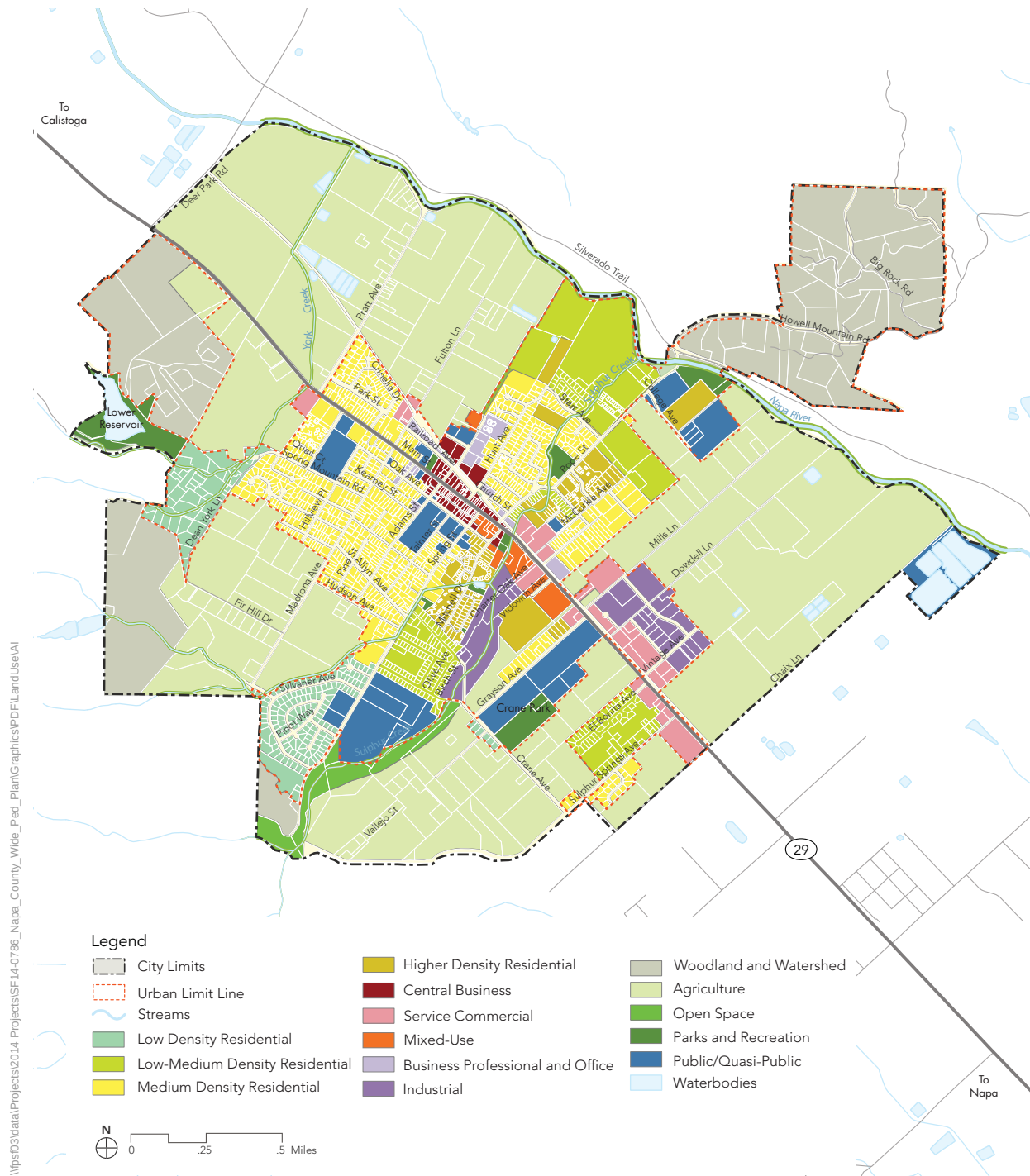


Exhibit SH-1
St. Helena - Land Use Map

ST. HELENA PLAN

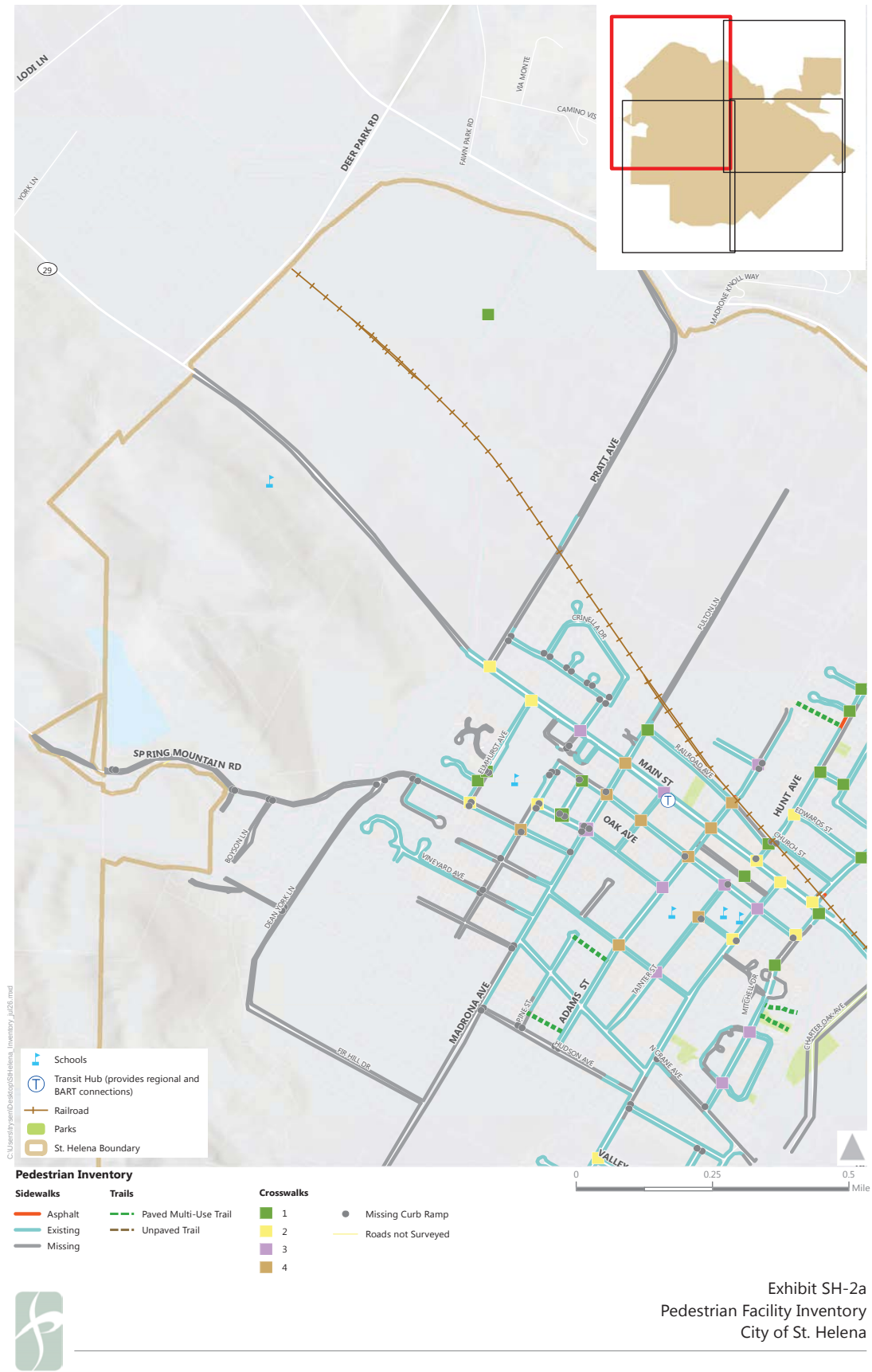
Existing Pedestrian Infrastructure

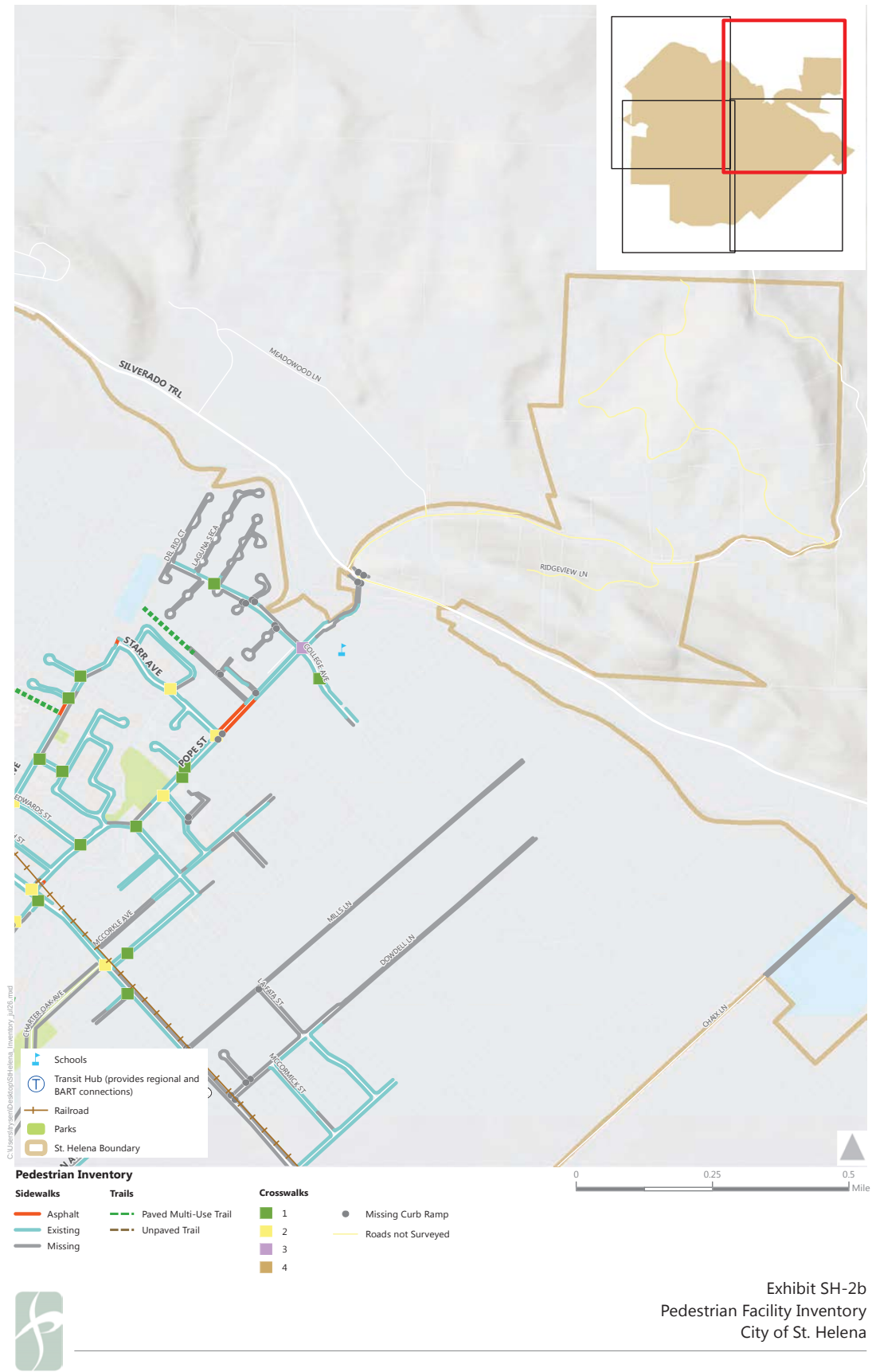
An inventory of existing sidewalks, marked crosswalks, curb ramps and trails was collected on key roadways throughout the city using a combination of aerial imagery and Google Street View imagery from the years 2011 – 2014 (imagery for a few small residential streets dated back to 2007).

A GIS database assembled for the inventory includes additional detail beyond what is illustrated in the inventory maps, including the style of crosswalk striping, the method of vehicle control at the crosswalk (i.e., traffic signal, flashing beacon, stop sign, or uncontrolled), whether the crosswalk was located in a school zone, and the curb ramp design (i.e., whether the ramp is directional or diagonal and if it has truncated domes). For more information and examples of these types of facilities, please see the Best Practices Toolkit, **Appendix D** of the Countywide Pedestrian Plan.

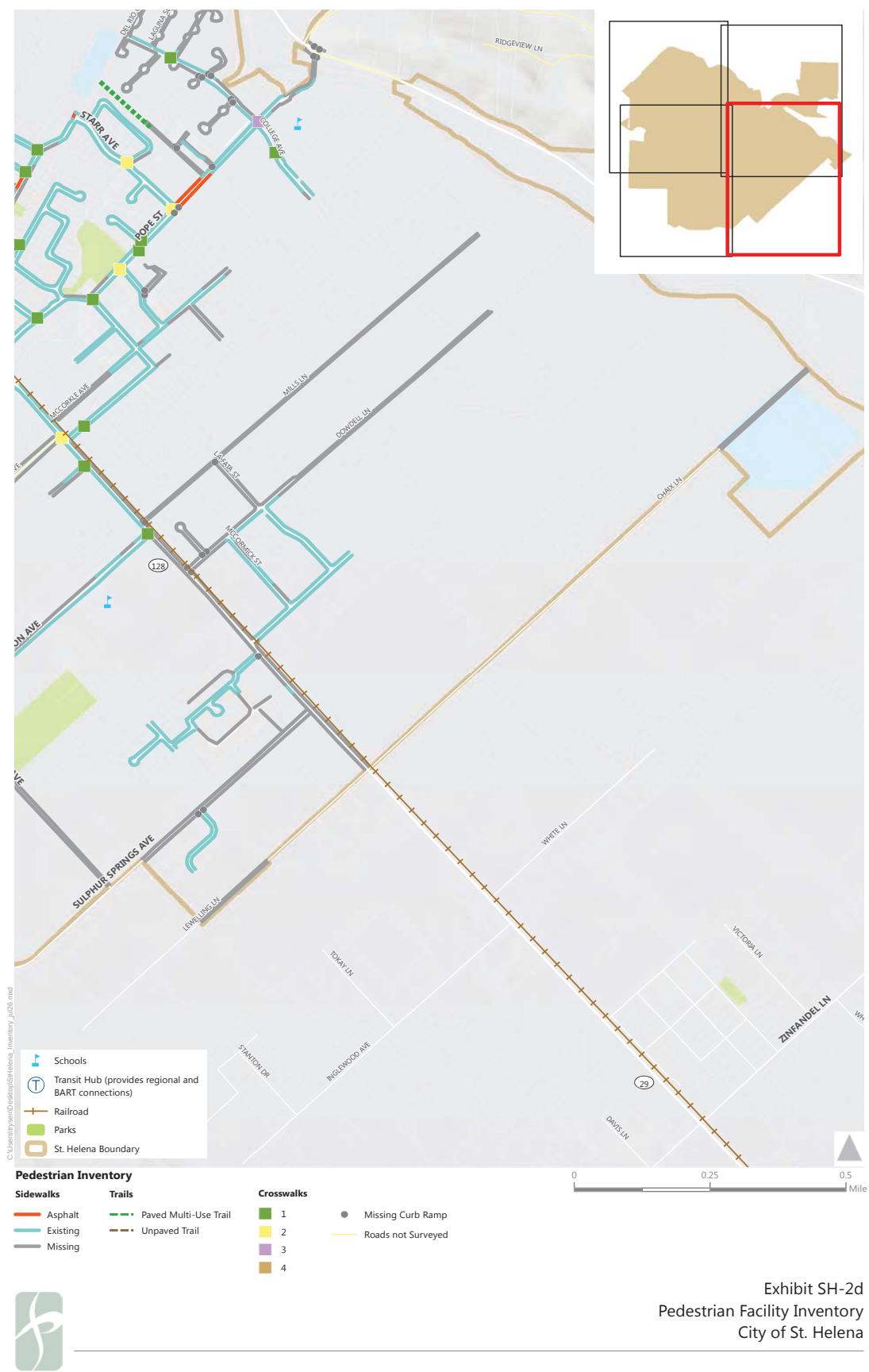
St. Helena Inventory

Pedestrian facilities were inventoried for the entire roadway network in St Helena. As shown in *Exhibit SH-2*, the majority of missing sidewalks is located on the outer edges of the city. Streets with sidewalk gaps that were identified by city staff as potential or existing pedestrian desire lines include north-west corridors Main Street and Hudson Avenue and east-west corridors Grayson Avenue and Mitchell Drive. According to city staff, Pope Street is a common route for seniors who walk from their homes into town. Although Pope Street has sidewalk along at least one side of the street between College Avenue and Main Street, *Exhibit SH-2* shows locations where sidewalk is missing on both sides or where the sidewalk is asphalt, which typically requires more maintenance than concrete sidewalks.









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Activity Levels

Pedestrian counts were conducted at eight locations throughout St. Helena in October and November 2015. These locations were selected based on locations of proposed pedestrian projects in this plan, potential localized safety concerns, expected high expected levels of walking, and proximity to key pedestrian destinations, including schools and downtown commercial areas. **Table SH-2** provides a summary of the two-hour counts completed within the city. Count results varied significantly based on nearby population density, as well as by the adjacent land use.

TABLE SH-2: ST. HELENA COUNT PROGRAM LOCATIONS						
ID	Jurisdiction	Location	Morning	Evening	School	Weekend
			7-9AM	4-6PM	2-4PM	12-2PM
SH1	St. Helena	Main St. and Pope Street	55	134		
SH2	St. Helena	Main Street at Adams Street	112	321		798
SH3	St. Helena	Hunt Avenue at Proposed Path (1)	23	37		
SH4	St. Helena	Hunt Avenue at Proposed Path (2)	23	34		
SH5	St. Helena	Main and Grayson	8		16	
SH6	St. Helena	Main and El Bonita Avenue	5		8	7
SH7	St. Helena	Spring Mountain and Elmhurst	13		7	
SH8	St. Helena	Main and Pine	35	65		104

The highest rates of walking in St. Helena during all time periods were observed at the intersection of Main Street and Adams Street in downtown St. Helena. This location is in close proximity to several shops and restaurants, and is currently a signalized intersection with crosswalks across two of the intersection's three crossings. The highest observed pedestrian activity at this location was midday (12-2 PM) on Saturday, when nearly 800 crossings took place during the two-hour count period. Several other lower counts were also conducted along Main Street.

Counts were conducted at three locations in close proximity to St. Helena schools; two counts were conducted near St. Helena High School (SH5 and SH6) and one count location was selected near Robert Louis Stevenson Middle School (SH7). Counts at all schools showed fewer than 20 pedestrians over each two-hour period.

Going forward, NVTA intends to conduct annual counts throughout the County on an annual basis. Counts will primarily be conducted in locations evaluated in the baseline year (2015) to monitor travel trends and the impact of project implementation on pedestrian volumes, as well as justify funding for projects in this plan. With the collected counts, NVTA may compare travel patterns across different locations, measure changes in pedestrian use at a single location over time, and evaluate the extent to which pedestrian travel peaks throughout the course of the day or week. By collecting counts at different times of day, NVTA may evaluate if a given pedestrian facility is typically used for recreational or utilitarian purposes.

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In the future, count locations may be added or omitted based on agency priorities, and could include pedestrian-involved collision locations to prioritize improvements in locations based on collision rates (collision/daily pedestrian volume).

Collision Analysis

Collision data was accessed from the California Highway Patrol Statewide Integrate Traffic Records System (SWITRS). This data represents all reported pedestrian-vehicle collisions occurring during the ten-year period from January 2003 to December 2012.

Exhibit SH-3 shows the locations of these pedestrian collisions in St Helena.

Exhibit SH-3 presents raw collision counts only. While this is illustrative of “hot spot” areas in St Helena, another important consideration for identifying safety focus areas can be collisions per pedestrian (or the collision rate). Collision rates (not included in the current analysis because pedestrian volume data is not available citywide) can highlight locations where improvements can be added to ensure a focus on areas that may not have as many people walking (but have high collision rates) in addition to areas with high pedestrian volumes and a high number of collisions.

Hot Spots

St Helena has the highest number of reported collisions per capita in the county, at approximately one reported collision for every 200 residents. Collision locations are concentrated near Main Street (SR 29) between Madrona Avenue and Pope Street, close to the downtown core. Collision hotspots include the intersection of Main Street and Adams Street, with four reported injury collisions over the last ten years, and Main Street at Fulton Lane with two injury collisions.

Countywide Demographic and Seasonal Trends

For this plan, a review of collisions countywide included organizing the data by age for children and seniors, and comparing the results across each jurisdiction. Daily and seasonal trends for collision occurrences and primary collision factors were also reviewed countywide. A summary of these results can be found in the *Countywide Walking Trends* chapter of the Countywide Plan.

Pedestrian Actions

Perhaps one of the more telling sources of information in the SWITRS data is the Pedestrian Action variable, which describes what the pedestrian was doing immediately before the collision occurred. According to the pedestrian actions presented in **Table SH-3**, pedestrian safety issues surrounding collisions are typically focused around crossing locations.

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TABLE SH-3: ST HELENA COLLISION SUMMARY PEDESTRIAN ACTIONS (2003-2012)

Pedestrian Action	Number of Collisions		
	Injury	Fatality	Total ¹
Crossing in Crosswalk at Intersection	12	2	14
Crossing Not in Crosswalk	8	0	8
Walking In Road, Including Shoulder	3	0	3
Walking, Not in Road	2	1	3

1. Some of the recorded collisions were unable to be mapped due to a missing location in the database.
Source: SWITRS

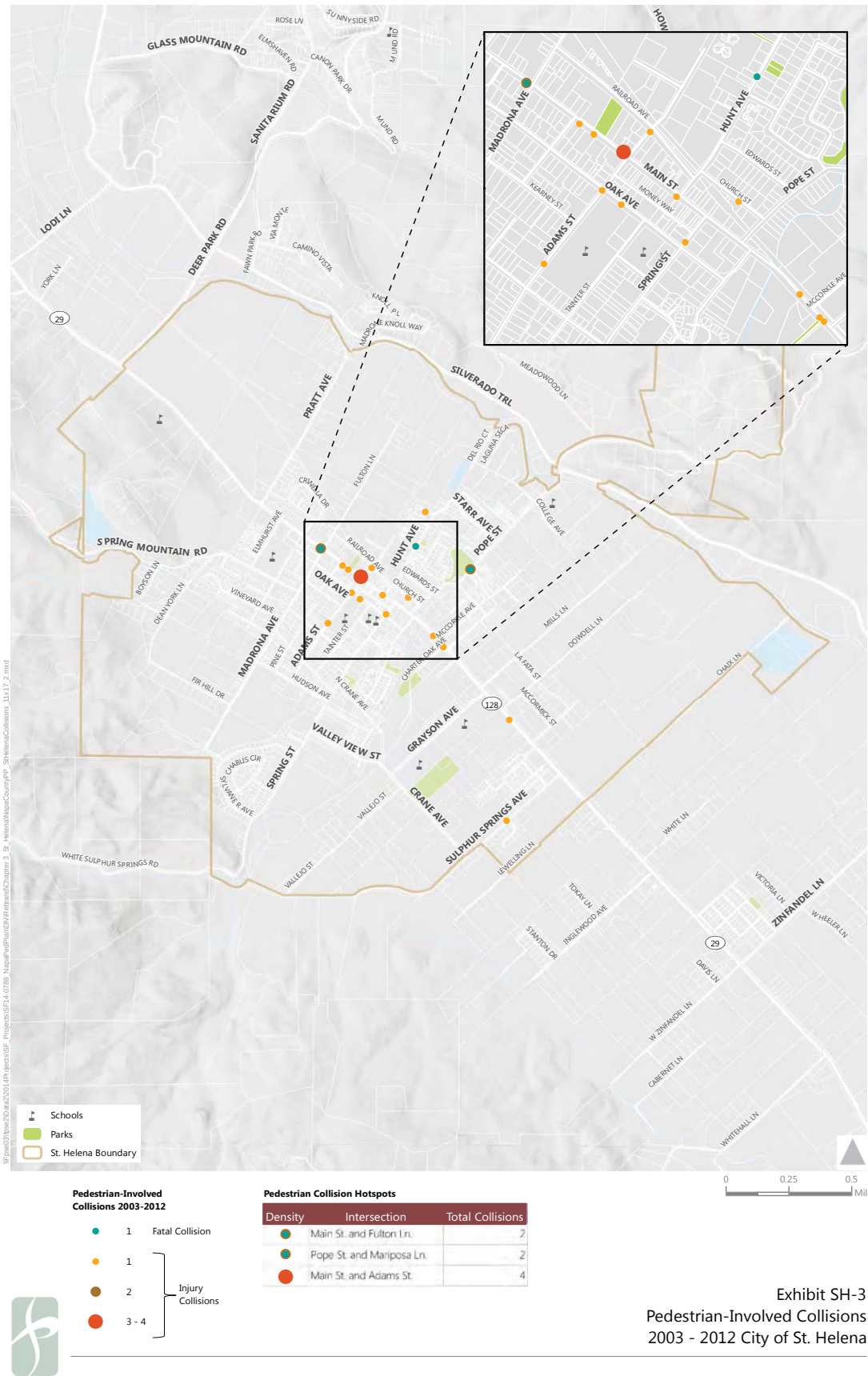


Exhibit SH-3
Pedestrian-Involved Collisions
2003 - 2012 City of St. Helena

Public and Stakeholder Input

Countywide Outreach

Input on plan goals and objectives, current pedestrian issues, and desired locations for improvement was solicited through meetings with jurisdiction staff and key stakeholders, countywide public workshops, and an interactive mapping tool made available online. The goal was to develop a community-supported vision for pedestrian improvements. A summary of all input received during this process countywide is displayed in **Table SH-4**. Connectivity and safety were the key themes across the countywide comments.

TABLE SH-4: PUBLIC INPUT RECEIVED COUNTYWIDE		
Comment	Comment Type	Percent of Total Comments
Add a sidewalk here	Connectivity	16%
Make it safer to cross the street here	Safety	15%
Make it safer to walk here	Safety	14%
Add a pedestrian pathway	Connectivity	13%
High traffic volume or speed here	Safety / Walkability	8.5%
Pedestrian facilities need maintenance here	Walkability	4.5%
Barrier for persons with disabilities here	Accessibility	2%
Other (Add your own idea)		27%

Source: Fehr & Peers, 2015

Examples of the comments that were categorized as “other” in St. Helena are included in the Station One narrative below.

Public Workshops

Ongoing public outreach and participation was an integral element in developing the Countywide Pedestrian Plan. Public workshops were advertised on NVTA’s website, as well as via local media including the newspaper and radio. Invitations to the public workshops were also sent to local stakeholders, including senior centers, mobility impaired groups, advisory committees and local non-profit groups. The goal of the workshops was to identify public concerns and opportunity areas to inform focus areas, educate the stakeholders, and solicit feedback on the plan vision and goals.

Public workshops were held throughout the County in Winter 2015: in Napa on January 22 at NVTA; in Yountville on January 27; in St. Helena on January 28; and in American Canyon on February 4. Due to recent public workshops held in Calistoga through development of their Active Transportation Plan in 2014, workshops were not held in the city. All workshops were open to all members of the public countywide. Photos of workshop posters are included in **Appendix A** of the countywide plan.

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The format for each public workshop was the same and consisted of four stations:

- **Station One: Issues/Opportunities**

At Station One, participants voted on a list of common barriers to walking to indicate which issues were most relevant to the walking environment in their jurisdiction and countywide. Participants also wrote comments on large-scale aerial maps placed on tables or on the floor to highlight existing barriers to pedestrian travel and locations where improvements were needed. Suggested comments included “Make it safer to cross the street here” or “High traffic volume or speed here”. Comments were mapped in GIS after the workshops to visualize the areas of reported pedestrian needs and inform the decision for focus area locations. The results of this mapping exercise included over 30 comments in the City of St Helena, shown in *Exhibit SH-4*. Comments were grouped into six categories, including a miscellaneous category “Add your own idea”. This category was used for comments that did not fall into any of the major themes shown in Table SH-4. Examples of these miscellaneous comments included documentation of routes used by hotel guests, suggestions to relocate parking off of Main Street, ideas to open up pedestrian alleyways in a residential neighborhood near Robert Louis Stevenson Middle School, and recommendations to reduce existing cross-sections on roadways in the south of town to accommodate pedestrian facilities. All public comments were considered in the process to choose focus areas for the Plan, discussed under *Opportunity Areas* in this Plan, and when identifying candidate pedestrian improvements.

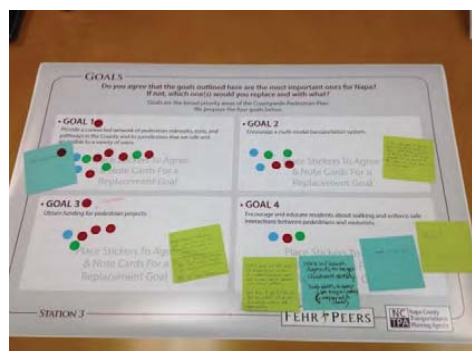


- **Station Two: Best Practices Toolbox**

Station Two was an informative station that displayed examples of best practices for pedestrian treatments frequently used in pedestrian planning efforts. Treatments included sidewalk buffers, intersection features, crosswalk enhancements, as well as signal and striping modifications.

- **Station Three: Goals Visioning**

At Station Three, participants had the opportunity to weigh in on draft goals for the plan and write their own vision statement. Conflicting desires related to transportation were also presented on either end of the scale and participants were asked to place stickers where they thought the balance should be struck. Tradeoffs included ease of walking compared to ease of driving and creating a comprehensive pedestrian network compared to improved transit service. This information is valuable to determine where the public would like resources to be focused.



- **Station 4: Collision Maps**

Station Four was an informative station that displayed the collision maps shown in this plan.

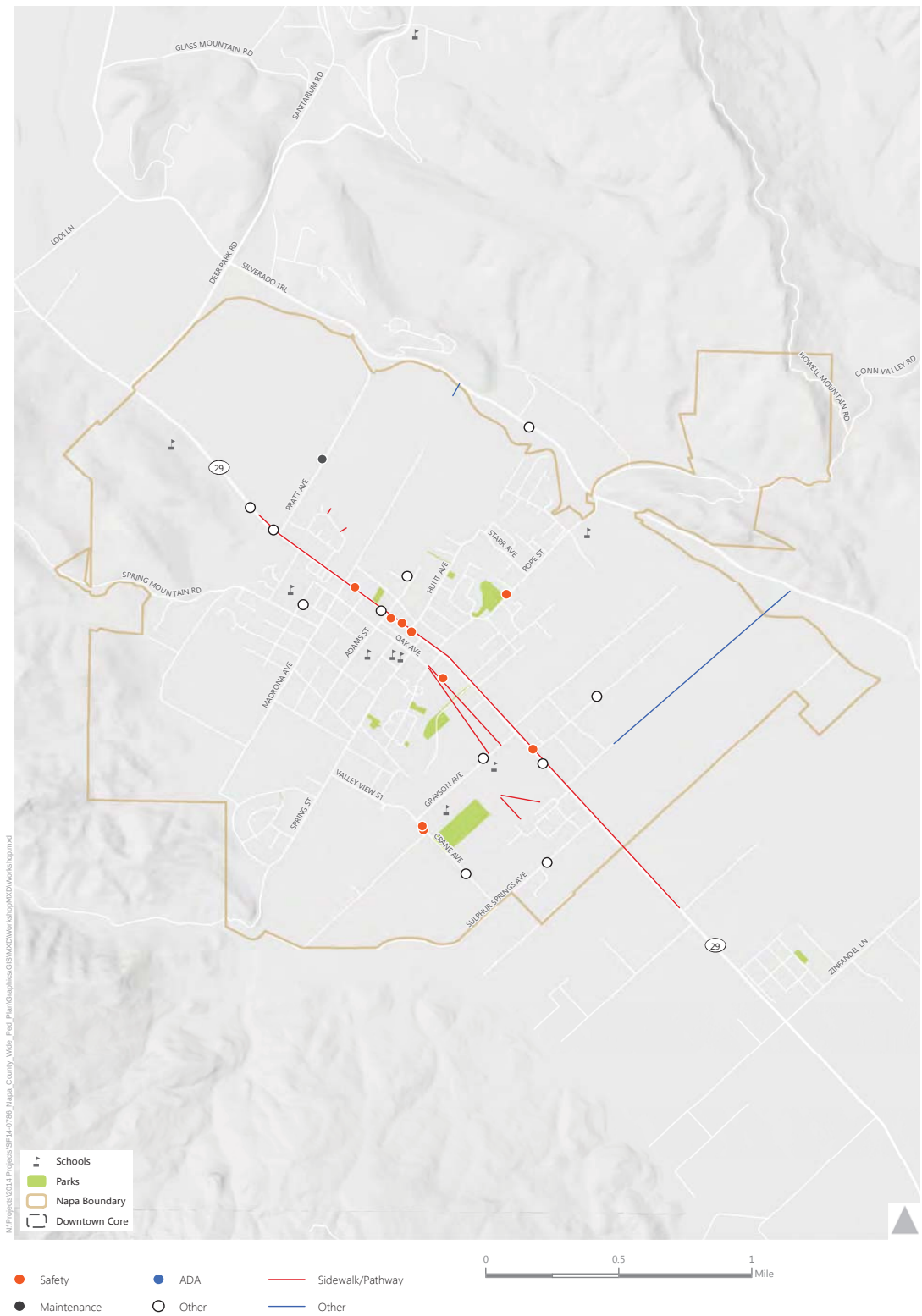


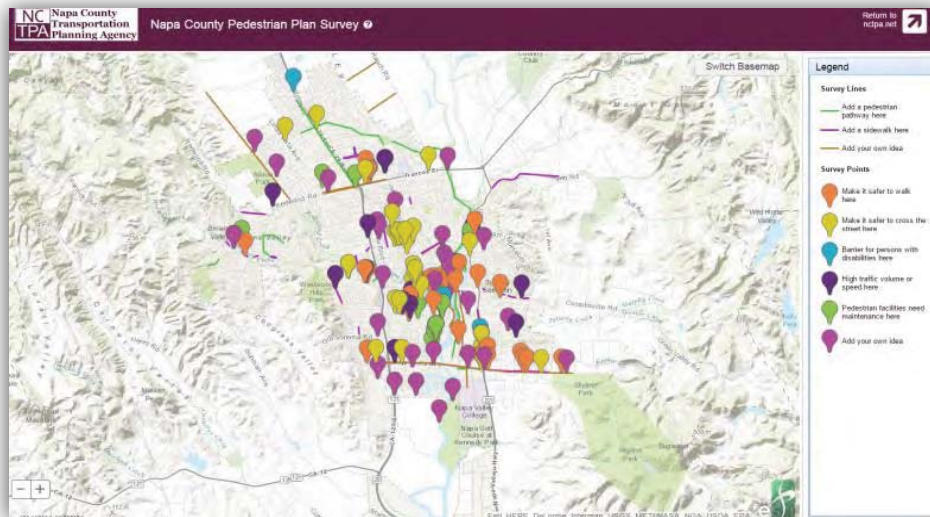
Exhibit SH-4
Workshop Comments
St. Helena

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Online Survey Mapping Tool

Napa County residents, employees, and visitors who wanted to provide input but were unable or did not wish to attend the public workshops had the option of submitting their comments online through an interactive mapping tool. Users placed pins on the maps to highlight desired improvements using pre-set comments or creating their own comment. Preset comments included:

- Make it safer to walk here
- Make it safer to cross the street here
- Barrier for persons with disabilities here
- High traffic volume or speed here
- Pedestrian facilities need maintenance here
- Add a sidewalk here
- Add a pedestrian pathway here



Results from the 70 comments submitted countywide are shown in *Exhibit 2* of the countywide plan.

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St Helena-Specific Focus Groups

At the outset of the plan development process, meetings were held with key staff from St. Helena to initiate the planning process on December 17, 2014.

This meeting included a discussion of existing programs, policies and practices. Examples from other cities as well as recommendations for improvements are provided in the benchmarking summary table in **Appendix SH-A**.

Jurisdiction staff also provided input during the initial benchmarking meeting and at the public workshops on key areas where pedestrian improvements are planned and in some cases, where connections and safety improvements are desired. This input was used to inform potential opportunities for walking audit routes, as well as discussed along with the facility inventory maps under the *Existing Pedestrian Infrastructure* section of this plan.

Additional focus group meetings were held for the St. Helena walking audit on May 12, 2015, and to review the list of suggested pedestrian projects on August 12, 2015.

Perceived Barriers

As shown in **Table SH-4**, connectivity and safety are two of the top pedestrian issues identified from the public. To geographically visualize the safety concerns in St Helena, a heat map was created, shown in Exhibit SH-5. This map shows the density of safety-related public comments received during the outreach process, and is intended to represent perceived barriers to walking. These locations may be under-represented in the collision data due to a high level of collision under-reporting with SWITRS data³ or fewer people walking as a result of these perceived issues. This map provides an important lens into key areas for concern, and may help supplement collision data to identify locations where near misses and other safety-related (but non-reported) issues may be present.

³ Sciortino, S., Vassar, M., Radetsky, M. and M. Knudson, "San Francisco Pedestrian Injury Surveillance: Mapping, Underreporting, and Injury Severity in Police and Hospital Records," *Accident Analysis and Prevention*, Volume 37, Issue 6, November 2005, Pages 1102-1113

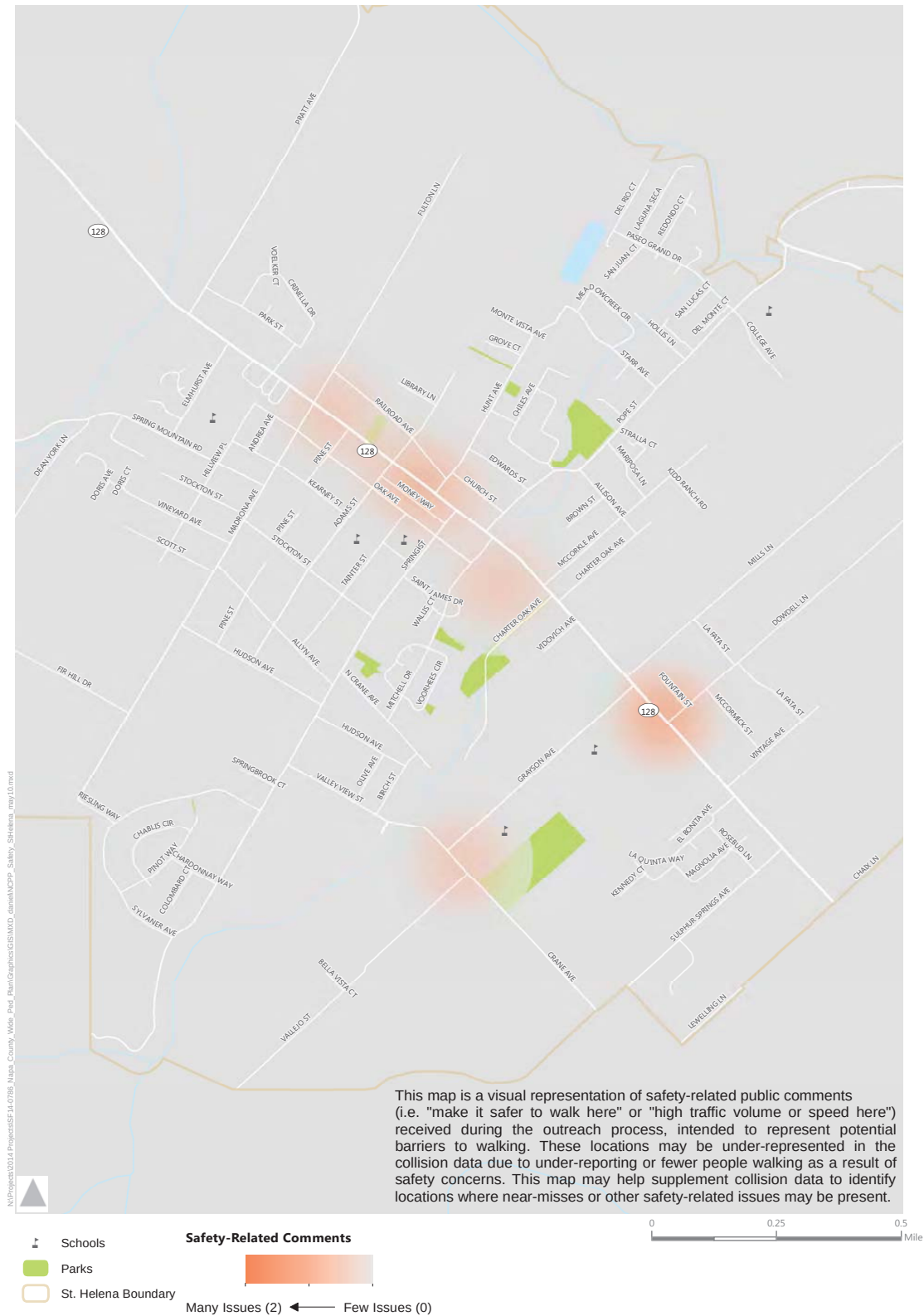


Exhibit SH-5
 Perceived Barriers: As Visualized by Safety-Related Public Comments
 City of St. Helena

Opportunity Areas

St. Helena's small-town feel, narrow residential roadways, numerous shopping and dining options and natural beauty create an attractive pedestrian environment. The city has seen recent growth and transition and has recognized this moment as a key opportunity to enhance pedestrian safety and mobility with the development of their General Plan update and new city leadership. This plan expands on those efforts by developing a list of proposed pedestrian facilities within key focus areas of the city and referencing those that have been developed by other plans. Initial focus areas for the plan were developed using a data-driven GIS process that evaluates several factors related to the built environment and demographics that affect the propensity to walk. This process, called the "Ped INDEX", was adapted by work done by the US Environmental Protection Agency (EPA) has been used in several plans in the Bay Area to map the qualitative likelihood of demand for pedestrian activity.

Ped INDEX

The main factors used in the Ped INDEX are population density, land use mix, presence of schools or parks, intersection density, location of downtown commercial areas, and age. These factors resulted in a "heat map" which displays an estimate for relative pedestrian demand on the streets throughout the City of St. Helena. More detail on the Ped INDEX methodology and results as well potential applications can be found in **Appendix B** of the countywide plan.

To balance high pedestrian demand areas with key areas of need in St. Helena, additional data layers were used to display pedestrian deficiencies. These include gaps in sidewalk and reported pedestrian-involved collisions. In general, places with high pedestrian demand and a high infrastructure need are shown as target areas that could be prioritized for pedestrian improvements. The resulting heat map with overlaid demand and deficiencies is shown in *Exhibit SH-6*.

As illustrated on *Exhibit SH-6*, Ped INDEX focus locations include the downtown core and neighborhood pockets near St. Helena Elementary School, High School, and Robert Louis Stevenson Middle School. Feedback at the public workshop yielded multiple requests for reducing parking on Main Street and improved crossings while managing the vehicle congestion. After reviewing the locations of all comments received during public outreach and the alignment with focus locations on the Ped INDEX maps, two potential walking audits were recommended to city staff:

- **Hotels and High School:** Grayson Avenue and Crane Avenue along school frontage; Main Street between Grayson Avenue and Sulphur Springs Avenue (1.1 miles)

This route includes the area with the shared concern from the city and the public that visitors staying in hotels on El Bonita Avenue and Sulphur Springs Avenue at the southern city limits use Main Street (SR 29) to walk into town, which has discontinuous sidewalks and facilities with maintenance needs. Other concerns in the area, voiced by both the city and the public, include speeding along the high school on Grayson Avenue and Crane Avenue, limited pedestrian connections to Grayson Avenue, and limited

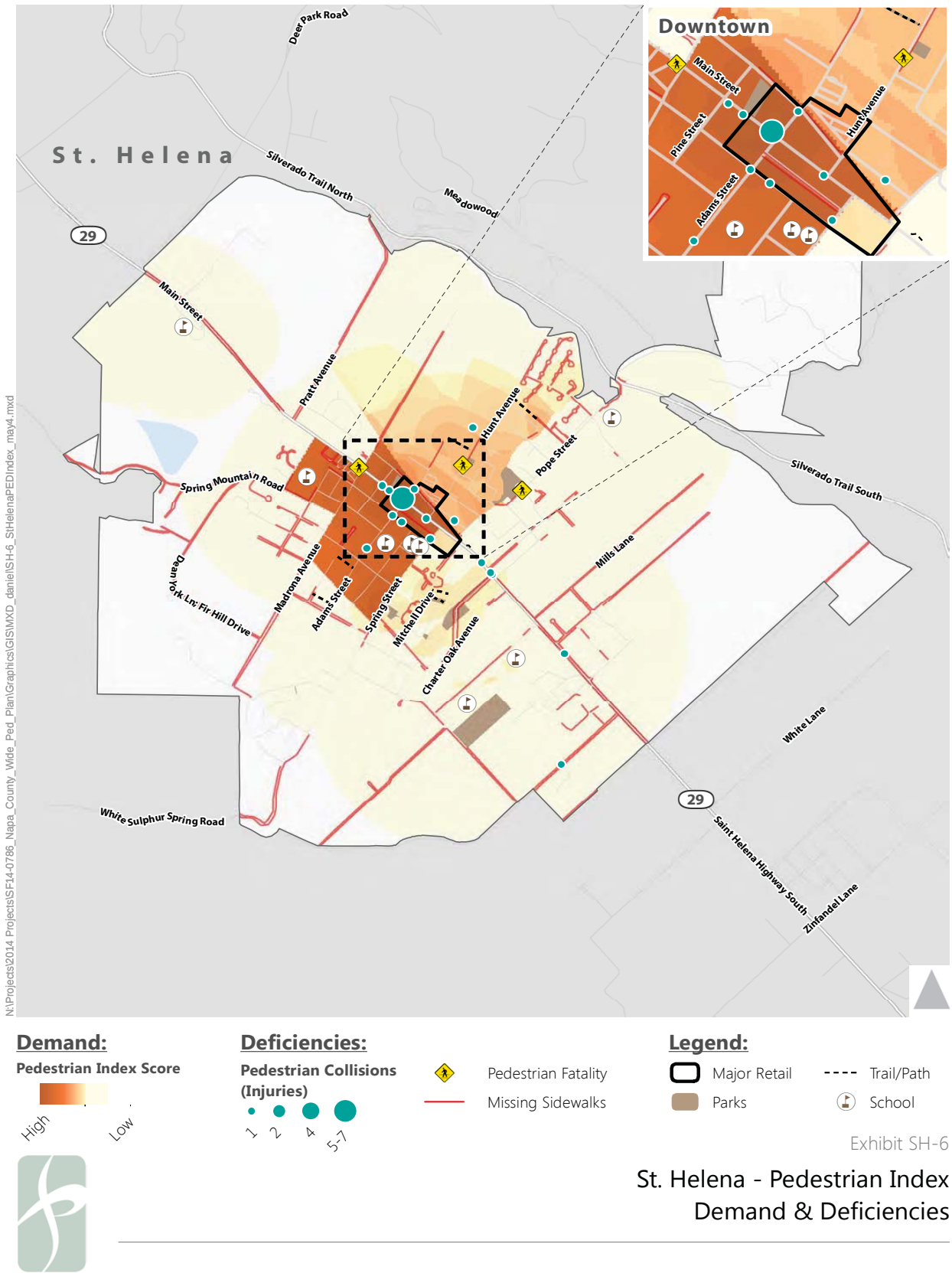
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pedestrian facilities along Grayson Avenue and Crane Avenue. Crossing challenges at Main Street to the bus stop at Dowdell Lane, a request from the public workshops, are also located on this route.

- **Downtown and Pope Street:** Main Street from Pine Street to Pope Street/Mitchell Drive; Pope Street from Main Street to Paseo Grand Drive (1 mile)

Collision data shows clusters of collisions have occurred in the core of downtown between Hunt Avenue and Pine Street, with the largest concentration at the intersection of Main Street and Adams Street (four collisions in the last ten years). This area also features high pedestrian activity levels and key tourist attractions.

After discussions with city staff regarding candidate locations, a combination of the above recommended focus areas, for a total of approximately one mile, was chosen for study during walking audits: Main Street from Pine Street to Sulphur Springs Avenue.



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Priority Project and Implementation Plan

An important outcome of this plan is the designation of a priority project list and an implementation plan for these projects. The priority project list was assembled based on:

- Results of the Walking Audit conducted for the plan
- Projects recommended through related planning efforts, such as the Countywide Transportation Plan (CTP)
- Conversations with staff and stakeholders regarding other local priorities

Walking Audits

Walking audits were conducted in April 2015 with key stakeholders to observe field conditions and brainstorm potential ideas for improvement. The following stakeholders attended walking audits in St. Helena:

- Steve Palmer, Director of Public Works
- Alan Galbraith, Mayor
- Jim Haller, Park Supervisor/City Arborist
- Mary Sherman, Senior Advocate
- Sergio Ruiz, Caltrans

During the walking audits, visual surveys were conducted to observe physical characteristics and conditions of the pedestrian environment as well as the connectivity and continuity of the surrounding pedestrian network. A debrief was held afterwards with the group to discuss observations and determine suggestions for improvements.

Project List and Map

Suggested pedestrian projects developed during the Pedestrian Plan walking audits and similar, recent efforts are shown in *Exhibit SH-7*. Descriptions of each project and additional program and policy recommendations are included below under *Priority Projects*.



Exhibit SH-7
St. Helena - Project Locations

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Priority Projects

Existing funding for pedestrian facilities is limited and cannot successfully cover more than a fraction of the recommendations in this plan. Available regional, state and Federal funding sources and grant cycles are highly competitive among worthy projects and other jurisdictions. Using consistent prioritization criteria countywide, this plan includes a tiered list of projects for St. Helena reflecting:

- Local importance
- Safety enhancements
- Proximity to schools
- Proximity to transit
- Sidewalk gap and trail connections
- Cost

These criteria and the metrics used to define them are described in more detail in **Appendix SH-C**. Each pedestrian improvement project is shown in one of two tiers based on the number of evaluation criteria it meets. Detailed results and project descriptions can be found in **Appendix SH-C**. A summary of the improvements is shown in **Table SH-5**.

Funded or Constructed Projects

The City of St. Helena recently secured funding for a sidewalk gap closure project on Mitchell Drive through the Transportation Development Act Article 3 funds, or TDA-3, available through MTC. This project will connect residential neighborhoods with an adjacent commercial center and a nearby school. Recommended pedestrian improvements are also being considered by Caltrans as additions to a funded signal project at Main Street and Grayson Avenue, which is currently in the final stages of design. These recently completed and funded projects were assigned to “Tier Zero” in **Table SH-5** and were not evaluated for prioritization.

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TABLE SH-5: ST HELENA PEDESTRIAN IMPROVEMENTS				
Project ID	Location	Description	Pedestrian Component	Estimated Cost
ON-GOING SYSTEM MAINTENANCE				
Sidewalk Gap Closure and Maintenance (No. 29 2015 CTP Program)	Citywide	Sidewalk maintenance, rehabilitation and expansion to include 29 miles of Citywide sidewalk gap closure	Sidewalks Maintenance	\$\$\$
TIER ZERO (FUNDED OR CONSTRUCTED PROJECTS)				
T0-1 Additions to Planned Projects	Main Street at Grayson Avenue	Marked crosswalks on all legs with crosswalk enhancements and directional curb ramps for west leg crosswalk	Crossing treatments ADA ramps	-
T0-2 Mitchell Drive Sidewalk	Mitchell Drive, Oak Avenue to St. James Court	Sidewalk on the north side of the street	Sidewalk	-
TIER ONE				
SH-1 RLS Middle School Sidewalk and Hunt Avenue Improvements	Hillview Place, Spring Mountain Road, Elmhurst Avenue at RLS Middle School	Sidewalks	Sidewalk	\$399,000 ²
	Hunt Avenue, Monte Vista Avenue to June Lane	Sidewalks	Sidewalks	
	Hunt Avenue at Edwards Street, Hunt Avenue at June Lane	Curb ramp upgrades	ADA Ramps	
	Hunt Avenue, Grove Court to June Lane	Class I pathway and enhanced1 midblock crosswalk	Crossing treatments Pathway	
SH-2 Downtown Pedestrian Improvements (No. 35 2015 CTP Constrained Project)	Main Street, Spring Street to Adams Street	Sidewalk upgrades and streetscape improvements	Maintenance Sidewalks Place making	\$1,355,900
		Traffic calming (such as bulb outs)	Traffic calming	
	Main Street at Pine Street	Crosswalk enhancements and tree trimming	Crossing treatments ADA ramps Maintenance	
	Main Street at Adams Street	Crosswalk enhancements and tree trimming	Crossing treatments ADA ramps	

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TABLE SH-5: ST HELENA PEDESTRIAN IMPROVEMENTS				
Project ID	Location	Description	Pedestrian Component	Estimated Cost
			Maintenance	
	Main Street at Hunt Avenue	Enhanced marked crosswalk	Crossing treatments ADA ramps	
	Main Street at Spring Street	Pedestrian wayfinding	Wayfinding	
	Main Street – Entire Corridor	Enhanced marked crosswalk	Crossing treatments ADA ramps	
SH-3 Sulphur Creek Class I Multi-Use Pathway (No. 36 on Constrained CTP Project List)		Raised median	Traffic calming	
		Pedestrian paseo / alley way study	Wayfinding Place making	
	Sulphur Springs Avenue to Napa River	Class I Multi-Use Path	Pathway	\$\$\$
SH-4 Napa River Class I Multi-Use Pathway (Unconstrained 2015 CTP Project)	Napa River from South City Limit to North City Limit	Class I Multi-Use Path	Pathway	\$\$\$
SH-5 SHUSD Main Street Frontage Sidewalk	Main Street, Grayson Street to Dowdell Lane	Sidewalk	Sidewalk	\$184,300
SH-6 Downtown Operations Study	Main Street, Pine Street to Mitchell Drive	Signal coordination study and assessment of pedestrian signal timing improvements	Signal timing/operations	\$53,000
	Main Street at Pope Street	Roundabout feasibility study to include analysis of circulation modifications as alternative	Signal timing/operations	
SH-9 Main Street ADA Improvements	Main Street, Spring Street to Pop Street	ADA driveways	ADA	
	Main Street, Dowdell Lane to El Bonita Avenue	DG pathway	Pathway	\$137,700
	Main Street at El Bonita Avenue	Sidewalk repair	Maintenance	

TABLE SH-5: ST HELENA PEDESTRIAN IMPROVEMENTS				
Project ID	Location	Description	Pedestrian Component	Estimated Cost
	Main Street at St Helena Chamber of Commerce	Detectable warning strip along sidewalk	ADA	
TIER TWO				
SH-7 Main Street Business Frontage Improvements	Main Street at Pope Street	Sidewalk activation considerations	Place making	\$\$
	Main Street at Gott's	Driveway closure Wayfinding and landscape improvements		
SH-8 Main Street SRTS Improvements	Main Street at Charter Oak Avenue	Enhanced marked crosswalk with RFBs	Crossing Improvements ADA ramps	\$\$
	Main Street at Vidovich Lane	Crosswalk enhancements Enhanced marked crosswalk		
SH-10 Main Street/ Dowdell Transit Access Improvements	Main Street at Dowdell Lane	Bus stop relocation	ADA ramps Sidewalks Crossing Improvements	\$\$
SH-11 South St Helena/ Unincorporated Connection	Main Street at El Bonita Avenue to Inglewood Avenue	Sidewalk or enhanced marked crosswalk for Vine Trail connection	Sidewalks Crossing Improvements	\$\$\$ ³
SH-12 ⁴ Sulphur Creek Crossing	Southern terminus of Oak Avenue to Grayson Avenue over Sulphur Creek	Feasibility study for pedestrian crossing	Crossing Improvements	\$\$

1. An enhanced crosswalk includes additional safety treatments such as curb extensions, reduced curb radii, or pedestrian refuge islands. These enhancements are recommended to address safety concerns such as higher speed or volume roadways, wider roadways, and roadways where motorists are less likely to yield to pedestrians. Specific recommendations are included in Appendix SH-C. For additional information on the application of these enhancements, refer to the Crosswalk Guidelines of this plan.

2. Source: Total Project Cost Estimate, St. Helena New Sidewalk Construction Project, ATP Cycle 2 Application Form, 2015

3. Based on cost of sidewalk

4. This crossing was identified as part of the pending General Plan update, public comment, and discussion with the city. Due to early planning stages, it was not included in the evaluation for prioritization.

\$\$\$ - high cost (>\$1million); \$\$ - medium cost (\$100k-\$1million); \$ - low cost (<\$100k)

Source: Fehr & Peers, 2015

Sidewalk gap closure projects are an important enhancement to pedestrian mobility. City staff identified sidewalk projects as a citywide need, especially south of the Sulphur Creek Bridge on Main Street, where facilities have maintenance needs. Several sidewalk gaps were identified during the public workshops and

ST. HELENA PLAN

discussions with city staff that are outside of the walking audits for this plan, including Grayson Avenue along the frontage of St. Helena High School and along Hudson Avenue. The city has approximately 29 miles of sidewalk gaps and filling these gaps is included as an on-going effort in Table SH-4, as adopted in the Countywide Transportation Plan (2015). Other pedestrian needs identified by staff for consideration for future walking audits include accommodations for recreational use along the railroad tracks and safety enhancements for seniors along Pope Street.

Supporting Programs and Policies

Key program and policy recommendations that complement the engineering-related projects are shown below in **Table SH-6**. Many of these recommendations draw from the benchmarking exercise completed at the onset of the plan development. The recommendations encompass education, encouragement, and enforcement activities.

TABLE SH-6: ST HELENA PROGRAM AND POLICY RECOMMENDATIONS

Program or Policy	Recommendations
Education and Encouragement	
Safe Routes to School (SRTS) Coordination	Coordinate with the Napa County Office of Education to continue SRTS programs in the City, and determine feasibility of implementing recommendations under the Safe Routes to School Support Program in the Countywide Implementation chapter of the countywide plan.
Safety and Enforcement	
Law Enforcement for Pedestrian Safety	Coordinate with NVTA to provide resources to officers in St. Helena on pedestrian safety enforcement principles / best practices and education outreach efforts to align with Countywide collision reduction goals. Consider designating traffic safety officers who conduct pedestrian related enforcement activities, such as monitoring school circulation activity during pick up and drop off periods. Determine feasibility of enforcement recommendations in <i>Countywide Implementation</i> chapter of the countywide plan.
NVTA Safety Campaign	Coordinate with NVTA on the media safety campaign that NVTA is pursuing, as an opportunity for education by distributing pedestrian safety pamphlets in-lieu of, or in addition to, citations.
Maintenance	
Repair of Sidewalks, Crosswalks, and Curb Ramps	- Continue to regularly improve and repair uneven sidewalk, broken asphalt in crosswalks, and install new curb ramps as part of the Citywide Sidewalk Maintenance Program above. This could include consideration of implementing an ADA Transition Plan and/or a trip and fall monitoring program. - Determine feasibility of adding a page to the city's website to allow residents and visitors to more easily report and track hazards in the public right-of-way and to ensure all necessary sidewalk repairs are included in the City's Capital Improvement Program (CIP). This could include the reporting of maintenance needs for pedestrian-related pavement markings and traffic control devices.
Overgrown Vegetation on Sidewalks and Planting Strips	- Continue to trim and maintain trees on Main Street, especially those at intersections to improve street light visibility. For specific locations where tree obstructions were observed during the walking audits, reference Improvement SH-2 in Appendix SH-C. - Citywide, ensure that landscapes at maturity do not interfere with safe sight distances for bicycle, pedestrian, or vehicular traffic; do not conflict with overhead lights, traffic controls, traffic signage, utility lines or poles, or walkway lights; and, do not block bicycle or pedestrian ways. Require adjacent property owners to maintain landscaped areas with live and healthy plant materials, replacing plant materials when necessary to maintain full function and aesthetics; to water, weed, prune, fertilize and keep sidewalks and planting strips litter free.
Caltrans Coordination	Sidewalk maintenance and curb ramp upgrades to directional through existing Caltrans right of way relinquishment for sidewalks (Charter Oak Avenue to Pratt Avenue). Coordinate with Caltrans on crosswalk enhancements along corridor and sidewalk improvements beyond existing right of way relinquishment.

TABLE SH-6: ST HELENA PROGRAM AND POLICY RECOMMENDATIONS	
Program or Policy	Recommendations
Engineering and Design Standards	
Crosswalk Guidelines	Implement Crosswalk Guidelines, included in Appendix D of the Countywide Pedestrian Plan, to enable the city to respond to crosswalk requests in a manner that improves pedestrian accessibility and maintains public safety. Reference Guidelines when making decisions about where standard crosswalks (two, parallel white stripes) can be marked; where crosswalks with special treatments, such as high-visibility crosswalks, flashing beacons and other special features, should be employed; and where crosswalks will not be marked due to safety concerns resulting from volume, speed, or sight distance issues.
Place Making and Complete Streets	
Downtown Parking Plan	Determine shared parking opportunities downtown to consider parklet in front of bakery on west side of Main Street and identify opportunities for bike parking to include bike corrals.
Site Plan Review Checklist	Create checklist for development review to ensure site plans include considerations for pedestrian access, safety, and sidewalk activation (i.e., considerations for building frontage location, pocket parks, small plazas or mini-shops, and pedestrian paths of travel through parking lots). Include items from MTC's Routine Accommodation Checklist for projects in the public right-of-way to ensure routine application of the Complete Streets policy. MTC's checklist can be found here: http://www.mtc.ca.gov/planning/bicyclespedestrians/Routine_Accommodation_checklist.pdf

Next Steps

Funding Sources

Federal, state, regional, county and local organizations provide funding for pedestrian and bicycle projects and programs. The most recent federal surface transportation funding program, Fixing America's Surface Transportation Act (FAST Act), was signed into law in December 2015. Details in this section are provided for funding programs that are used to fund scheduled projects through December 2020.

FAST Act funding is distributed to Federal and state surface transportation funds. Most of these resources are available to St. Helena through Caltrans, the Metropolitan Transportation Commission (MTC), and the Napa Valley Transportation Authority (NVTa).

According to St. Helena staff, sidewalks are included in the City's Capital Improvement Program and the city has budgeted approximately \$17,000/year for the last three years for sidewalk repairs, although not all of it was spent.

Table SH-7 summarizes the applicability of these various funding sources to projects, planning efforts, and programs proposed in this plan. Detailed descriptions of the grant funding sources are presented in **Appendix C** of the countywide plan. The most applicable funding sources for the improvements recommended by this plan are the Active Transportation Program, One Bay Area Grants, and Highway Safety Improvement Program, and Transportation Development Act Article 3 funds.

ST. HELENA PLAN

TABLE SH-7: REGIONAL FUNDING SOURCE APPLICABILITY MATRIX				
Funding Source	Class I Multi-Use Path	Pedestrian Projects	Other Projects	Planning and Programs
Highway Safety Improvement Program (HSIP) Grants	●	●	●	○
Caltrans Transportation Planning Grants	○	○	○	●
Local Transportation Fund (LTF)	●	●	●	○
California State Parks Recreational Trails Program (RTP)	●	○	○	○
Land and Water Conservation Fund (LWCP)	●	○	○	○
Active Transportation Program (ATP), including Safe Routes to School	●	●	●	●
Transportation Development Act, Article 3 (TDA-3)	●	●	●	●
One Bay Area Grant (OBAG)	●	●	●	●
Bay Area Air Quality Management District (BAAQMD) Transportation Fund for Clean Air	●	●	●	○

Notes:

1. ● indicates that funds may be used for this category; ○ indicate that funds may not be used for this category, and ● indicate that funds may be used, though restrictions apply.

Source: Fehr & Peers, 2016.

Cost of the Pedestrian Network

Table SH-8 presents unit costs for standard pedestrian treatments, estimated using an ATP Cost Estimating Tool developed for the Alameda County Transportation Commission. The tool is used to estimate costs for bicycle and pedestrian projects at the network planning scale during the development of active transportation plans and in a sketch-planning capacity for a bicycle and/or pedestrian project. The costs shown represent the total construction for a typical treatment of that type, including engineering, design, construction management, mobilization, traffic control and general contingency. Contingency for drainage and utility relocation was also included for relevant treatment types, such as curb extensions. These numbers do not include right-of-way costs or inflation.

ST. HELENA PLAN

TABLE SH-8: GENERALIZED UNIT COSTS FOR IMPROVEMENTS

Facility Type	Cost	Unit
Curb Extension/Bulbout	\$56,000	Each
Pedestrian Refuge Island	\$10,000	Each
Flashing Beacons (RRFBs)	\$45,000	Per Crosswalk
Pedestrian Hybrid Beacon (PHB)	\$144,000	Per Crosswalk
Customized Pedestrian Wayfinding Signs	\$2,000	Per Sign

1. Costs reflect capital costs plus contingency for engineering design, environmental, construction management, mobilization, traffic control, and contingency.

Source: Fehr & Peers, ATP Cost Estimating Tool, 2016.

Project-level cost estimates were prepared for Tier One projects determined in the previous section of this plan, while the remaining projects were assigned a ranking in Table SH-5 to indicate an estimated range of cost level. Prepared cost estimates, included in **Appendix SH-D**, include unit costs for individual improvements within the project and adjustments to account for traffic control, construction management, and mobilization. Additional factors were also used for overall contingency, engineering design, and environmental. A summary of the estimates is shown in **Table SH-9** below.

TABLE SH-9: TIER ONE PROJECT SUMMARY COSTS

Project	Total Cost ¹
SH-1: RLS Middle School Sidewalk and Hunt Avenue Improvements	\$399,000
SH-2: Downtown Pedestrian Improvements (No. 35 CTP Project)	\$1,355,900
SH-5: SHUSD Main Street Frontage Sidewalk	\$184,300
SH-6: Downtown Operations Study	\$53,000
SH-9: Main Street ADA Improvements	\$137,700

1. Costs reflect capital costs plus contingency for engineering design, environmental, construction management, mobilization, traffic control, and contingency.

Source: Fehr & Peers, ATP Cost Estimating Tool, 2016.

Note: For estimated costs for projects SH-3 and SH-4, refer to Napa Countywide Transportation Plan, Vision 2040 (2015).

Countywide Performance Metrics and Evaluation

NVTA intends to monitor progress on the implementation of this plan over time. The *Countywide Implementation* chapter of the Countywide Pedestrian Plan summarizes key performance goals and associated metrics for this plan's implementation.

ST. HELENA PLAN

St. Helena Appendix

SH-A Benchmarking Table

SH-B Existing Pedestrian Policies

SH-C Detailed Project Lists and Prioritization

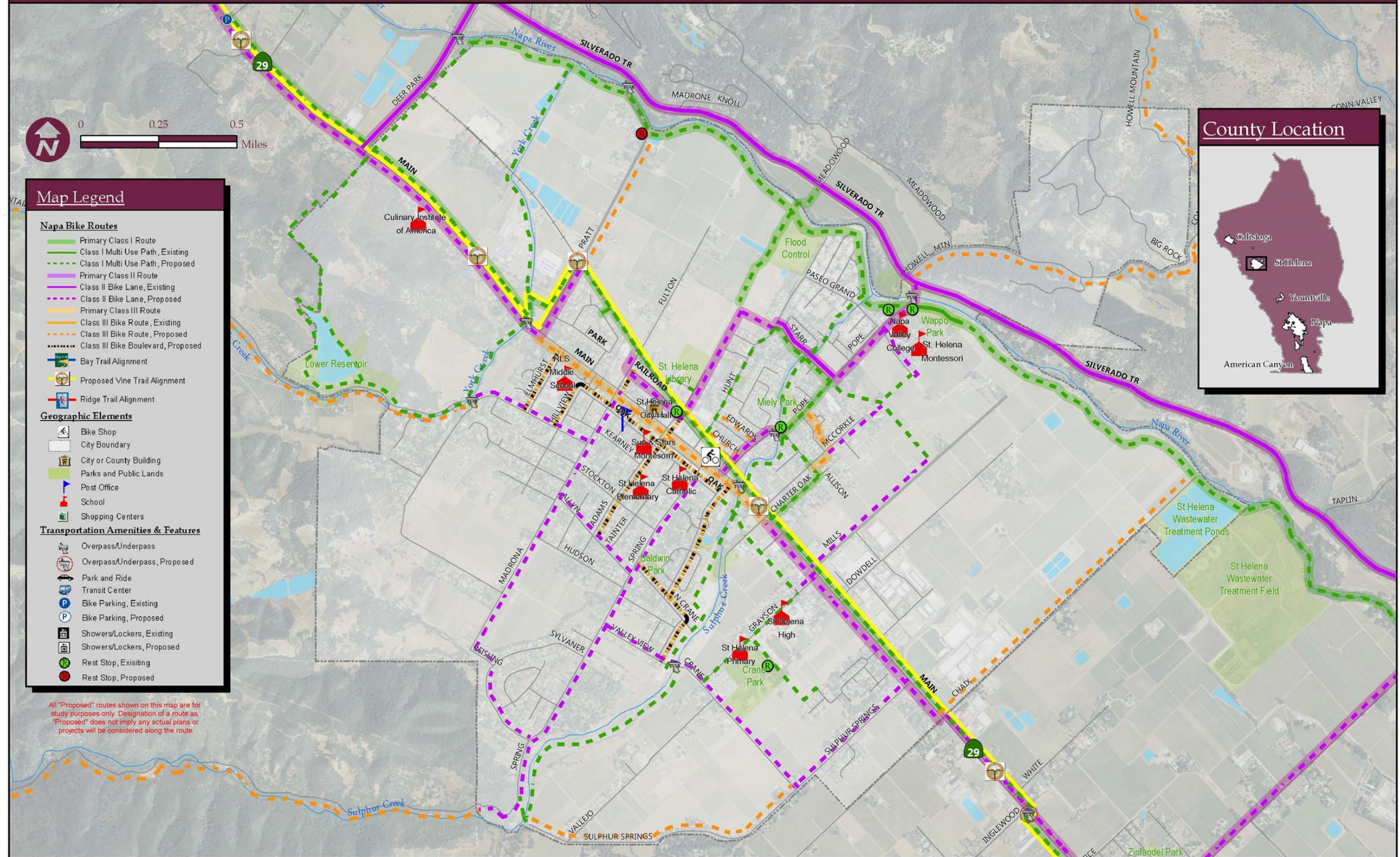
SH-D Cost Estimates

SH-E Plan Adoption Resolution

City of St. Helena

Napa Countywide Bicycle Plan

FIGURE 1





Report to the City Council
Council Meeting of October 23, 2018

Agenda Section: New Business

Subject: Update on Kosmont Companies Workplan Tasks Related to Initial Phases of the Downtown Retail Strategy and Real Estate Analysis of Several City-Owned Properties

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

On September 11, 2018, the City Council authorized an agreement with the Kosmont Companies to advance the initial phases of a downtown retail strategy and provide specific real estate analysis of several City-owned properties.

DISCUSSION

Representatives of the Kosmont Companies will present an update on implementation efforts to date.

FISCAL IMPACT

Not applicable.

RECOMMENDED ACTION

Receive and file.



Report to the City Council
Council Meeting of October 23, 2018

Agenda Section: New Business

Subject: Consideration and approval of a Resolution approving the Revised City of St. Helena City Council Policy P-FI-0003 Non-Profit Funding Policy and Related Program Application and Guidelines.

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

On October 13, 2015 City Council adopted a non-profit funding policy and related program application guidelines to set forth parameters and establish guidelines for annual grant funding of nonprofit agencies directly serving the community and/or benefitting the City of St. Helena via resolution 2015-130.

DISCUSSION

During review of the fiscal year 2018/19 non-profit grant applications, the City Council provided direction to amend the existing non-profit policy and guidelines in order to improve the alignment of funding with the City's mission statement and adopted annual goals. City staff consulted with two members of the City Council and reviewed the existing guidelines and discuss possible improvements to the non-profit funding program.

Recommendations were made to establish two funding categories that would address different needs of the City and community. The following categories were established:

- **Programmatic Grant** – Projects or programs which provide support services to the residents of the City of St. Helena.

- **Community Enrichment Grant** – Projects which promote or benefit the St. Helena community with arts, culture or education.

In addition, it is recommended the Council allocate \$140,000 of funding annually for the Programmatic Grant, and \$50,000 annually for the Community Enrichment Grant program. The annual maximum does not guarantee that all of the funds will be allocated and this amount may be reviewed annual based on the financial health of the City.

FISCAL IMPACT

None.

RECOMMENDED ACTION

Staff recommends City Council pass a Resolution approving the Revised City of St. Helena City Council Policy P-FI-0003 Non-Profit Funding Policy and Related Program Application and Guidelines.

ATTACHMENTS

[Resolution No. 2018- Non-Profit Funding Policy](#)

[P-FI-0003 Non-Profit Funding Policy](#)

[Non-Profit Grant Guidelines](#)

[Non-Profit Funding Application](#)

Attachment 1

CITY OF ST. HELENA

RESOLUTION NO. 2018-__

**Resolution approving approving the Revised City of St. Helena
City Council Policy P-FI-0003 Non-Profit Funding Policy and
Related Program Application and Guidelines.**

RECITALS

- A. On October 13, 2015 City Council adopted a non-profit funding policy and related program application guidelines to set forth parameters and establish guidelines for annual grant funding of nonprofit agencies via resolution 2015-130; and
- B. The policy and guidelines were amended to provide more direction and clarity; and
- C. Revised City Council Policy P-FI-0003 Non-Profit Funding Policy and Related Program Applications and Guidelines has been reviewed by City Council; and
- D. 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-0003 Non-Profit Funding Policy and Related Program Applications and Guidelines.

RESOLUTION

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

- 1. Approves Revised City of St. Helena City Council Policy P-FI-0003 Non-Profit Funding Policy and Related Program Applications and Guidelines; and
- 2. Repeals and rescinds any previous policies or administrative memoranda which are inconsistent with City Council Policy P-FI-0003 Non-Profit Funding Policy and Related Program Applications and Guidelines.

Approved at a Regular Meeting of the St. Helena City Council on October 23, 2018, by the following vote:

Mayor Galbraith:

Vice Mayor White:

Councilmember Dohring:

Councilmember Koberstein:

Councilmember Ellsworth:

APPROVED:

Alan Galbraith, Mayor

ATTEST:

Cindy Tzaopoulos, City Clerk

	City of St. Helena Administrative Policy Finance	Policy Non-Profit Funding Policy
		Page 1 of 3

Title: Non-Profit Funding Policy	Policy #	P-FI-0003
	Revision #	1
	Implementation Date	2015-10-13
	Last Update Date	2018-10-23
Approval by City Council		Date Approved 2018-10-23

I. Purpose, Overview and Scope of this Policy

The purpose of this policy is to set forth parameters and establish guidelines for annual grant funding of non-profit agencies based on availability of funds and award by the City Council.

II. Authority

Updates to this policy require City Council approval.

III. Policy

The City of St. Helena is committed to providing financial assistance to local non-profit organizations directly serving the community and/or benefiting the City of St. Helena. Programs and services must be consistent with the City's mission statement or support at least one of the City Council's three-year goals.

A. Eligibility Requirements

1. All applicants must possess a current IRS Not-for-Profit determination letter (IRS Form 501(c)(3)). Applicants must provide this determination letter as proof that they are a non-profit organization.
2. A non-profit organization must have been in operation for a minimum of one year by December 31st of the year preceding the application deadline.

B. Accountability

Non-profit organizations shall adhere to accountability standards set by the City of St. Helena and as required by law. Compliance with these standards is a criterion for funding. These standards include but are not limited to compliance with:

1. All financial requirements including submission of proof of expenditures as specified by the grant agreement.
2. Program performance measurement requirements including submission of a final report by the end of the fiscal year.
3. All other terms of the policy and grant agreement including meeting all deadlines.

C. Funding Eligibility

1. Only one application per organization will be considered each year.

P-FI-0003

	City of St. Helena Administrative Policy Finance	Policy Non-Profit Funding Policy
		Page 2 of 3

2. Grants are for programmatic expenses that are items recognized under Generally Accepted Accounting Principles (GAAP) as operating costs.

D. Application Procedure

1. Timeline
 - a. A public notice will be posted and available on the City of St. Helena's website with the current Program Guidelines and Grant Application at the beginning of each calendar year.
 - b. Completed applications must be returned to the City no later than the date indicated in each year's public notice. Applications received after the published deadline will be deemed ineligible for that year.
2. Application Requirements

A completed Grant Application is required, by the advertised deadline date along with all required documentation as identified in the current year's Program Guidelines and Grant Application.
3. Grant Awards

The posting of Program Guidelines and Grant Application for non-profit funding does not guarantee allocation of funds for this program nor award to any applicant. The City Council may determine to fund none, one, or multiple projects/services/programs within the minimum and maximum grant amount as identified by this policy. The City Council is not required to expend any particular allocation in a given year.
4. Funding Award
 - a. City staff will review applications for completeness and eligibility and forward all complete and eligible applications to the City Council working group.
 - b. The City Manager will schedule the date grant applications will be brought to the City Council for review. Staff will prepare a brief staff report and attach all complete and eligible applications and notify applicants of date applications will be presented to City Council. Applicants are strongly encouraged to attend the City Council meeting to respond to City Council questions regarding applications.
 - c. The City Council will approve final funding for non-profits prior to the adoption of the Annual Operating Budget.
 - d. Applicants will be notified of the final funding amount no later than June 30th.
 - e. Insurance will only be required for projects located or occurring on City owned property. Insurance coverage amounts will be reviewed and approved by the City's Administrative Services Manager prior to contract execution.

P-FI-0003

	City of St. Helena Administrative Policy Finance	Policy Non-Profit Funding Policy
		Page 3 of 3

f. Any non-profit organization awarded program funds must accept the funds by completing an agreement provided by the City which must be signed by the non-profit organization Director and the City Manager. The agreement and other contract requirements shall be signed by the organization and received by the Finance Department no later than August 31st of the fiscal year funds are awarded. Failure to comply with this date will result in funding awards being withdrawn.

5. Compliance

The consideration, award, and funding of any non-profit organization pursuant to the Non-profit Program, shall be carried out in a manner consistent with the Conflict of Interest Code and Non-Discrimination Policy for Appointed and Elected Officials of the City of St. Helena, adopted by the City Council on April 14, 2015.

6. Grant Reporting and Invoicing

Each funded organization will be required to submit a final grant report by the end of the fiscal year. This report should describe the funded program/project/service outcomes and shall include a financial report detailing expenditures that is signed by the organization's Director. Non-profit organizations shall include an invoice with the final report in the amount of the grant award. Grant funds are provided on a reimbursement basis only. Failure to comply with these reporting requirements may jeopardize funding.

E. Updates to Program Application and Guidelines

The City Manager is authorized to make updates to the Program Application and Guidelines as long as they adhere to this Non-Profit Funding Policy.

P-FI-0003



City of St. Helena Non-Profit Funding Grant Program Guidelines FY 2019/20

The City of St. Helena invites all interested non-profit organizations to submit an application for funding. The annual "Non-Profit Funding Program" is designed to support local non-profit organizations directly serving the community and/or benefiting the City of St. Helena. Applicant programs and services must be consistent with the City's mission statement or support at least one of the City Council's three-year goals (see attached).

Funding Philosophy

Due to limited resources, not all requests may be funded. The City encourages a goal of self-sufficiency for all initiatives funded by this program. Accordingly, all organizations requesting City funds should continue efforts to develop stable private funding and revenue sources. Submission of a complete application does not guarantee funding.

Applicant Criteria

Applicants may apply for project funding in one of the following categories:

- ♦ **Programmatic Grant** – Projects or programs which provide support services to the residents of the City of St. Helena. The minimum grant request is \$1,000 and the maximum grant request is \$30,000. The overall funding available in this category is \$140,000 per fiscal year.
- ♦ **Community Enrichment Grant** – Projects which promote or benefit the St. Helena community with arts, culture or education. The minimum grant request is \$1,000 and the maximum grant request is \$10,000. The overall funding available in this category is \$50,000 per fiscal year.

Eligibility

Eligibility has been established by the City of St. Helena Non-Profit Funding Policy (Resolution will be updated). All applicants must possess a current IRS Not-for-Profit determination letter (IRS Form 501(c)(3)) and provide as proof that they are a non-profit organization.

- Only one application per agency per category will be considered each year.
- Grants are for programmatic expenses only (items recognized under Generally Accepted Accounting Principles (GAAP) as operating costs).
- The City will generally not fund the purchase, maintenance, or repair of capital assets.
- All applications must be submitted by the published deadline, be complete and contain all requested information and documents in order to be considered for funding.
- Non-profit organizations must be in existence for at least one year by December 31st of the year preceding the application deadline (or December 31, 2018 for this cycle).

Actual grant funding is based upon funds appropriated by the City Council in the annual budget. Previous years' allocations are not a consideration for funding.

Attachment 3

Timeline, Submission and Grant Cycle

Applications will be available to the public on January 2, 2019 and must be received no later than **January 31, 2019 by 5:00 PM.** Late and incomplete applications will not be accepted. It is anticipated that City Council will make the final funding recommendations in February of 2019 for the 2019/20 fiscal year.

Please submit grant applications to:

By E-mail:

MKellogg@cityofsthelena.org

The grant period for non-profits approved for funding for Fiscal Year 2019/20 will be from July 1, 2019 to June 30, 2020.

Limitation on Awards

The granting of City funding is solely a monetary contribution and not a co-sponsorship by the City of any event, program, service or activity for which funding is used unless specifically agreed to in writing by the City. Award of funding shall not eliminate the need for applicants to comply with applicable regulations or permit requirements for the program, event, service or activity being funded. Grant award does not authorize use of any City property.

Any expenses incurred before grant award are not eligible for reimbursement. Each successful project/program/service will be required to submit a final grant report including expenses, accomplishments, photos, etc. Appropriate documentation will be required and may include receipts, volunteer sign-in sheets, invoices or other documents.

Grant Recipient Requirements

Organizations receiving grant funding are required to:

- Submit a revised goals and activities description if not funded at the level requested;
- Submit a revised budget if not funded at the level requested;
- Enter into a grant agreement with the City of St. Helena;
- Obtain appropriate level of insurance as determined by the City of St. Helena and add the City of St. Helena as additionally insured, if required;
- Complete a final report describing program outcomes and financial statements detailing expenditures no later 30 days after the end of the funding period.

Questions?

All questions should be submitted via email to: Mandy Kellogg at MKellogg@cityofsthelena.org



City of St. Helena

Vision Statement

The City of St. Helena will strive to be economically sustainable, and continue to be a family-friendly, diverse and safe community which prudently manages its financial and human resources, continues to upkeep and improve its infrastructure, ensures its water security, provides a full range of housing, business, cultural and recreational opportunities and embraces and retains its historic, small-town character, beautiful natural environment and high quality of life.

Mission Statement

The City of St. Helena is dedicated to serving the needs and desires of our citizens by:

- Maintaining and improving our short and long-term economic sustainability
- Offering excellent professional services to all customers
- Establishing, improving and maintaining City infrastructure
- Maintaining and encouraging an environmentally sustainable community
- Preserving and embracing the historic, small-town, rural character of St. Helena.
- Expanding and improving recreational services and facilities and cultural opportunities
- Encouraging a wide range of innovative, well-designed housing available for residents of all ages and income levels
- Facilitating full civic participation and ongoing communication
- Strengthening partnerships with the private, non-profit and public sectors

**Vision and Mission Statements adopted by the City of St. Helena City Council on April 12, 2016, Resolution No. 2016-47.*

City Council 3-Year Goals

- Improve and Maintain Safe and Reliable City Infrastructure with a Commitment to Environmental Stewardship and Public Health
- Enhance Organizational Performance
- Ensure Long Term Economic Sustainability while Safeguarding St. Helena's Unique Culture & Quality of Life
- Commit to Full Public Participation, Ongoing Communication, and Regional Collaboration
- Stabilize, Maintain, and Improve Access to Housing



City of St. Helena Nonprofit Funding Program Grant Application and Budget FY 2019/20

The annual "Non-Profit Funding Program" is designed to support local non-profit organizations directly serving the community and/or benefiting the City of St. Helena. Applicant programs, projects and services ("Project") must be consistent with the City's mission statement or support at least one of the City Council's three-year goals (see attached).

Please answer the following questions as they apply to your Project.

Applications must be received no later than **January 31, 2019 by 5:00 PM**. Late and incomplete applications will not be accepted.

Organizational Overview

Organization Name: _____
 Organization Mailing Address: _____
 Organization Contact Person
 (Name/Title): _____
 Organization Contact Email: _____
 Organization Contact Telephone: _____
 Organization Website: _____
 Federal Tax ID Number and Status: _____
 How long has your organization been in operation? _____

Project Category:

- ☐ **Programmatic Grant** – Projects or programs which provide support services to the residents of the City of St. Helena.
- ☐ **Community Enrichment Grant** – Projects which promote or benefit the St. Helena community with arts, culture or education.

Grant Request

Project Name: _____
 Address of Project: _____
 Requested Grant Amount: \$ _____
 Matching Funds: \$ _____
 TOTAL Project Cost: \$ _____

Application Questions - Please answer the following questions on a separate sheet.

1. Describe how your Project ties to the City's Goals, Mission/Vision Statement.
2. Describe your Project including objectives and goals and explain how you will meet these goals within the deadline of June 30, 2020. Please provide a timeline for your Project.
3. Describe the community support for your Project.
 - a. What organizations, neighborhood associations, non-profits, residents, etc. are also involved in the Project?
 - b. What roles are they playing and how collaborative is the Project?
 - c. What other support exists for your Project?
4. Describe who will benefit from this Project and estimate how many people this Project may impact.
5. If you have received funding from other Napa County government agencies in the past two years, provide level of funding and how funding from the City of St. Helena will specifically benefit St. Helena residents.

Cost Estimate

Include a high level description of all the program or project costs that will be paid for by City Funds. *If additional space is needed please attach a separate sheet.*

Description	Amount
Total Grant Request	

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_____

Signature_____

Title_____

Date _____



Report to the City Council
Council Meeting of October 23, 2018

Agenda Section: New Business

Subject: Disclosure Of Water Customer Usage Data To Verify Water Customers' Compliance With Obligations Imposed By Agreements And/Or Water Neutrality Or Other Conditions of Land Use Approvals

CEQA Determination: Not a CEQA project

Prepared By: Thomas B. Brown, City Attorney

Reviewed By: Mark T. Prestwich, City Manager

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

This report is in response to the City Council's request at its regular meeting on September 11, 2018 to agendize a discussion concerning the possible disclosure of water customer usage data for purposes of verifying the customer's compliance with obligations imposed by contract or water neutrality or other conditions of land use project approval. Water neutrality is required of all new development pursuant to St. Helena Municipal Code (SHMC) section 13.12.030, and compliance with water neutrality is generally imposed on new development projects as a standard condition of all new development. Under the City's ordinance and practice, water neutrality is generally achieved by retrofitting/replacing existing high use toilets, faucets and other features.

As we discuss below, this report offers the following considerations:

- Under the PRA, Council members have no greater access to public records than the public;
- Under the PRA, documents containing water customers' water usage information are confidential;

- Section 6254.16(f) of the PRA authorizes the Council to disclose such information to the public generally upon the finding that the public interest in such disclosure clearly outweighs the interest in nondisclosure;
- Section 6254.16(f) does not authorize the Council to limit the disclosure to Council members;
- Apart from Section 6254.16 or the PRA, the Council has the constitutional police power to take appropriate action to vest itself with the ability to independently verify water customers' compliance with water use agreements and/or project conditions/representations concerning use of City water and/or water neutrality;
- Section 6252.5 of the PRA allows the Council the attendant right to inspect otherwise confidential documents containing water customers' water use data for the purpose of carrying out such duty to independently verify customers' compliance with water use agreements or project conditions/representations concerning water neutrality and/or water use; and
- Where Council members inspect such otherwise confidential documents, they have the obligation to maintain the confidentiality of those documents and the confidential information they contain.

DISCUSSION

A. Under The Public Records Act, City Council Members Have No Greater Right To Inspect Public Records Than Members Of The Public.

"Local agencies and their officials (i.e. City Council members) are entitled to access public records on the same basis as any other persons." (Government Code §6252.5.) Thus, Council members have no greater right of access to public records than does the public. (Los Angeles Unified School Dist. v.. Superior Ct. (2007) 151 Cal.App.4th 759, 773.) However, officials "might be authorized to access public records of their own agency that are otherwise exempt if such access is permitted by law as part of their official duties." (League of California Cities, The People's Business: A Guide to the Public Records Act (April 2017) ("People's Business"), p. 16; see also Government Code §6252.5.)

B. Government Code Section 6254.16 Makes Customers' Water Usage Data Confidential Unless One Of Its Exceptions Applies.

As the City Council has previously discussed at its meeting on August 8, 2017 (a copy of the staff report for that matter is attached as Exhibit 1), Government Code section 6254.16 generally makes "the disclosure of the name, credit history, utility usage data, home address, or telephone number of utility customers of local agencies" exempt from inspection under the PRA. However, Section 6254.16 recognizes an exception for the

“disclosure of name, utility usage data, and the home address of utility customers” under the following situations:

- (a) To an agent or authorized family member of the person to whom the information pertains.
- (b) To an officer or employee of another governmental agency when necessary for the performance of its official duties.
- (c) Upon court order or the request of a law enforcement agency relative to an ongoing investigation.
- (d) Upon determination by the local agency that the utility customer who is the subject of the request has used utility services in a manner inconsistent with applicable local utility usage policies.
- (e) Upon determination by the local agency that the utility customer who is the subject of the request is an elected or appointed official with authority to determine the utility usage policies of the local agency, provided that the home address of an appointed official shall not be disclosed without his or her consent.
- (f) Upon determination by the local agency that the public interest in disclosure of the information clearly outweighs the public interest in nondisclosure.”

Subsections (a), (b), (c), (d), and (e) do not appear to apply to the current scenario because the question does not involve the user, another agency, a court order, local utility usage policies, or a public official. Subsection (f), however, is applicable, and authorizes the Council to override the otherwise general confidentiality of water usage data by finding that the public interest in the disclosure of customers’ water usage data “clearly outweighs” the interest in nondisclosure. When the City Council previously addressed this question, the Council did not vote to make the determination under Section 6254.16(f). The staff report for that meeting sets forth some of the competing issues the Council considered in making its decision.

The language of the exception under Section 6254.16(f)--the information “shall be made available upon request”--would appear to envision a broad, general “override” for the public generally. That language does not explicitly state, nor does it appear to envision, that Section 6254.16(f) may be used to authorize a “limited” override for access only by all or part of the City Council. Thus, it is our view that Section 6254.16(f) may only be invoked by the Council to authorize the broader access for the public generally.

However, another section of the PRA, Section 6252.5, in our view authorizes the Council to grant such limited access by all or part of the Council. In our view, Section 6252.5 allows the Council to grant Council members limited access to otherwise confidential customer water usage data where the Council determines that its duties, or

the duties of a Council subcommittee, include and require the independent verification of customers' compliance with water use agreements or project conditions or representations.

C. The Council May Grant Its Members The Right And Duty To Inspect Otherwise Confidential Documents Containing Customers' Water Use Data For The Limited Purpose Of Independently Verifying Those Customers' Compliance With Water Use Agreements Or Project Conditions/Representations Under The "Administration of Official Duty" Exception.

Again, Council members generally have no greater right of access to public records than does the public generally. (PRA, §6252.5.) However, the PRA also provides that Council members may "access public records of their own agency that are otherwise exempt if such access is permitted by law as part of their official duties." (See People's Business, p.16; see also Government Code §§ 6252.5, 6252.7.) Currently, there is no explicit authority that establishes that Council members have either the duty or the authority to review, verify or audit water customers' compliance with water use agreements or water neutrality or other project conditions/representations. Both the St. Helena Municipal Code and the Government Code are silent on this matter. (See generally Government Code §§37100 et seq. (setting forth the powers of City Councils); St. Helena Municipal Code, Chapter 2.04.)

However, under the California Constitution, the City Council has broad police power authority "to make and enforce all local, police, sanitary, and other ordinances and regulations not in conflict with general laws." (Cal. Const. art. XI, section 7.) We are aware of no state (general) law that would prohibit the City Council from granting itself, or a subcommittee, the authority and duty to take actions it deems necessary and appropriate to independently verify compliance with City laws, agreements and resolutions. The police power is deemed to encompass such actions.

Accordingly, if the City Council desires, it may vest the City Council as a whole with the duty to review documents necessary for purposes of independently verifying water customers' compliance with the terms of water use agreements or project water neutrality or other conditions/representations. Alternatively, the Council has similar authority to create a Council subcommittee by which appointed Council members would be charged with such a duty to review customers' compliance.

Such a subcommittee would be subject to the Brown Act unless it had only a limited duration and function. (See Government Code §54952.) The subcommittee would not be subject to the Brown Act only if it were "advisory" only, consisted only of two Council members, and was addressing a limited, "ad hoc" task only and was not "standing" (i.e. ongoing).

D. If The Council Does Not Make The Broad Determination Under Section 6254.16(f), But Instead Only Grants Council Members The Right And Duty To

Inspect Documents Containing Water Customers' Otherwise Confidential Water Usage Data, Council Members Must Maintain The Confidentiality Of The Documents And Data.

If the City Council authorizes some or all Council members to inspect customers' water usage data, such documents and information would remain confidential from disclosure to the public, in contrast with the Section 6254.16 exemption discussed above. This is because when Council members act within the scope of their office and administering their duty to verify water customers' compliance, they are not considered to be accessing such documents as a "member of the public." (See Government Code §6252(b) ("Member of the public' means any person, except a member, agent, officer, or employee of a federal, state, or local agency acting within the scope of his or her membership, agency, office, or employment.")) As such, all Council members whom the Council may authorize to inspect such otherwise confidential records for the limited purpose of independently verifying customers' compliance with water use agreements or project conditions/representations would be prohibited from disclosing to any person the otherwise confidential documents and the confidential information they contain. Council members would be required to maintain the confidentiality of such documents and information to the same extent as staff.

E. Conclusions.

In short, the following considerations should help to inform the Council's consideration of these issues:

- Under the PRA, Council members have no greater access to public records than the public;
- Under the PRA, documents containing water customers water usage information is confidential;
- Section 6254.16(f) of the PRA authorizes the Council to establish policy for the City to disclose such information to the public generally upon the finding that the public interest in such disclosure clearly outweighs the interest in nondisclosure, but does not authorize the Council to limit the disclosure to Council members;
- The Council has the constitutional police power to vest itself with the right and duty to independently verify water customers' compliance with water use agreements and/or project conditions/representations concerning water neutrality and/or use of City water;
- Section 6252.5 of the PRA allows the Council the attendant right to inspect otherwise confidential documents containing water customers' water use data for the purpose of carrying out the duty to independently verify customers' compliance with water use agreements or project conditions/representations; and

- Where Council members inspect such otherwise confidential documents, they have the obligation to maintain the confidentiality of those documents and the confidential information they contain.

FISCAL IMPACT

There will be no Council action nor fiscal impact to the General Fund related to this item.

RECOMMENDED ACTION

Staff recommends that the Council consider the issues discussed above, and provide direction as appropriate.



Report to the City Council
Council Meeting of October 23, 2018

Agenda Section: **New Business**

Subject: Review of a draft Ordinance proposing to amend and restate St. Helena Municipal Code (SHMC) Chapter 17.136.050 'Temporary Uses', to create a Temporary Use Permit and an administrative review process for such permits, citywide.

CEQA Determination: The proposed Ordinance to amend St. Helena Municipal Code Title 17 is exempt from the requirements of CEQA pursuant to Guidelines Sections 15301, 15303, and 15304 as Class 1, Class 3 and Class 4 Categorical Exemptions in that these modifications create an administrative process for the temporary use, conversion or minor alteration of existing properties, which may include the construction, modification or conversion of "Small Structures" as defined in the statute, however only for temporary and set periods of time for the use of the land; that the proposed text amendments are consistent with the environmental impact analysis of the 1993 General Plan and Zoning Code EIR, given their intent to facilitate operation of temporary activities at existing facilities, and that the proposed changes are exempt from the requirements of CEQA, under Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, and therefore, the activity is not subject to CEQA.

Prepared By: Noah Housh, Planning & Community Improvement Director

Reviewed By: Mark T. Prestwich, City Manager

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

Agenda Item #10.5.

In late 2017, the City Council held a strategic planning workshop to discuss three-year organizational goals and 12-month strategic objectives. "Ensure the Long-Term Economic Sustainability while Safeguarding St. Helena's Unique Culture and Quality of Life" emerged as a key goal, along with a desire to revitalize downtown to improve its resilience.

On July 24, 2018, the City Council heard a presentation of an Economic and Demographic Profile and a Downtown Retail Market Analysis to evaluate the downtown's retail vitality from economic consultant Kosmont Companies. This analysis and presentation included several recommendations to address concerns with the downtown retail environment. Direction was subsequently provided to the City Manager to prepare a plan and recommended next steps.

On September 11, 2018, the City Council reviewed a draft Downtown Economic Strategy prepared by the City Manager and provided recommendations on the prioritization of initiatives, one of which was the creation of a Temporary Use Permit, and administrative review process for such permits. This initiative was highlighted as a short-term priority with the hope that these regulations could be in place prior to the holiday shopping season.

On October 2, 2018, staff presented a draft Ordinance proposing to create a Temporary Use Permit to the Planning Commission for review and recommendation to the City Council. After providing general feedback and recommending some revision, the Planning Commission voted unanimously (4-0) to recommend adoption of the Ordinance to the City Council.

DISCUSSION

In response to the direction provided by the City Council, staff prepared a draft Ordinance to create a Temporary Use Permit process by which temporary uses may be permitted to operate and occur in limited number throughout the City. Below is a summary of the general elements of the ordinance.

- The ordinance memorializes certain temporary activities as permitted, including construction yards, emergency facilities, filming, garage sales, activities on public property authorized by the City Council, and non-profit special events.
- The ordinance seeks to identify temporarily permitted special events including arts and crafts events, concerts, fairs and festivals, indoor "pop-up" events including retail uses, museums, restaurants and cafes, seasonal sales events (pumpkin patches and Christmas tree lots), and temporary structures. Events are proposed to be limited to fourteen consecutive days, or six two-day weekends, within a 12-month period; "Pop-Up" uses are proposed to be permitted for up to 90 consecutive days; and seasonal sales lots are proposed to be restricted to a maximum of 30 consecutive days, four

times within a 12-month period. A 30-day break is required to occur between individual temporary uses occurring on any individual site.

- The ordinance sets review criteria and identifies that the approval of a Temporary Use Permit may be restricted by any condition deemed necessary to govern access, hours of operation, parking and circulation, fencing and other temporary structures, drainage, dust control, trash/litter control, public safety, and other items as necessary to assure compatibility with surrounding uses and in order to minimize potential adverse effects. Similarly, there are requirements intended to ensure properties proposed to accommodate a temporary use are returned to their original state after the temporary use is concluded.

CEQA

Staff finds that the action to adopt the proposed Ordinance to amend St. Helena Municipal Code Title 17 is exempt from the requirements of CEQA pursuant to Guidelines Sections 15301, 15303, and 15304 as Class 1, Class 3 and Class 4 Categorical Exemptions in that these modifications create an administrative process for the temporary use, conversion or minor alteration of existing properties, which may include the construction, modification or conversion of "Small Structures" as defined in the statute, however only for temporary and set periods of time for the use of the land; that the proposed text amendments are consistent with the environmental impact analysis of the 1993 General Plan and Zoning Code EIR, given their intent to facilitate operation of temporary activities at existing facilities, and that the proposed changes are exempt from the requirements of CEQA, under Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, and therefore, the activity is not subject to CEQA.

General Plan

The changes to the Temporary Use section (S.H.M.C. Chapter 17.136.050) are generally proposed to create a process for temporary uses and would apply to all commercial areas of the City, with some non-commercial areas also allowing limited temporary uses as discussed above. These changes would in no way affect zoning requirements governing such permanent uses.

The proposed changes to the zoning code are generally intended to allow administrative review of Temporary Uses primarily on commercial property where none currently exist, or where the code currently identifies a limited list of temporary uses are permitted, but provides no standards or requirements for their operation.

Specific General Plan policies which relate to the proposed code amendments include:
7.5.1 Preserve the City's Historic and cultural resources as they contribute to the special character and quality of the City and help support its economic base.

2.6.1 New development should be required to occur in a logical and orderly manner within well-defined boundaries, and be consistent with the ability to provide urban services.

2.6.28 Maintain the pedestrian-oriented character of the Central Business District and provide for convenient pedestrian connections to encourage walking and reduce vehicle trips within the commercial core area.

2.6.29 Minimize the strip commercial appearance of the area south of the bridge by encouraging the redevelopment of underutilized parcels and poorly designed developments, and by maintaining open space corridors extending from the highway to the east and west as shown on the Land Use Map.

2.6.30 Protect historic resources in the commercial areas, and encourage their rehabilitation and re-use.

2.6.31 Require the design of all new commercial development to be compatible with and complementary to the image and character of the historic Main Street area.

2.6.35 Maintain the Central Business District as the City's social cultural core, and the primary center of retail business.

City staff has determined the recommended amendments to create a Temporary Use Permit and associated review process are in keeping with the City of St. Helena General Plan in that these changes preserve and maintain the development standards for permanent uses established to ensure new development occurs in a logical manner; continue to protect historic commercial buildings due to their temporary nature; allow temporary retail and service options available to citizens of the community, create an opportunity for temporary events to request approval from the City, would help to reinvigorate under-utilized parcels, allow temporary uses to expand opportunities for the re-use of structures, provide for new opportunities for pedestrian connections, and would to help maintain the St. Helena downtown as the City's core and primary center of retail business by reducing the regulatory burden for outdoor amenities and maintenance of ancillary building features.

Ordinance Process

In keeping with the requirements of S.H.M.C. Chapter 17.12.100, after review and comment by the Planning Commission, the draft Ordinance and proposed changes are being brought before the City Council for further review and action. In considering the proposed changes, both the Commission and the Council shall look for consistency of the proposed amendments with the goals, programs and policies of the General Plan, as well as other existing City policies.

Planning Commission Review

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On October 2, 2018, the Planning Commission reviewed a draft ordinance as discussed above. In their review, the Planning Commission requested several changes be incorporated into the Ordinance to improve the applicability and consistency of the draft language. These concerns have been summarized below and the resulting changes have been incorporated into the draft and are highlighted in blue text.

- The Commission wanted to ensure both the applicant and the property owner were responsible for issues with the temporary use operating from an individual site.
- Ensure all temporary uses also receive approval from other jurisdictions with responsibility over the use (such as the County Health Department).
- The uses allowed under the Temporary Use Permit process should be reflective of the underlying zoning district and applicable zoning standards.
- That there was a substantive break between temporary uses and in no case shall one individual location be used for temporary uses for greater than 12 months.
- No permanent pop-up space could be created without Use Permit approval from the Planning Commission.

In addition to the concerns above (for which there was consensus on the Commission), one individual commissioner voiced concerns over the noise, light, and traffic impacts of temporary uses that could be approved under the Temporary Use Permit, especially when viewing these impacts as cumulative. In addition, this commissioner wanted a complaint mechanism to be incorporated to the Temporary Use Permit process.

Issues

Separately staff asked the Commission to provide input on two questions related to the decision process and applicability of Temporary Use Permits.

1. Should the targeted or potential number of patrons affect the review process for a Temporary Use Permit? For example, a concert or festival although temporary, may create a large draw of individuals to a specific parcel within the community.

The Planning Commission unanimously agreed that a potentially large number of patrons attending a temporary use should effect and/or elevate the review and decision process for such a temporary use. In response, staff has incorporated language requiring events intended for more than 200 individual patrons should be decided by the City Council.

2. Should the Temporary Use Permit apply to a formula business proposing to operate a "pop-up" business within the Community? Currently, a formula business requires Use

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Permit approval from the Planning Commission, however such a distinction was not written into the Temporary Use Permit Ordinance.

The Planning Commission unanimously agreed to recommend that a formula business be allowed to operate under a Temporary Use Permit, identifying that the 90-day limitation on "pop-up" uses could be an opportunity for the community to experience a formula business operation, without a significant commitment being made to allow their permanent establishment.

Finally, staff has included several background documents to facilitate Council review of the Ordinance, including an article on the recent trends in retail pop-up uses and example applications and information from other jurisdictions.

FISCAL IMPACT

The Ordinance proposes to create an administrative review fee of \$500.00 to cover the staff time associated with the review of the proposed Temporary Use Permit. Based on this, direct fiscal impacts to the General Fund would result in increased permit application fees for each Temporary Use Permit application reviewed by the City. The fee amount was determined utilizing the combined staffing hourly rate identified in the Fee Schedule and based on the anticipated time to review Temporary Use Permit applications. Indirect impacts to the General Fund could result from additional retail activity and sales tax payments occurring from under utilized properties used to house temporary uses.

RECOMMENDED ACTION

It is recommended by the Planning Commission that the City Council:

1. Find that the proposed Ordinance to amend St. Helena Municipal Code Title 17 is exempt from the requirements of CEQA pursuant to Guidelines Sections 15301, 15303, and 15304 as Class 1, Class 3 and Class 4 Categorical Exemptions in that these modifications create an administrative process for the temporary use, conversion or minor alteration of existing properties, which may include the construction, modification or conversion of "Small Structures" as defined in the statute, however only for temporary and set periods of time for the use of the land; that the proposed text amendments are consistent with the environmental impact analysis of the 1993 General Plan and Zoning Code EIR, given their intent to facilitate operation of temporary activities at existing facilities, and that the proposed changes are exempt from the requirements of CEQA, under Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, and therefore, the activity is not subject to CEQA; and
2. Review, comment on and make a recommendation to staff regarding preparing an Ordinance making changes to Chapter 17.136.050 of the St. Helena Municipal Code to

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create a Temporary Use Permit, the associated review process and the creation of a fee to cover the costs of such a permit, citywide.

ATTACHMENTS

[Draft Exhibit A Temp Use Permit Code Language-PC Input](#)

[Draft Ordinance](#)

[Pop Up Brochure-Fairfax County, VA](#)

[Pop Up Store Article](#)

[PC Reso-Temp Use Permit](#)

[Example Application-City of Napa](#)

[Example Application-City of SR](#)

Exhibit A

17.136.050 Temporary uses.

- A. Purpose. This Section establishes procedures for the granting of ministerial Temporary Use Permits for short-term activities on privately or publicly owned property with appropriate regulations so that such activities will be compatible with surrounding areas.
- B. Applicability. A Temporary Use Permit allows the short-term activities listed in Subsection D (Allowed temporary activities), below that may not comply with the normal development or use standards of the applicable zoning district, but may otherwise be acceptable because of their temporary nature. Temporary Use Permits are not subject to Design Review, standard parking requirements, sign requirements or the limitations on the placement or location of merchandise otherwise restricted by this code.
- C. Exempt temporary activities. The following allowed temporary activities are exempt from the requirement for a Temporary Use Permit. Activities that do not fall within the categories defined below shall comply with Subsection D (Allowed temporary activities).
 1. Construction yards—On-site. On-site contractors' storage yards of less than one acre, including a work trailer, **only** in conjunction with an approved construction project located on the same site. The contractor's storage yard shall be removed immediately upon completion of the construction project, or the expiration of the companion Building Permit authorizing the construction project, whichever first occurs.
 2. Emergency facilities. Emergency public health and safety needs/activities, as determined by the Council, **City Manager or designee**.
 3. Location filming. The temporary use of a specific site for the location filming of commercials, movies, videos, etc., as regulated and approved by the City Manager pursuant to SHMC Chapter 5.24.
 4. Garage sales or similar sales activities. The sale of personal goods which are owned by the household, **or neighboring households** residing on residentially zoned property, for up to three consecutive days and three times within a 12-month period.
 5. Public property. Activities conducted on public properties that are approved by the Council.
 6. Nonprofit Special Events. Special events (such as but not limited to carwashes, bake sales, rummage sales or flea markets) conducted by or for a recognized nonprofit or charitable community group may be conducted on the grounds of a religious institution, commercial property, school or other permanent place of public assembly up to three days during any six-month period provided they meet the following standard or provisions:
 - a. Event activities do not block a building exit, present a hazard to pedestrians or vehicles, reduce the width of a pedestrian walkway to less than **required ADA access dimensions five feet**, significantly reduce onsite parking or occupy a fire lane.

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- b. If the merchandise or activity is proposed for location on any street, sidewalk or public right-of-way, an encroachment permit shall be secured from the Public Works Department.
- c. If any commercial vendors are involved in the event, they shall secure a business license from the Finance Department pursuant to SHMC Title 5.
- d. Nonprofit special events occurring more frequently than three days during any six-month period shall require a Use Permit or Temporary Use Permit.
- D. Allowed temporary activities. The following temporary activities may be allowed within the specified time limits, but in no case for more than 12 months, subject to the issuance of a Temporary Use Permit by the Planning Director. Other temporary or short-term activities that do not fall within the categories defined below shall instead comply with the land use permit requirements and development standards that otherwise apply to the property.
 - 1. Events. Arts and crafts exhibits, carnivals, concerts, fairs, farm stands, festivals, flea markets, food events, outdoor entertainment/sporting events , and swap meets for up to ~~seven~~ fourteen consecutive days, or six two-day weekends, within a 12-month period, when conducted on non-residential properties.
 - 2. Indoor Pop-Up Uses. Retail sales, museums, art exhibits, restaurants or cafes for up to ninety (90) consecutive days when conducted on non-residential properties. Includes or does not include (non-restaurant) Formula Businesses.
 - 3. Seasonal sales lots. Seasonal sales activities (e.g., Halloween, Thanksgiving, Christmas, etc.) including temporary residence/security trailers, on non-residential properties, for up to 30 days and four times within a 12-month period.
 - 4. Temporary structures. A temporary classroom, office, or similar structure, including a manufactured or mobile unit, may be approved for a maximum of 12 months from the date of approval, to accommodate an existing approved primary or accessory use, or as the first phase of a development project.
 - 5. Similar temporary activities. Similar temporary activities that the Director determines are compatible with the zoning district and surrounding land uses.
- E. Large Scale Temporary Uses. Applications for temporary uses such as concerts or festivals which are intended to draw large numbers of individuals (200+) to the temporary use in a single day shall be approved by the City Council.
- F. In reviewing the Temporary Use Permit, the review authority may attach any conditions governing access, hours of operation, parking and circulation, fencing and other temporary structures, drainage, dust control, trash/litter control, public safety and other items as necessary to assure compatibility with surrounding uses and minimize potential adverse effects.
- G. Application requirements. An application for a Temporary Use Permit shall be filed in compliance with Chapter 17.08 (Administrative Procedures). The application shall be accompanied by

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the information identified in the Department handout for Temporary Use Permit applications. It is the responsibility of the applicant to provide evidence in support of the findings required by Subsection G (Findings and decision), below.

H. Development criteria. The Director shall ~~consider~~ utilize the following criteria based on the type and duration of the proposed temporary activity, using input from other departments (police, fire public works, etc.), the requirements and development criteria of the applicable zoning district and use standards as well as Chapter 17.112 (General Site Design and Development Standards) for guidance:

1. Floor areas, heights, hours of operation, nuisance controls, off-street parking, setbacks, signs, and other structure and property development features;
2. Measures for removal of the activity and site restoration, to ensure that no changes to the site would limit the range of possible future land uses otherwise allowed by this Zoning Code; and
3. Limitation on the duration of approved "temporary structures," to a maximum of 12 months, so that they shall not become permanent or long-term structures.

I. Findings and decision. A Temporary Use Permit may be approved by the Director only after the Director first finds that the requested activity complies with applicable standards, and therefore the establishment, maintenance, or operation of the temporary activity would not be detrimental to the public health, safety, or welfare of persons residing or working in the neighborhood of the proposed activity.

J. Post approval procedures. The procedures relating to appeals, performance guarantees, and revocation in Chapter 17.08 (Administrative Procedures) shall apply following the approval of a Temporary Use Permit application.

1. Condition of the site following temporary activity. Each site occupied by a temporary activity shall be cleaned of debris, litter, or any other evidence of the temporary activity upon completion or removal of the activity, and shall thereafter be used in compliance with the provisions of this Zoning Code. A performance security (including a Bond or financial deposit) in a form and amount acceptable to the Director may be required before initiation of the activity to ensure cleanup after the activity is finished.
2. Performance security for temporary structures. Before issuance of a Temporary Use Permit the applicant shall provide performance security in a form and amount acceptable to the Director to guarantee removal of all temporary structures within 30 days following the expiration of the Temporary Use Permit.
3. Extensions of Temporary Use Permits prohibited. The term of a Temporary Use Permit may not be extended. Applicants for activities that would exceed the allowed terms identified in Subsection D (Allowed temporary activities) shall file for a Use Permit, rather than a Temporary Use Permit, in compliance with Chapter 17.168

4. Required lapse of time for Temporary Use Permits. Except for seasonal sales lots, a minimum of 30 days shall pass between the expiration of a Temporary Use Permit and the issuance of a new and similar Temporary Use Permit the for the same property, or the actual removal of the materials and structures associated with the former activity, whichever last occurs.

~~The following temporary uses shall be permitted as specified by these regulations:~~

~~A.—Christmas tree sales;~~

~~B.—Fireworks sales;~~

~~C.—Garage sales;~~

~~D.—Rummage sales conducted by nonprofit organizations. (Prior code § 27.274).~~

CITY OF ST. HELENA

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ST. HELENA, CALIFORNIA, AMENDING AND RESTATING ST. HELENA MUNICIPAL CODE CHAPTER 17.136.050 (TEMPORARY USES).

The City Council of the City of the City of St. Helena ordains as follows:

SECTION 1. Findings. The City Council finds as follows:

A. Chapter 17.136.050 of the St Helena Municipal Code (SHMC) establishes the City's regulations regarding Temporary Uses primarily located on private property.

B. These regulations further the City's interest in both aesthetics and traffic safety by establishing appropriate limitations on the size, height, number, location and duration of signs so that they are appropriate and in keeping with the zoning district in which the signs are placed and to ensure that the signs do not overly distract, obstruct or otherwise impede traffic circulation.

C. The City desires by this Ordinance to make minor amendments to its Temporary Use regulations with respect to (1) certain permanent commercial signs located in commercial zoning districts, (2) the applicable procedures for processing sign permit applications, and (3) the signs designated as exempt from any permit requirement.

D. The creation of a new Temporary Use Permit requires adoption of a fee which accurately reflects the staff time required to process and evaluate such an administrative Temporary Use Permit.

E. City staff has calculated the overall staff time and effort required to process analyze and issue an administrative Temporary Use Permit. Based on that calculation, staff has determined that a minimum of 3.5-hours are required to capture the cost of the staff time and efforts required to process such an application.

F. Staff has recommended that an Administrative Temporary Use Permit fee of \$500.00 be created and implemented, in an effort to capture and reimburse the City for the staff time required to process, analyze, and issue such an administrative permit. This fee is a conservative estimate of the time required to process such an application and is based on the overall staff blended rate of \$150/hour identified in the City's fee schedule.

G. The City's Planning Commission reviewed the amendments proposed by this Ordinance at a duly noticed public hearing on October 2, 2018. After all interested parties were given full opportunity to be heard, and to present evidence, the Planning Commission voted to recommend to the City Council that the Council adopt the amendments to Chapter 17.136.050 proposed by this Ordinance.

H. On October 23, 2018, the City Council conducted a duly noticed public hearing to consider this ordinance, and all interested parties were given full opportunity to be heard and to present evidence.

I. The proposed amendments would further the public necessity, convenience, general welfare and good zoning practice by creating a more efficient and effective regulatory process and adopting regulations that are consistent with current state and federal law.

SECTION 2. Compliance with CEQA. The City Council hereby finds that the action to adopt this Ordinance to amend St. Helena Municipal Code Title 17 Section 17.136.050 is exempt from the requirements of CEQA (Public Resources Code Section 21000, et seq.) pursuant to Guidelines Sections 15301, 15303, and 15304 in that these modifications create an administrative process for the use, conversion or minor alteration of existing properties, which may include the construction, modification or conversion of “Small Structures” as defined in the statute, however only for temporary and set periods of time for the use of the land; that the proposed text amendments are consistent with the environmental impact analysis of the 1993 General Plan and Zoning Code EIR, given their intent to facilitate operation of temporary activities at existing facilities, and that the proposed changes are exempt from the requirements of CEQA, under Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, and therefore, the activity is not subject to CEQA.

SECTION 3. Amendment of SHMC Chapter 17.136.050. SHMC Chapter 17.136.050 “TEMPORARY USES” is hereby amended to read as set forth in the attached **Exhibit A**.

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

SECTION 6. General Plan Consistency. The proposed amendments are consistent with the General Plan in that they would preserve and maintain the development standards for permanent uses established to ensure new development occurs in a logical manner; continue to protect historic commercial buildings due to their temporary nature, allow temporary retail and service options available to citizens of the community, create an opportunity for temporary events to request approval from the City, would help to reinvigorate under-utilized parcels, allow temporary uses to expand opportunities for the re-use of structures, provide for new opportunities for pedestrian connections and would to help maintain the St. Helena downtown as the City’s core and primary center of retail business (General Plan Policies 7.5.1, 2.6.1, 2.6.28, 2.6.29, 2.6.30, 206.31 and 2.6.35, 2.6.50).

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THE FOREGOING ORDINANCE was introduced at a regular meeting of the St. Helena City Council on the **X** day of **Y**, 2018 and was adopted at a regular meeting of the St. Helena City Council on the **X day of Z, 2018** by the following vote:

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

APPROVED:

Alan Galbraith, Mayor

ATTEST:

CITY OF ST. HELENA

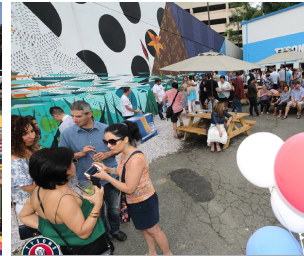
Cindy Tzafopoulos, City Clerk

I, CINDY TZAFPOULOS, 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 **X day of Y**, 2018. That thereafter said Ordinance was duly adopted and passed at a regular meeting of the City Council on the **X day of Z, 2018** by the following vote:

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



Greensboro Park



Tysons Biergarten



Smart Markets: Oakton

Pop-Up Uses Fairfax County, VA



Smart Markets: Springfield



Greensboro Park



Reston Station

This brochure highlights five types of pop-ups and provides contact information for establishing a pop-up in Fairfax County.

Pop-up:

1. a temporary use of a space that can be used to activate an area.
2. a use that appears or occurs suddenly and unexpectedly.
3. a store or other business that opens quickly in a temporary location and operates for only a short period of time.

Pop-ups can last for an hour, a day or for an indefinite period of time. They are a great way to create energy and enthusiasm without a significant expenditure or resources.

October 2016



Tysons Biergarten

This brochure is for general informational purposes only and is not intended to provide a complete step by step guide to establishing a pop-up. The exact process will be determined by the location of the site and type of pop-up uses desired including conformance with any proffers as applicable.

Additional contact information for the various departments and permitting agencies can be found on the back of this brochure.

Pop-Up Type: Parks

The primary purpose of these parks is to provide outdoor space for people to enjoy and generate excitement about a particular project. Pop-up parks can be located on private or public land. Elements in pop-up parks can include movable outdoor seating, shaded areas, planted areas, food trucks, movable planters, and colored pavement. Pop-up parks can also provide space for temporary art installations or gathering space for performances. The permitting requirements for pop-up parks will vary depending on the uses proposed for the space. Examples of pop-up parks include Greensboro Park at The Boro development in Tysons.

Pop-Up Type: Farmers Markets

Farmers markets are located across Fairfax County on a variety of sites, including Park Authority property, parking lots, schools, places of worship, and at metro stations. Farmer's markets are typically held on a weekly basis at each location. Typically they include stands with tents and food trucks and vendors that provide fresh, local produce and goods. A few locations of Farmers Markets are Springfield Town Center, Huntington, McLean, and Annandale. The requirements for permitting a Farmers Market depend on the location and the type of vendors/items provided. However, they do require a temporary special permit through the Zoning Permit Review Branch.



Pop-up Type: In Existing Buildings

This type of pop-up utilizes the inside of an existing vacant structure. It does not involve a long-term retail lease, nor is it envisioned as a permanent site condition; is however envisioned to breathe new life into an existing building until the space is ready for redevelopment or a new permanent tenant. Current examples of pop-ups in existing buildings include the Biergarten at Tysons or an event such as Artomatic. Permitting requirements will vary based on the proposed use.



Pop-up Type: Street Festivals/Fairs

Street Festivals are short term pop-up events that may close parts of road right-of-way to vehicles so that the space can be utilized by people. The operator of the street festival is typically a non-profit community group or organization. Street Festivals vary in type but usually include food vendors and may have a cultural or neighborhood theme. Examples of festivals include the Taste of Annandale on Tom Davis Drive or the Taste of Reston at Reston Town Center. The permitting requirements for a road closure will vary depending on who controls that particular right of way.



Pop-up Type: Interim Buildings

This type of pop-up is located on public or private land that is not yet ready for redevelopment and is typically an interim condition that exists as part of a phased redevelopment. This pop-up primarily includes retail kiosks (interim structures), supportive features such as food trucks, outdoor seating, and programmed events. The uses within the interim structures vary, and permitting requirements will vary depending on the use. Although these are considered interim uses, they can remain in place for an extended period of time but are not considered permanent site structures or uses. Examples of this type of pop-up include the plaza at the Reston Metro Station.



The following county and state agencies play a role in the pop-up permitting process. Most, if not all, pop-ups will need a County permit. Contact information for the various agencies to help with the process:

Temporary Special Permits/Use Permits:

Zoning Permit Review Branch - (703) 222-1082
www.fairfaxcounty.gov/dpz/dpzdivisions/zad.htm

Food/Drink:

Health Department - (703) 653-2444
www.fairfaxcounty.gov/hd/food/permits/

Structures/Mechanical/Plumbing:

Building Plan Review, DPWES - (703) 222-0801
www.fairfaxcounty.gov/dpwes/buildingpermits/

Alcohol:

VA ABC - (703) 313-4432
www.abc.virginia.gov/licenses/get-a-license

Use Determination:

Zoning Administration Division - (703) 324-1314
www.fairfaxcounty.gov/dpz/dpzdivisions/zad.htm

Proffered Conditions:

Zoning Evaluation - (703) 324-1290
www.fairfaxcounty.gov/dpz/dpzdivisions/zed.htm

Life Safety:

Fire Marshal - (703) 246-4803
www.fairfaxcounty.gov/fr/prevention/fmpermits.htm

If you are interested in doing a pop-up in your community, OCR is here to help navigate the process.

Please contact us:

Fairfax County Office of Community Revitalization

12055 Government Center Parkway
 Suite 1048
 Fairfax, VA 22035

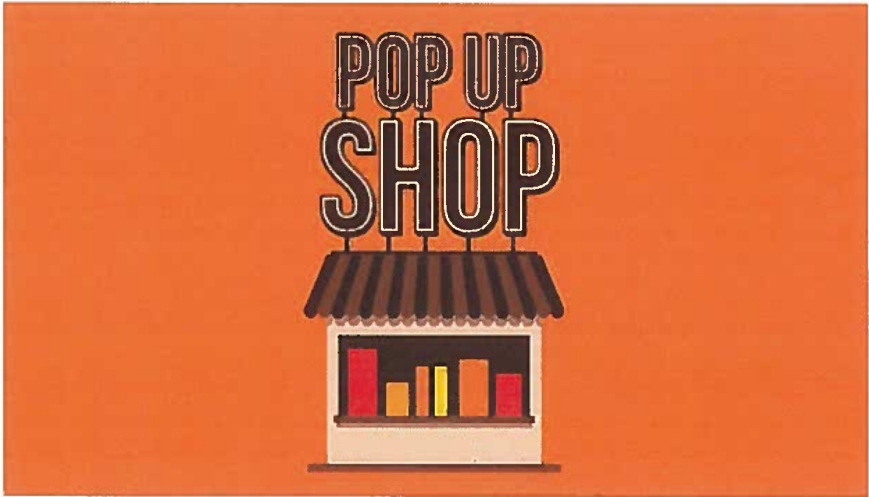
703.324.9300
www.fcrcv.org



Fairfax County is committed to a policy of nondiscrimination in all County programs, services, and activities and will provide reasonable accommodations upon request. To request this information in an alternate format, call 703-324-9300 or TTY 711.



Pop-Up Stores Become More Than Just A Trend



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The pop-up store has become a go-to marketing strategy for retailers looking to extend the brand and introduce new products. The pop-up industry has grown to approximately \$10 billion in sales, according to **PopUp Republic**.

Pop-up shops are being developed in a variety of shapes and sizes, as well as locations. They can be found in a traditional brick-and-mortar store — as a store-within-a-store — as a

standalone kiosk or even via a motorized vehicle, taking the lead from the food truck craze.

ADVERTISEMEN T Consumers expect that the pop-up shopping experience will be unique — different from the average brick-and-mortar visit. They also look to pop-ups for more specialized shopping. For **example, 61% of shoppers list seasonal products as the main reason to shop at a pop-up store, according to a PopUp Republic poll. Pop-up shoppers also are looking for:**

Unique services/products (39%);

Localized assortments (36%);

Optimal pricing (34%);

Convenience (33%); and

A fun experience (30%).

“The great thing about pop-ups that we find all across the board — whether it’s a pop-up store, pop-up restaurant or event — is that they have this ‘fear of missing out’ quality to them,” said Jeremy Baras, the CEO of PopUp Republic. “Customers are attracted to exclusivity. They’re attracted to a ‘here today, gone tomorrow’ type of concept.”

In this feature article, Baras and other industry experts share tips and tactics to help retailers build brand exclusivity and decide if a pop-up store fits into the overall marketing strategy. Topics include:

Selecting the right pop-up model;

Planning a standalone pop-up store;

Attracting the right target shoppers to the pop-up experience; and

Measuring the success of a pop-up launch.

Retailers including Best Buy, J.Crew and Nordstrom have ventured into the world of pop-ups. Examples from these and other retailers highlight different strategies and scenarios worth exploring.

Choosing A Pop-Up Model That Works

Starting a pop-up shop can serve as a hybrid for businesses looking to ease their way into a new niche while minimizing potential losses. In fact, launching one is approximately 80% less expensive compared to opening up a traditional brick-and-mortar location, according to **StoreFront**.

For retailers unsure about setting up a standalone pop-up location, the store-within-a-store concept can be a viable alternative. Several brands have partnered with major retailers, such as Best Buy, Nordstrom and Sears, to showcase and sell related relevant items via in-store pop-ups. These partnerships enable brands to introduce their products in an atypical store offering, with the goal of broadening their appeal among new consumers.

Best Buy has allowed partner companies to use store floor space to set up store-within-a-store models, such as the Samsung Open Houses recently opened in two Minnesota stores and one Chicago location. The electronics retailer expects to open 200 more Open House pop-ups in different Best Buy locations by the end of 2015.

Nordstrom hosts its own **"Pop-In@Nordstrom"** specialty shops, which are a recurring series of in-store sales on products not typically found in a Nordstrom location. From July 3 to Aug. 2, 2015, the upscale fashion and apparel retailer featured luxury and designer goods from London-based department store **Liberty** in five U.S. Nordstrom locations. This partnership was Liberty's official entrance into the U.S. market via a brick-and-mortar store.

Nordstrom initially launched the "pop-in" concept in late 2013, spearheaded by Olivia Kim, Director of Creative Projects. The concept features unique brands on a near-monthly basis, and Kim curates the brands herself, giving massive exposure to retailers that may not sell often to consumers that purchase at Nordstrom.

Sears also is testing out the store-within-a-store concept, presently working with four independent partner retailers. As part of the deal, Sears will showcase appliances and lawn and garden equipment in the partners' stores. These partners include:

Pop-Up Stores Become More Than Just A Trend - Retail TouchPoints

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Tri-Fecta Home Center, in Sidney, Mo.;

The Grand Emporium Furniture and Bedding, in Waveland, Miss.;

Paco and Son's Furniture, in Nogales, Ariz.; and

Fremin's Furniture, in New Iberia, La.

The partnership is designed to allow independent furniture and related home category store owners to expand their product lines to better cater to consumer demand without the need to purchase any inventory. Additionally, Sears can expand reach into smaller markets without having to operate a full department store.

Depending on the level of these types of store-within-a-store partnerships, brands have a varying amount of input regarding merchandising and the overall presentation in the host's store. Either way, decreased costs for both inventory and appearance management and fewer labor expenses make the model an intriguing concept for both large and small businesses.

"It comes down to how much the control matters to you as a brand," said Erik Eliason, Co-Founder and CEO of Storefront. "If you have the mindset that 'this is my experience, my store and my customers,' then sure, rent your own space and really control that. We've seen a lot of retailers driven by the collaborative economy that end up partnering with companies with similar customers so they can set up a two-week pop-up inside another store. It's equally as prevalent, just not as well covered, in a lot of mom-and-pop shops. These businesses will have an up-and-coming designer or e-Commerce brand that will come in and use their space. For the brand that's renting, typically that would be at least half the cost than it would to set up a shop, if not less."

Strategizing For Standalone Pop-Ups

Traditional standalone pop-up stores suit retailers that are interested in controlling all aspects of the store and are willing to take the financial chance to rent or purchase real estate. To create the exclusivity and sense of urgency necessary to build a standalone store, these retailers must plan to cover all facets of merchandise buying, location, design and marketing. Since the pop-up concept offers a different retail experience compared to the typical brick-and-mortar location, retailers must start the planning process at least three months before opening a pop-up location.

“The ideation for big companies usually starts very early,” said Melissa **Gonzalez, CEO of The Lion’Esque Group**, a pop-up store architect. “They tend to get projects approved before everything comes together months later. If you were to isolate it, preparation should start a solid three months at minimum, including ideation, approval, finding the location, then rendering 3D mockups of the store. Then we need time for buildout, and decide if we are renting or buying the real estate. We would definitely like to have no less than three months to plan it out, and we’ve had times that were longer that makes the process much better. We’ve worked in less time and it’s a rush game, but even if it works out, it’s not ideal.”

To promote the brand exclusivity of the store, these shops generally remain open for just a few months — making every minute count when it comes to creating brand awareness. For example, **J.Crew** launched a pop-up shop inside its Prince Street store in New York City on June 12 that only lasted 24 hours. At the shop, J.Crew sold merchandise from three brands (Public School, Juan Carlos Obando and Marc Alary) — finalists of The Council of Fashion Designers of America/Vogue Fashion Fund. To promote the event, the retailer launched an online presale of the brands for a few weeks prior to the opening, with some of the pieces nearly selling out.

Attracting The Right Consumers To Your Pop-Up Experience

Location is arguably the most significant factor to consider when building a pop-up shop. With very little time in the spotlight, pop-ups must be located in an area that will attract the right attention from targeted shoppers. By collecting and analyzing shopper data from online purchases, retailers can pinpoint the best location to open a pop-up.

“It’s all about your target market,” Baras said in an interview with **Retail TouchPoints**. “Who do you want to be your ideal customer? If you want your customer to be Millennials, most likely you would set up shop downtown, or set up in a location surrounded by other stores where Millennials shop, or in a shopping mall. Tailor your location not necessarily to heavily populated areas of towns or cities, but rather go into places where your target market exists and build a following that way.”

Marketing also is a crucial element in pop-up store success. As more pop-up shops enter the market, competition is heating up and retailers must push the envelope when it comes to creative campaigns. Some brands have found success tapping social media or events marketing.

When it comes to social media strategy, retailers and brands should focus on their powerful influencers who are advocates of the company's message and products. Influencers can be bloggers or unofficial spokespersons who interact with the brands' social media pages often and generate buzz in the lead up to the store's opening. Gonzalez also recommended retailers to hold cross-promotions with non-competing brands to add value to the experience and introduce the product to a newer audience.

"If you already have a following, have them engaging with you," Gonzalez stated. "You can even invite a major influencer to host a night in your shop, where they can invite their own following. Open up the doors for them for free."

Additionally, Gonzalez noted, look to engage "guerilla marketing street teams. As long as street teams hand out something intriguing and thought-provoking, and will make people want to check out the store."

M&M'S World, a pop-up store in New York City's SoHo district that opened July 17 and is set to run through Sept. 2015, will deploy street teams to distribute coupons that will drive awareness and visits to the store. Also, guests who follow M&M'S World on Instagram will receive a special discount at check-out.

Retailers also can use special events to spread the word about their pop-up. This tactic is called "programming the store," according to Eliason, of Storefront. "It's moving from a pure warehouse retail store to a platform for events," Eliason said. "Every night, what events do you have within the store that can attract your customers?"

For example, in July, Sprite opened up a corner store in New York City that only sells Sprite soda. Throughout August, the bodega-styled "Sprite Corner" will hold events including a cooking class taught by celebrity chef Eddie Huang and numerous performances from local hip-hop artists.

How Can Brands Measure Pop-Up Success?

The best metric that truly gauges the success of a pop-up shop is the number of people that visit the store, according to Baras of PopUp Republic.

Store visits outweigh overall revenue and sales, Baras asserts. "Yes, retailers want to make as much money as possible and there's a certain amount of success that's measured through revenues and PNL statements. But the amount of customers walking through your store shows that they are interested in and aware of your brand, which arguably is just as valuable as making that sale, because that means that you have the potential for them to be loyal followers of your specific brand."

Additionally, retailers can measure success via sales lift in both their in-store environment and their e-Commerce site, particularly if they offer deals in the shop that consumers can redeem online, according to Eliason. Not only are retailers looking into how many people enter the store; they also look at how many people sign up for email lists and engage through social media.

"In a digital setting, these pop-ups are ideal for social media," Eliason said. "The brands are looking for compelling content to share and the consumers are looking for compelling content to engage with. They might get 30,000 people to come into the store to come into the event, but there might be another 300,000 impressions online."

Deliver On The Promise Of Unique Pop-Up Experiences

The best way for retailers to approach the launch of successful pop-up shops is to focus on building a combination of a 'can't miss' attitude and making connections beyond the products being sold. As more retailers enter the pop-up space, they must reach for innovative ideas and take more risks to make their pop-up stores relevant and unique.

"The consumer has different expectations from a pop-up then they do from a regular store," Gonzalez stressed. "They go to a pop-up to be surprised and delighted and be able to discover new things. I'd rather retailers go a little bit deeper into their inventory than have a store full of 100 SKUs and a confusing story told in the space, because the pop-up is your opportunity to tell that story to the customer what you offer that's unique and different."

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Phone:
1.888.603.3626

Email:
info [at] retailtouchpoints.com

A DIVISION OF...



CITY OF ST. HELENA PLANNING COMMISSION

RESOLUTION NO.

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ST. HELENA RECOMMENDING TO THE CITY COUNCIL ADOPTION OF THE ATTACHED ORDINANCE (EXHIBIT 1) AMENDING ST. HELENA MUNICIPAL CODE (S.H.M.C.) TITLE 17, SECTION 17.136.050 'TEMPORARY USES' TO MEMORIALIZE A LIST OF PERMITTED TEMPORARY ACTIVITIES, CRREATE A TEMPORARY USE PERMIT GOVERNING OTHER TEMPORARY USES AND TO CREATE REVIEW CRITERIA AND PROCEDURES BY WHICH SUCH TEMPORARY USES ARE GOVERNED, CITYWIDE.

Recitals

- A.** City of St. Helena Municipal Code (S.H.M.C.) Section 17.136.050 identifies and describes a limited number of Temporary Uses stating said uses “shall be permitted” but provides little to no review criteria or regulations of such uses within the City; and
- B.** S.H.M.C. Chapter 17.08 “Administrative Procedures” identifies procedural requirements for the review and appeal procedures governing administrative decisions (on both public and private property); and
- C.** The City Council has identified a concern and interest in facilitating retail and other business activities in the Central Business District and other commercial parts of the City to support the business community and expand the retail and service options available to citizens of the community, and to help maintain the St. Helena downtown as the City's core and primary center of retail business. In response the City prepared draft text amendments to modify and expand the existing provisions governing Temporary Uses and to create a Temporary Use Permit process.
- D.** The proposed text amendments are found to be consistent with the goals and objectives of the General Plan, as identified in the staff report; and
- E.** The proposed text amendments are consistent with public necessity, convenience, general welfare, and good zoning practice; and
- F.** The Planning Commission of the City of St. Helena held a duly noticed Public Hearing to review the proposed text amendments on October 2, 2018, at which time all interested parties had the opportunity to be heard.

Resolution

- G. Now, therefore let it be resolved** that, the Planning Commission finds that the action to adopt this Ordinance to amend St. Helena Municipal Code Title 17 Section 17.136.050 is exempt from the requirements of CEQA (Public Resources Code Section 21000, et seq.) pursuant to Guidelines Sections 15301, 15303, and 15304 in

Agenda Item #10.5.

that these modifications create an administrative process for the use, conversion or minor alteration of existing properties, which may include the construction, modification or conversion of "Small Structures" as defined in the statute, however only for temporary and set periods of time for the use of the land; that the proposed text amendments are consistent with the environmental impact analysis of the 1993 General Plan and Zoning Code EIR, given their intent to facilitate operation of temporary activities at existing facilities, and that the proposed changes are exempt from the requirements of CEQA, under Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, and therefore, the activity is not subject to CEQA.

H. Now, therefore be it further resolved that the Planning Commission recommends that the City Council adopt the Ordinance attached hereto as **Exhibit A** modifying existing zoning code regulations identified in St. Helena municipal code (S.H.M.C.) Title 17, Chapter 17.136.050 'Temporary Uses' to memorialize a list of permitted temporary activities, create a Temporary Use Permit governing other temporary uses and to create review criteria and procedures by which such temporary uses are governed, citywide.

I HEREBY CERTIFY that the foregoing recommendation to the City Council was duly and regularly approved by the Planning Commission of the City of St. Helena at a regular meeting of said Planning Commission held on October 2, 2018, by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

ATTEST:

 Lester Hardy
 Chair, Planning Commission

 Noah Housh
 Planning and Community
 Improvement Director



TEMPORARY USE Submittal Requirements

Mailing Address: Planning Division
PO Box 660 1600 First Street
Napa, CA 94559 707.257.9530

PURPOSE

Temporary or seasonal uses not specifically listed in Section 17.52.490 of the Zoning Ordinance that typically operate less than 45 days, such as Christmas tree or pumpkin sales, require an Administrative Permit in non-residential or mixed-use districts.

PLAN REQUIREMENTS

1. **Size.** 24"x36" trimmed and folded to 9"x12" maximum size.
2. **Scale.** Acceptable site plan scales are 1"=10', 1"=20', 1"=30', or 1"=40'. Acceptable architectural plan scales are 1/4"=1' or 1/8"=1'.
3. **Other.** Include north arrow, date prepared, the scale, bar scale, and legend identifying symbols and abbreviations.
4. **Preparer.** Name, address, phone number, and email of person preparing the plan(s). In many cases, plans must be prepared and signed by a licensed civil engineer, surveyor, licensed architect, landscape architect, and/or building designer.

SUBMITTAL MATERIALS

Some submittal requirements may be waived depending on the type of project. Unless waived on this form with a cross-out/staff initial, all submittal information shall be provided before the application is accepted as complete.

If another City permit or Project entitlement is also required, the materials supporting the added permit or entitlement must also be submitted.

If your application requires multiple permits or entitlements, submit the number of plan sets for the permit or entitlement that requires the largest number of plans sets.

- ☐ 1 **Planning Application Form** - Completed and signed by all property owners holding a title interest.
- ☐ 2 **Fee/Initial Deposit** - Administrative Permits are a \$594 flat fee. Check payable to City of Napa.
- ☐ 3 **Written Project Description** - Shall describe how the proposed temporary use including days and hours operating, how litter and security will be handled, type of fencing if any, signs, and other information to address the standards listed Section 17.52.490 of the Zoning Ordinance.
- ☐ 4 **SITE PLAN DRAWINGS** - (6 full size copies and a reduced set of all plan and map sheets at 8.5" X 11") - fully dimensioned and accurately drawn. Use as many sheets as necessary. Information may be combined as long as the plans are easy to read. Site plan shall include the following basic information:
 - ☐ a **Vicinity map** - Show site in relationship to local and major cross streets, named; include a north arrow.
 - ☐ b **Site and adjacent properties** - Location of all existing structures identified by type and indicating which are proposed to be removed and which will remain. Include the project site and adjacent property at least 100 feet beyond site, adjacent building footprints and approximate height, and streets (labeled) leading to the site.
 - ☐ c **Boundaries** - All existing and proposed property lines, tract name, easements (size and type called out), right-of-ways, trails, and the like. Approximate dimensions of all lots, radii of all curves and central angles.
 - ☐ d **Trees** - All trees over 6" in diameter measured 54" above existing grade. Provide their common name, size, condition, drip line and location onsite. Note whether any are "Significant Trees" designated by the City that are strictly protected. Any trees

Revised: 07/18/2018

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Page 1 of 2

proposed to be removed shall be identified along with the reasons why they are proposed for removal. In addition, show trees in the adjacent public right-of-way within 30 feet of the area proposed for development, and on adjacent properties with drip lines over the project site. An arborist report and photographs may be required.

- e **Natural features and constraints** - Site features including creeks and adjacent riparian vegetation, wetlands, major rock outcroppings, landslides, flood zones, earthquake faults and related setbacks.
- f **Other site development** - All decks; fences and walls including retaining walls; monument signs; bicycle racks; refuse disposal and outdoor storage areas with proposed screening, etc. The project will need to include detail design and materials.
- 5 **Lighting Plan** -Preliminary plan for any exterior lighting, detailing design, location and height *may* be needed to address project impacts.

ADDITIONAL SUBMITTAL REQUIREMENTS IN CERTAIN CIRCUMSTANCES

- 6 If site is in :FP Floodplain Overlay District, floodway analysis (if applicable) and other materials must be provided to address Floodplain (17.38.050), and potentially floodway (17.38.090) and/or Flood Evacuation Area (17.38.070) requirements. For properties in the floodway area, a detailed development plan and floodway development analysis showing all elements of Title 17 of the Napa Municipal Code. For properties in the flood hazard areas, a development plan indicating the amount of fill required and/or floodproofing measures required by Title 17 of the Napa Municipal Code. The site plan will need to show the approximate location of all areas subject to inundation of stormwater overflow and the location, width and direction of flow of all watercourses, including tidewaters. For residential subdivisions in the flood evacuation area, a flood evacuation plan will be required.
- 7 If site is in the :HS Hillside Overlay District, a slope analysis shall be prepared consistent with the requirements of 17.30.040(H) in order to determine site density. The plans will need to identify any building or access siting concerns and applicants will need to review and provide plans consistent with the city's *Hillside Development Guidelines*. Application submittals must include (unless waived) a site plan with the precise location of existing topography and proposed changes and natural site features; a precise grading and drainage plan; a preliminary landscape plan, construction drawings, and a scale model or visual simulations (17.40.070.B).
- 8 If site is on the City's Historic Resources List, the structure is subject to the City's Historic Preservation Ordinance. (NMC Chapter 15.52). A Certificate of Appropriateness may be required, and city "Rehabilitation Guidelines for Historic Properties" apply. Check with Community Development staff.
- 9 If the Administrative Permit is appealed, the applicant shall provide a mailing list and mailing labels of property owners within a 500 foot radius of project site for public hearing notice per 17.68.070.
- 10 **Environmental Information Form** - To help determine whether any supplemental environmental studies are required, such as a parking, traffic or noise study.
- 11 Other data or information necessary to complete processing of the map and environmental documents.
- 12 Other - _____



PLANNING APPLICATION FORM

Mailing Address:
PO Box 660
Napa, CA 94559

Planning Division
1600 First Street
707.257.9530

APPLICATION TYPE - check all applicable items

- | | |
|---|--|
| ☐ Administrative Permit
☐ Accessory Dwelling Unit (ADU) / Junior ADU
☐ Carports and Shade Structures in Side Yard
☐ Detached Accessory Structure with Plumbing
☐ Temporary Use
☐ Other _____
☐ Annexation
☐ Certificate of Appropriateness
☐ Certificate of Compliance
☐ Design Review
☐ Residential
☐ Non-Residential
☐ Major | ☐ Extensions / Project Modification
☐ General Plan Amendment
☐ Lot Line Adjustment / Lot Merger
☐ Pre-Application
☐ Reasonable Accommodation
☐ Sign Permit
☐ Tentative Map
☐ Use Permit
☐ Variance
☐ Zoning Amendment
☐ Zoning Letter
☐ Other _____ |
|---|--|

SITE INFORMATION - type or print

Address(es) _____
 APN(s) _____
 General Plan _____ Historic _____
 Zoning _____ Size _____

CONTACT INFORMATION - type or print

Applicant
 Address _____
 City _____ State _____ ZIP _____
 Phone _____ Email _____
Authorized Agent
 Address _____
 City _____ State _____ ZIP _____
 Phone _____ Email _____
Property Owner
 Address _____
 City _____ State _____ ZIP _____
 Phone _____ Email _____

Planning Division Use Only

Project Number _____
 Project Name _____
 Project Planner _____

Date Stamp

CONDITIONS OF APPLICATION

1. All materials and representations submitted in conjunction with this form shall be considered a part of this application.
2. The Applicant shall inform the Planning Division in writing of any changes.
3. **Indemnification.** The Applicant(s) agree(s) to defend, indemnify and hold the City, its agents, officers, and employees harmless from any claim, action or proceeding to attack, set aside, void or annul an approval of the City concerning the project, as long as the City promptly notifies the applicant of any such claim, action or proceedings and the City cooperates fully in the defense.
4. **Fees.** The Applicant(s) hereby agree(s) that he/they shall be jointly and severally liable for the payment of any and all processing fees imposed by the Napa Municipal Code Chapter 15.92, "Development Project Processing Fees", and Policy Resolution 16. The applicant(s) hereby represent(s) and warrant(s) that he/they understand that fees include, but are not limited to: staff time billed at an hourly rate; production or reproduction of materials and exhibits; and postage. Failure to pay all accumulated fees by the time of public hearing will result in a continuance.
5. I hereby authorize employees of the City of Napa to enter upon the subject property, as necessary, to inspect the premises and process this application.

I have read and agree with all of the above. The above information and attached documents are true and correct to the best of my knowledge.

Applicant _____	Date _____
Authorized Agent _____	Date _____
Property Owner* _____	Date _____
Property Owner* _____	Date _____

*All property owners holding a title interest must sign the application form. If there are more than two, list name, address, phone number, and signature on a separate sheet.

CONTACT INFORMATION INSTRUCTIONS

An "Applicant" is any person, firm, partnership, association, joint venture, corporation or any entity, combination of entities or consortium who seeks approval of a City permit or other Project entitlement for the use of property. The Applicant shall be the primary billing contact for all processing and development fees associated with the application. The Applicant may additionally identify an "Authorized Agent." An Authorized Agent is any person, firm, partnership, association, joint venture, corporation or any entity, combination of entities or consortium authorized by the Applicant to represent and act on behalf of the Applicant. If identified in this application, the Authorized Agent shall receive all written correspondence from the City regarding the application and any hearings or proceedings scheduled before the Planning Commission, City Council or other appointive City Boards and Commissions, but shall not be responsible for the payment of development or processing fees. The Applicant shall receive all billing invoices for the project, and under the "Conditions" set forth below, shall be liable for the payment of all development and processing fees associated with the application.

The "Property Owner" of property means a person, persons or corporation holding fee title to the real property within the City as shown on the most recent assessor's roll in the County of Napa upon which the Project is proposed. Property Owner and Applicant may be the same person or legal entity, or may be different. For example, in the case of a person or entity holding an option on the land, or other contractual relationship with the property owner, the fee owner(s) of the property would be the Property Owner, and the person or entity seeking the approvals or permits and holding an option to purchase the property would be the Applicant. If Applicant and Property Owner are the same person or entity, please enter "Same as Applicant" in the area provided for Property Owner information. In the event that Applicant and Property Owner are different, all Property Owners must sign on the following page to authorize the Applicant to file an Application for the City permit or Project entitlement on his or her property.

SUBMITTAL REQUIREMENTS

This form must be submitted to the Planning Division with the materials identified in the Submittal Requirements handout(s) for the appropriate City permit or Project entitlement. If your application requires multiple permits or entitlements, submit the number of plan sets for the permit or entitlement that requires the largest number of plans sets.



File #:	
Related Files:	
Set:	
Department Use Only	

www.scrity.org		☐ MAJOR		☐ MINOR		☐ TEMPORARY	
GENERAL INFORMATION	LOCATION OF PROJECT (ADDRESS)			ASSESSOR'S PARCEL NUMBER(S)		EXISTING ZONING	
	NAME OF PROPOSED PROJECT					GENERAL PLAN DESIGNATION	
	APPLICANT NAME			☐ CELL ☐ HOME ☐ BUSINESS ☐ FAX		☐ CELL ☐ HOME ☐ BUSINESS ☐ FAX	
	APPLICANT ADDRESS		CITY	STATE	ZIP	EMAIL	
	APPLICANT REPRESENTATIVE		☐ CELL ☐ HOME ☐ BUSINESS ☐ FAX		☐ CELL ☐ HOME ☐ BUSINESS ☐ FAX		
	APPLICANT REPRESENTATIVE ADDRESS		CITY	STATE	ZIP	EMAIL	
PROPERTY INFORMATION	PROPERTY OWNER NAME (SIGNATURE REQUIRED BELOW)			☐ CELL ☐ HOME ☐ BUSINESS ☐ FAX		☐ CELL ☐ HOME ☐ BUSINESS ☐ FAX	
	PROPERTY OWNER ADDRESS		CITY	STATE	ZIP	EMAIL	
	PROJECT/BUSINESS DESCRIPTION-- (Attach separate sheet if necessary.)						
PROJECT DESCRIPTION	SIZE OF PARCEL SQ. FT. or ACRES		GROSS SQ. FT. OF PROPOSED USE		PRIOR USE		
	☐ RESIDENTIAL		☐ OFFICE		☐ COMMERCIAL		☐ INDUSTRIAL
	☐ OTHER (Please describe)						
	☐ EXISTING BUILDING/REOCCUPANCY ☐ NEW CONSTRUCTION		☐ EXISTING BUILDING/REOCCUPANCY ☐ NEW CONSTRUCTION		LIST EXISTING TENANTS		
	# UNITS TOTAL:		# BUILDINGS:		MAX EMPLOYEES/SHIFT:		USE
	# BEDROOMS PER UNIT:		TOTAL SQ. FT.:		# SEATS/CAPACITY:		SQ. FT.
	# PARKING SPACES:		SQ. FT. OCCUPIED:		# PARKING SPACES:		
	TYPE OF UNIT:		SQ. FT. EACH BUILDING (Please list):		% LOT COVERAGE:		
	☐ SINGLE FAMILY DETACHED ☐ SINGLE FAMILY ATTACHED				DAYS/HOURS OF OPERATION:		
	☐ SECOND UNIT ☐ DUPLEX		☐ MULTI-FAMILY ☐ MOBILE HOME				
	% LOT COVERAGE						
	SUBMITTAL INFORMATION – THESE ITEMS MUST BE SUBMITTED FOR A COMPLETE APPLICATION UNLESS INITIALED BY A CITY PLANNER						
Plan <u>MUST</u> either be reduced to 11 X 17 or folded to 8 1/2 X 14							
10 Copies of SITE PLAN showing all dimensions.				DISCLOSURE FORM			
10 Copies of FLOOR PLANS				VICINITY MAP WITH NORTH ARROW			
10 Copies of NEIGHBORHOOD CONTEXT MAP				INDEMNIFICATION FORM (Back of sheet)			
ADDITIONAL SUBMITTAL INFORMATION – THESE ITEMS MAY BE REQUIRED FOR A COMPLETE APPLICATION							
10 Copies of DIMENSIONED ELEVATIONS (New construction only)				ENVIRONMENTAL ASSESSMENT (New construction only)			
10 Copies of SITE ANALYSIS MAP (New construction only)				Completed STORMWATER DETERMINATION WORKSHEET			
10 Copies of LANDSCAPE PLANS (New construction only)							
Completed ABC APPLICATION WORKSHEET 23958.4 B & P (For sales of alcoholic beverages)							
PROPERTY OWNER'S CONSENT – I declare under penalty of perjury that I am the owner of said property or have written authority from property owner to file this application. I certify that all of the submitted information is true and correct to the best of my knowledge and belief. I understand that any misrepresentation of submitted data may invalidate any approval of this application.							
PROPERTY OWNER'S SIGNATURE							
DEPT	APPLICATION		RECEIVED BY		DATE		FEE RECEIVED \$
	PUBLIC HEARING				DATE		FEE RECEIVED \$
	ENVIRONMENTAL REVIEW		☐ REQUIRED ☐ EXEMPT		DATE		FEE RECEIVED \$

CONDITIONAL USE PERMIT

04/19/2016

Cindy Tzaopoulos

From: Noah Housh
Sent: Wednesday, October 10, 2018 10:07 AM
To: Cindy Tzaopoulos
Subject: FW: Pop-up tasting rooms

Public Comment FYI

From: Tom Ferrell <tomferrell@springmountaindistrict.org>
Sent: Tuesday, October 9, 2018 1:48 PM
To: Alan Galbraith <AGalbraith@cityofsthelena.org>; Peter White <PWhite@cityofsthelena.org>; Paul Dohring <PDohring@cityofsthelena.org>; Mary Koberstein <MKoberstein@cityofsthelena.org>; Geoff Ellsworth <Gellsworth@cityofsthelena.org>
Cc: Noah Housh <NHoush@cityofsthelena.org>; Lester Hardy <LHardy@cityofsthelena.org>; David Knudsen <DKnudsen@cityofsthelena.org>; Bobbi Monnette <BMonnette@cityofsthelena.org>; John Ponte <JPonte@cityofsthelena.org>
Subject: Pop-up tasting rooms

Saint Helena City Council Members

The Spring Mountain District Association would welcome the opportunity to have a pop-up tasting room over the holidays in a currently vacant store on Main Street. We think this would bring some vitality to Main Street and offer an unexpected new retail and shopping option both for visitors and locals.

We encourage the Council to expedite the new regulations which would allow this. Of course our recommendation and encouragement comes without being aware of the possible regulations which such a tasting room might require---in principle, we would like to see St. Helena welcoming the wineries with a St. Helena address.

Many of us do not have tasting rooms or, just as importantly, face many challenges in attracting visitors to "drive up the Mountain" to see us, so an option in "downtown" St. Helena---even if only for a brief period of time---would be very welcome and healthy for our businesses.

A word of background: The Spring Mountain District appellation lies above the town of St. Helena on the eastern slopes of the Mayacamas Mountains that separate Napa Valley from Sonoma Valley and the Santa Rosa Plain. Encompassed within its bounds are about 8,600 acres, of which about 1,000 are planted to vineyards. Currently the region has just over 30 vineyard / wineries. Spring Mountain, officially established as an AVA (American Viticulture Area) in 1993 and is defined by vineyards that range from small to smaller, often hand-tilled on terraces and sloping meadows, and family wineries hidden from view among dark forests and steep winding roads. Over the years, despite its limited space and remoteness, the appellation has produced an abundance of wines acclaimed worldwide for the unmistakable intense flavor and delicate, balanced tannins that are now the signature taste of Spring Mountain wines.

Sincerely,

Spring Mountain District Association Board Members

Sheldon Richards – Paloma Vineyard
 Sarah McCrea – Stony Hill Winery
 Bill Wiebalk - Schweiger Vineyards
 Bradley Wasserman - Lokoya

Julie Ann Kodmur – Smith-Madrone Vineyard



Report to the City Council
Council Meeting of October 23, 2018

Agenda Section: New Business

Subject: Review and provide direction on the Draft Conservation Easement between the City of St. Helena and the Land Trust of Napa Valley for the Comprehensive Flood Control Project

CEQA Determination: **Not a CEQA project**

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

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

To comply with the terms of the Department of Water Resources (DWR) grant agreement for the Comprehensive Flood Control Project, DWR requires that approximately 10 acres of Napa River frontage, known as APN 009-030-056 and -058, must be preserved via conservation easement with a third-party holder.

On March 18, 2018, City Council approved a Resolution approving a contract with Land Trust of Napa Valley (Land Trust) for a Conservation Easement as required by the terms of the DWR grant, SAP Contract No. 4600009016 for an amount not to exceed \$65,000. A conservation easement is an agreement between the landowner, City of St. Helena, and the Land Trust. It is a perpetual, recorded deed between the City and the Land Trust that permanently protects the land covered by the easement, whether scenic, agricultural, or natural area from undesirable development. When the conservation easement is recorded, the City will continue to own and manage the land with the knowledge that it will be protected forever.

DISCUSSION

The City of St. Helena and the Land Trust have been working on the supporting documents, legal descriptions, and draft conservation easement language since March 2018. Councilmembers indicated the easement should address current and future

General Plan considerations such as trails, public road connections, and the possibility of future flood control improvements and requested the draft conservation easement be reviewed at a regularly scheduled meeting for review and comment.

The finalized conservation easement document will require review and approval by City Council, the Land Trust, and Department of Water Resources prior to being accepted and recorded.

FISCAL IMPACT

Upon DWR approval of the final document, the remaining portion of the DWR grant, \$237,000, will be paid to the City. Not completing the conservation easement would require the City of St. Helena to payback approximately \$2.3 million in funding received from DWR for the Comprehensive Flood Control Project.

RECOMMENDED ACTION

Review, discuss, and provide direction to City staff.

ATTACHMENTS

[Attachment 1: Draft Conservation Easement](#)

[Attachment 2: Flood Control Project Map](#)

Recording requested by and when
Recorded mail to:

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

EXEMPT FROM RECORDING FEES PER
GOVERNMENT CODE § 27383

CONSERVATION EASEMENT DEED

THIS CONSERVATION EASEMENT DEED ("Conservation Easement") is made the ____ day of _____, 2018, by City of St. Helena, a Municipal Corporation ("Grantor"), in favor of the NAPA COUNTY LAND TRUST, a California nonprofit corporation doing business as The Land Trust of Napa County ("LTNC" or "Grantee"), with reference to the following facts:

RECITALS

A. Grantor is the sole owner in fee simple of certain real property containing approximately **10.31** acres, located in the in the City of St. Helena, County of Napa, State of California, and designated as portions of Assessor's Parcel Numbers 009-030-056 & -058 Official Records of Napa County, (the "**Property**"). The Property is legally described and depicted in "**Exhibit A**" attached to this Conservation Easement and incorporated in it by reference.

Commented [LP1]: Confirm acreage with Albion survey information

B. The Department of Water Resources (DWR) awarded State Proposition 84 funds to Grantor through its Flood Corridor Program to carry out the implementation of the St. Helena Comprehensive Flood Protection and Flood Corridor Restoration Project to provide flood damage reduction through the restoration and re-establishment of the natural floodplain along the project river frontage by constructing setback levees and overflow basins for transitory storage; and re-creating and restoring the natural floodway corridor with high quality riparian forest and shoreline habitat for fish, terrestrial, and wildlife habitat along the Napa River. DWR has determined that the easement conveyance to the Grantee would implement the objectives of the Grantor and DWR by (1) providing an opportunity to improve floodwater conveyance and transitory storage, (2) providing an opportunity to restore and re-create riparian habitat, and (3) to preserve such flood improvements and habitat improvements in perpetuity. DWR has also determined that the Grantor's continued management and use of the Property as a floodway corridor for floodwater conveyance from the Napa River as well as for wildlife habitat enhancement and preservation purposes, will preserve land, protect the floodplain from inappropriate or incompatible development and maintain its availability for flood management purposes, protect wildlife habitat and provide for public access consistent with the purposes of the Flood Protection Corridor Program described in Water Code section 79035 et seq. The funding agreement (SAP Contract No. 4600009016) requires the conveyance of an easement deed to Grantee, acknowledges the multiple and complementary benefits of the St. Helena

Comprehensive Flood Protection and Flood Corridor Restoration Project constructed on the Property, namely (1) significant ecological values including habitat enhancement; (2) protection of a floodplain area from potential inappropriate and incompatible development; (3) improved public access and, (4) role in flood management improvements (hereafter “Multiple and Complementary Benefits”). It is the intent of the Grantee and Grantor, as parties to this Conservation Easement Deed, to protect each of the existing Multiple and Complementary Benefits of the Property and to cooperate in the implementation of any maintenance of habitat enhancement and floodway improvements on the Property.

C. The Property possesses significant wildlife, ecological, habitat, and floodway values for conservation purposes (collectively “Conservation Values”). These natural resources are of aesthetic, ecological, educational, historical, recreation, and scientific value to the people of the State of California, and are of great importance to the Grantor, Grantee, and DWR. The Conservation Values of the Property provides high quality habitat for California Freshwater Shrimp (*Syncaris pacifica*) and Freshwater Shrimp Habitat Structures.

D. The specific Conservation Values of the Property and its current use and state of improvement, are documented in an inventory of relevant features prepared by the Grantee with the cooperation of the Grantor dated _____ on file at the offices of the Grantee and incorporated herein by this reference (the “**Baseline Documentation**”), consisting of field reports, maps, photographs, and other documentation that the parties all agree provide, collectively, an accurate representation of the Easement Property at the time of this grant and that are intended to serve as an objective, though nonexclusive, information baseline for monitoring compliance with this Easement. Grantor and Grantee have separately acknowledged and hereby acknowledge said Baseline Documentation memorializes the condition of the Easement Property as of the effective date of this Easement. The Baseline Documentation may be used by the Grantee to establish that a change in the use or character of the Easement Property has occurred, but the existence of the Baseline Documentation shall not preclude the Grantee’s use of other evidence to establish the condition of the Easement Property as of the date of this Easement. The parties further agree that, if a controversy arises with respect to the condition of the Easement Property or a particular Conservation Value thereof, the parties shall not be foreclosed from utilizing any other relevant document, survey, or report to assist in resolution of the controversy.

E. Grantee is authorized to hold this conservation easement pursuant to California Civil Code section 815.3. Specifically, Grantee is a tax-exempt nonprofit organization qualified under Section 501(c)(3) of the Internal Revenue Code and qualified to hold conservation easements for the primary purpose of preservation, protection, or enhancement of land in its natural, scenic, historical, agricultural, forested, or open-space condition or use.

F. This Conservation Easement is granted pursuant to the California Endangered Species Act Incidental Take Permit No. 2081-2009-004-03, by and between City of St. Helena and the California Department of Fish and Wildlife, dated June 14, 2010 (the “Permit”). The Permit provides mitigation for certain impacts of reducing water surface elevation and increasing the river’s water conveyance capacity. Specifically, (1) creating a floodplain terrace connected to the Napa River, (2) creating a shoreline bench along Napa River’s south-bank, and (3) managing vegetation and sediment along the 800 foot section of Napa River’s northern bank, located in the City of St. Helena, County of Napa, State of California and requires implementation of a final management plan created thereunder.

COVENANTS, TERMS, CONDITIONS AND RESTRICTIONS

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and pursuant to California law, including Civil Code section 815, et seq., Grantor hereby voluntarily grants and conveys to Grantee a conservation easement in perpetuity over the Property and the Grantee hereby accepts that grant and conveyance.

1. Purposes. The purposes of this Conservation Easement are to preserve and protect the Conservation Values of the Property and ensure that the Conservation Values of the Property will be retained forever in its natural, restored, or enhanced condition as contemplated by the Permit, and to prevent any use of the Property that will impair or interfere with the Conservation Values of the Property. Grantor intends that this Conservation Easement will confine the use of the Property to activities that are consistent with such purposes, including, without limitation, those involving the preservation, restoration and enhancement of native species and their habitats, except for items expressly permitted in this Easement.

2. Grantee's Rights. To accomplish the purposes of this Conservation Easement, Grantor hereby grants and conveys the following rights to Grantee:

- (a) To preserve and protect the Conservation Values of the Property.
- (b) To enter upon the Property at reasonable times in order to monitor compliance with and otherwise enforce the terms of this Conservation Easement, provided that Grantee shall not unreasonably interfere with Grantor's authorized use and quiet enjoyment of the Property.
- (c) To prevent, mitigate or contain any activity on or use of the Property that is inconsistent with the purposes of this Conservation Easement and to require the restoration of such areas or features of the Property that may be damaged by any act, failure to act, or any use or activity that is inconsistent with the purposes of this Conservation Easement.
- (d) To require that all mineral, air and water rights as Grantee deems necessary to preserve and protect the biological resources and Conservation Values of the Property shall remain a part of the Property, consistent with the purposes of this Conservation Easement.
- (e) Because this Conservation Easement was required as a condition of the DWR grant funding agreement, the Conservation Easement is intended to be consistent with present or future flood management projects or activity implemented on or affecting the Property. Furthermore, the Conservation Easement is intended to be consistent with any flood control easement recorded against the Property that may evolve from the Grantor's flood management planning efforts. Therefore, any flood management project activity or future flood control easement shall be a permitted use of the Property pursuant to the terms of this Conservation Easement. The necessary Property rights to implement future flood management plans and activities on the Property including rights to construct floodway improvements and rights of access for construction, inspection, and maintenance purposes shall be provided by the Grantee to the Grantor (as the Flood Management Agency having jurisdiction for flood protection on the Property).
- (f) The City adopted a General Plan in 1993 [Plan 2040, newest one to be ratified Feb 2019] that included an extension of Adams Street and/or Starr Avenue to the Silverado Trail. Therefore, Grantor reserves the right to construct one public street through the Property in the area of the levee. If the levee location is not feasible, Grantor may propose another location to Grantee, who

may approve the relocation in its sole discretion. Therefore, construction of this one street shall be a permitted use of the Property pursuant to the terms of this Conservation Easement. The necessary Property rights to construct this road and rights of access for construction, inspection, and maintenance purposes shall be provided by the Grantee to the Grantor.

(g) In furtherance of the Conservation Values, Grantee shall exercise the above-described rights in a manner which is in harmony with, and does not materially interfere with any of the Conservation Values.

(h) All present and future development rights appurtenant to, allocated, implied, reserved or inherent in the Property; such rights are hereby terminated and extinguished, and may not be used on or transferred to any portion of the Property, nor any other property adjacent or otherwise.

3. Prohibited Uses. Any activity on or use of the Property inconsistent with the purposes of this Conservation Easement is prohibited. Except as provided in Section 5 and without limiting the generality of the foregoing, the following uses and activities by Grantor, Grantor's agents, and third parties, are expressly prohibited:

(a) Unseasonal watering; use of fertilizers, pesticides, biocides, herbicides or other agricultural chemicals; weed abatement activities unless these activities are used for the management of native communities; incompatible fire protection activities; and any and all other activities and uses which may impair or interfere with the purposes of this Conservation Easement.

(b) Use of off-road vehicles and use of any other motorized vehicles except on existing roadways or on the existing levee, or as necessary for management, operation and maintenance of the property or in connection with any permitted flood control or habitat enhancement activities conducted on the Property by the Grantor or its agent.

(c) Agricultural activity of any kind, except grazing for vegetation management pursuant to a grazing or vegetation management plan that has been prepared by a certified habitat specialist, and has been approved in advance by Grantee.

(d) Recreational activities including, but not limited to, horseback riding, hunting or fishing, except for personal, non-commercial, non-motorized, public use of the existing interpretive pedestrian trail, so long as such activities are consistent with the purposes of this Conservation Easement.

- 1) Grantor and Grantee shall work cooperatively to ensure that any extensions of the trail are consistent with the purposes of this Conservation Easement, whether they are created by Grantor or the general public.
- 2) If Grantee gives Grantor written notice that a trail exists that 1) has not been approved by the Grantee and 2) is inconsistent with the purposes of this Conservation Easement, Grantor shall decommission the trail at its expense, within 90 days. If Grantor fails to decommission the trail in 90 days, Grantee reserves the right to unilaterally decommission the trail, and recover all costs from Grantor.

(e) Commercial, industrial, or residential uses.

(f) Any legal or de facto division, subdivision or partitioning of the Property.

(g) Construction, reconstruction, erecting or placement of any building, billboard or sign, or any other structure or improvement of any kind, except for 1) the management, operation and maintenance of the Property, 2) in connection with any permitted flood control or habitat enhancement activities conducted on the Property by the Grantor or its agents, 3) as required by funding agencies, or 4) pursuant to educational or interpretive activities on the Property conducted by the Grantor.

(h) Depositing or accumulation of soil, trash, ashes, refuse, waste, bio-solids or any other materials.

(i) Planting, introduction or dispersal of non-native or exotic plant or animal species.

(j) Filling, dumping, excavating, draining, dredging, mining, drilling, removing or exploring for or extraction of minerals, loam, soil, sands, gravel, rock or other material on or below the surface of the Property or granting or authorizing surface entry for any of these purposes, except in connection with permitted road construction or flood control or habitat enhancement activities conducted on the Property by the Grantor or its agents as provided in paragraph 2(e) or 2(f) above.

(k) Altering the surface or general topography of the Property, including but not limited to any alterations to habitat, building roads or trails, paving or otherwise covering the Property with concrete, asphalt or any other impervious material except in connection with any permitted road construction or flood control or habitat enhancement activities conducted on the Property by the Grantor or its agents or those habitat management activities provided in paragraph 2(e) or 2(f) above.

(l) Removing, destroying, or cutting of trees, shrubs or other vegetation, except as required by law for (i) fire breaks, (ii) maintenance of existing foot trails or roads, (iii) prevention or treatment of disease, (iv) as necessary for the removal of existing infrastructure, or (iv) in connection with any permitted road construction or flood control or habitat enhancement activities conducted on the Property by the Grantor or its agents or as provided in paragraph 2(e) or 2(f) above.

(m) Manipulating, impounding or altering any natural water course, body of water or water circulation on the Property, and activities or uses detrimental to water quality, including but not limited to degradation or pollution of any surface or sub-surface waters, except in connection with any permitted road construction or flood control or habitat enhancement activities conducted on the Property by Grantor or its agents or as provided in paragraph 2(e) or 2(f) above.

(n) Without the prior written consent of Grantee, which Grantee may withhold, in its sole discretion, transferring, encumbering, selling, leasing, or otherwise separating the mineral, air or water rights for the Property; changing the place or purpose of use of the water rights; abandoning or allowing the abandonment of, by action or inaction, any water or water rights, ditch or ditch rights, spring rights, reservoir or storage rights, wells, ground water rights, or other rights in and to the use of water historically used on or otherwise appurtenant to the Property, including but not limited to: (i) riparian water rights; (ii) appropriative water rights; (iii) rights to waters which are secured under contract with any irrigation or water district, to the extent such waters are customarily applied to the Property; and (iv) any water from wells that are in existence or may be constructed in the future on the Property.

Commented [LP2]: Erica to follow-up with City of Napa re management plan on City's flood control CE, off Hartle Court. Include information on impacts from road construction (proposed location, timeline, scope of road extension) that can be included in:
a) Management plan, thereby referenced in CE, and approval of plan by LTNC.
b) As terms in CE, which can be more binding/restrictive

(o) Engaging in any use or activity that may violate, or may fail to comply with, relevant federal, State, or local laws, regulations, or policies applicable to Grantor, the Property, or the use or activity in question.

4. Grantor's Duties. Grantor shall undertake all reasonable actions to prevent the unlawful entry and trespass by persons whose activities may degrade or harm the Conservation Values of the Property, or that are otherwise inconsistent with this Conservation Easement. In addition, Grantor shall undertake all necessary actions to perfect and defend Grantee's rights under Section 2 of this Conservation Easement, including but not limited to, Grantee's water rights, and observe and carry out the obligations of Grantor pursuant to the Permit.

(a) Grantor shall comply with all applicable federal, State and local laws, statutes, rules, regulations and ordinances (collectively, the "Laws" that apply to Grantor respecting Grantor's acquisition, ownership and operation of Property) and obtain any other permits, approvals, and licenses that Grantor is required to obtain under any law that is applicable to Grantor respecting Grantor's acquisition, ownership and operation of the Property.

(b) Grantor shall assume all management, operation and maintenance costs associated with its ownership of the Property, including the costs of ordinary repairs and replacements of a recurring nature and costs associated with Grantor's compliance with any and all laws that are applicable to Grantor in connection with Grantor's ownership and operation of the Property. DWR and the Grantee shall not be liable for any costs associated with the management, operation and maintenance of the Property, including flood management and habitat enhancement activities. Grantor shall be responsible for establishing and enforcing policies related to the public's use of the interpretive pedestrian trail on, as well as any other public access over the Property.

5. Reserved Rights. Grantor reserves to itself, and to its personal representatives, heirs, successors, and assigns, all rights accruing from Grantor's ownership of the Property, including the right to engage in or to permit or invite others to engage in all uses of the Property that are not expressly prohibited or limited by, and are consistent with the purposes of, this Conservation Easement.

6. Grantee's Remedies. If Grantee determines that a violation of the terms of this Conservation Easement has occurred or is threatened, Grantee shall give written notice to Grantor of such violation and demand in writing the cure of such violation ("Notice of Violation"). If Grantor fails to cure the violation within fifteen (15) days after receipt of a Notice of Violation, or if the cure reasonably requires more than fifteen (15) days to complete and Grantor fails to begin the cure within the fifteen (15)-day period or fails to continue diligently to complete the cure, Grantee may bring an action at law or in equity in a court of competent jurisdiction for any or all of the following: to recover any damages to which Grantee may be entitled for violation of the terms of this Conservation Easement or for any injury to the Conservation Values of the Property, to enjoin the violation, *ex parte* as necessary, by temporary or permanent injunction without the necessity of proving either actual damages or the inadequacy of otherwise available legal remedies; to pursue any other legal or equitable relief, including, but not limited to, the restoration of the Property to the condition in which it existed prior to any such violation or injury; or to otherwise enforce this Conservation Easement. Without limiting the liability of Grantor, Grantee may apply any damages recovered to the cost of undertaking any corrective action on the Property.

If Grantee, in its sole discretion, determines that circumstances require immediate action to prevent or mitigate damage to the Conservation Values of the Property, Grantee may pursue

its remedies under this Section 6 without prior notice to Grantor or without waiting for the period provided for cure to expire. Grantee's rights under this section apply equally to actual or threatened violations of the terms of this Conservation Easement.

Grantor agrees that Grantee's remedies at law for any violation of the terms of this Conservation Easement are inadequate and that Grantee shall be entitled to the injunctive relief described in this section, both prohibitive and mandatory, in addition to such other relief to which Grantee may be entitled, including specific performance of the terms of this Conservation Easement, without the necessity of proving either actual damages or the inadequacy of otherwise available legal remedies. Grantee's remedies described in this section shall be cumulative and shall be in addition to all remedies now or hereafter existing at law or in equity, including but not limited to the remedies set forth in California Civil Code section 815, et seq. The failure of Grantee to discover a violation or to take immediate legal action shall not bar Grantee from taking such action at a later time.

6.1 Costs of Enforcement. All costs incurred by Grantee, where Grantee is the prevailing party, in enforcing the terms of this Conservation Easement against Grantor, including, but not limited to, costs of suit and attorneys' and experts' fees, and any costs of restoration necessitated by Grantor's negligence or breach of this Conservation Easement shall be borne by Grantor.

6.2 Grantee's Discretion. Enforcement of the terms of this Conservation Easement by Grantee shall be at the discretion of Grantee, and any forbearance by Grantee to exercise its rights under this Conservation Easement in the event of any breach of any term of this Conservation Easement shall not be deemed or construed to be a waiver of such term or of any subsequent breach of the same or any other term of this Conservation Easement or of any rights of Grantee under this Conservation Easement. No delay or omission by Grantee in the exercise of any right or remedy shall impair such right or remedy or be construed as a waiver.

6.3 Acts Beyond Grantor's Control. Nothing contained in this Conservation Easement shall be construed to entitle Grantee to bring any action against Grantor for any injury to or change in the Property resulting from (i) any natural cause beyond Grantor's control, including, without limitation, fire not caused by Grantor, flood, storm, and earth movement, or any prudent action taken by Grantor under emergency conditions to prevent, abate, or mitigate significant injury to the Property resulting from such causes; or (ii) acts by Grantee or its employees.

6.4 Enforcement; Standing. All rights and remedies conveyed to Grantee under this Conservation Easement shall extend to and are enforceable by the Third Party Beneficiaries (as defined in Section 13 (m)). If at any time in the future Grantor uses, allows the use, or threatens to use or allow use of, the Property for any purpose that is inconsistent with or in violation of this Conservation Easement then, despite the provisions of California Civil Code section 815.7, the California Attorney General and the Third-Party Beneficiaries each have standing as an interested party in any proceeding affecting this Conservation Easement.

7. Access. This Conservation Easement conveys a general right of access to the public on the interpretive pedestrian trail only.

8. Costs and Liabilities. Grantor retains all responsibilities and shall bear all costs and liabilities of any kind related to the ownership, operation, upkeep, and maintenance of the Property. Grantor agrees that neither Grantee nor any Third-Party Beneficiaries shall have any duty or responsibility for the operation, upkeep or maintenance of the Property, the monitoring of hazardous conditions on it, or the protection of Grantor, the public or any third parties from risks relating to conditions on the Property. Grantor remains solely responsible for obtaining any applicable governmental

permits and approvals for any activity or use permitted by this Conservation Easement Deed, including permits and approvals required from Grantee acting in its regulatory capacity, and any activity or use shall be undertaken in accordance with all applicable federal, state, local and administrative agency laws, statutes, ordinances, rules, regulations, orders and requirements.

(a) Taxes; No Liens. If applicable, Grantor shall pay before delinquency all taxes, assessments (general and special), fees, and charges of whatever description levied on or assessed against the Property by competent authority (collectively "Taxes"), including any Taxes imposed upon, or incurred as a result of, this Conservation Easement, and shall furnish Grantee with satisfactory evidence of payment upon request. Grantor shall keep the Property free from any liens, including those arising out of any obligations incurred by Grantor for any labor or materials furnished or alleged to have been furnished to or for Grantor at or for use on the Property.

(b) Hold Harmless. Grantor shall hold harmless, protect and indemnify Grantee and DWR and their directors, officers, employees, agents, contractors, and representatives and the heirs, personal representatives, successors and assigns of each of them (each a "Grantee Indemnified Party" and, collectively, "Grantee's Indemnified Parties") from and against any and all liabilities, penalties, costs, losses, damages, expenses (including, without limitation, reasonable attorneys' fees and experts' fees), causes of action, claims, demands, orders, liens or judgments (each a "Claim" and, collectively, "Claims"), arising from or in any way connected with: (i) injury to or the death of any person, or physical damage to any property, resulting from any act, omission, condition, or other matter related to or occurring on or about the Property, regardless of cause, except that this indemnification shall be inapplicable to any Claim due solely to the negligence of Grantee Indemnified Party ; (ii) the obligations specified in Sections 4, 9, and 9(a); and (iii) the existence or administration of this Conservation Easement. If any action or proceeding is brought against any of the Grantee's Indemnified Parties by reason of any such Claim, Grantor shall, at the election of and upon written notice from Grantee, defend such action or proceeding by counsel reasonably acceptable to the Grantee Indemnified Party or reimburse Grantee for all charges incurred for services of the Attorney General in defending the action or proceeding.

(c) Extinguishment. If circumstances arise in the future that render the preservation of Conservation Values or other purposes of this Conservation Easement impossible to accomplish, this Conservation Easement can only be terminated or extinguished, in whole or in part, by judicial proceedings in a court of competent jurisdiction.

9. Transfer of Conservation Easement or Property.

(a) Conservation Easement. This Conservation Easement may be assigned or transferred by Grantee but Grantee shall give Grantor and DWR at least sixty (60) days prior written notice of the proposed assignment or transfer. With approval by DWR, under the terms of its grant agreement with Grantor, Grantee may assign or transfer its rights under this Conservation Easement only to an entity or organization: (i) authorized to acquire and hold conservation easements pursuant to Civil Code section 815.3 (and any successor or other provision(s) then applicable); and (ii) otherwise reasonably acceptable to DWR. Grantee shall require the assignee to record the assignment in the county where the Property is located. The failure of Grantee to perform any act provided in this section shall not impair the validity of this Conservation Easement or limit its enforcement in any way. Any transfer under this section is subject to the requirements of Section 10.

(b) Property. Grantor agrees to incorporate the terms of this Conservation Easement by reference in any deed or other legal instrument by which Grantor divests itself of any interest in all or any portion of the Property, including, without limitation, a leasehold interest. Grantor further agrees to give written notice to Grantee and DWR, of the intent to transfer any interest at least sixty (60) days prior

to the date of such transfer. Grantee and DWR shall have the right to prevent any transfers in which prospective subsequent claimants or transferees are not given notice of the covenants, terms, conditions and restrictions of this Conservation Easement (including the exhibits and documents incorporated by reference in it). The failure of Grantor or Grantee to perform any act provided in this section shall not impair the validity of this Conservation Easement or limit its enforceability in any way. Any transfer under this section is subject to the requirements of Section 11.

10. Merger. The doctrine of merger shall not operate to extinguish this Conservation Easement if the Conservation Easement and the Property become vested in the same party. If, despite this intent, the doctrine of merger applies to extinguish the Conservation Easement then, unless Grantor and Grantee otherwise agree in writing, a replacement conservation easement or restrictive covenant containing the same protections embodied in this Conservation Easement shall be recorded against the Property.

11. Notices. Any notice, demand, request, consent, approval, or communication that either Grantor, Grantee, and DWR desires or is required to give to the others shall be in writing, with a copy to DWR, and served personally or sent by recognized overnight courier that guarantees next-day delivery or by first class registered United States mail, postage fully prepaid, addressed as follows:

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

To Grantee: Land Trust of Napa County
1700 Soscol Avenue, Suite 20
Napa, CA, 94559
Attn: Executive Director

To DWR: Department of Water Resources
Flood Corridor Program
Attn: Program Manager
3464 El Camino Avenue, Room 200
Sacramento, CA 95821

or to such other address as Grantor, Grantee, and DWR shall designate by written notice to the other parties. Notice shall be deemed effective upon delivery in the case of personal delivery or delivery by overnight courier or, in the case of delivery by registered first class mail, five (5) days after deposit into the United States mail.

12. Amendment. This Conservation Easement may be amended only by mutual written agreement of Grantor and Grantee with written approval by DWR. Any such amendment shall be consistent with the purposes of this Conservation Easement and California law governing conservation easements, and shall not affect its perpetual duration. Any such amendment shall be recorded in the official records of Napa County, State of California, and Grantee shall promptly provide a conformed copy of the recorded amendment to the Grantor and DWR.

13. Additional Provisions.

(a) Controlling Law. The interpretation and performance of this Conservation Easement shall be governed by the laws of the State of California, disregarding the conflicts of law principles of such state.

(b) Liberal Construction. Despite any general rule of construction to the contrary, this Conservation Easement shall be liberally construed to effect the purposes of this Conservation Easement and the policy and purpose of Civil Code section 815, et seq. and Government Code section 65965. If any provision in this instrument is found to be ambiguous, an interpretation consistent with the purposes of this Conservation Easement that would render the provision valid shall be favored over any interpretation that would render it invalid.

(c) Severability. If a court of competent jurisdiction voids or invalidates on its face any provision of this Conservation Easement, such action shall not affect the remainder of this Conservation Easement. If a court of competent jurisdiction voids or invalidates the application of any provision of this Conservation Easement to a person or circumstance, such action shall not affect the application of the provision to other persons or circumstances.

(d) Entire Agreement. This document sets forth the entire agreement of the parties with respect to the Conservation Easement and supersedes all prior discussions, negotiations, understandings, or agreements relating to the Conservation Easement. No alteration or variation of this Conservation Easement shall be valid or binding unless contained in an amendment in accordance with Section 13.

(e) No Forfeiture. Nothing contained in this Conservation Easement will result in a forfeiture or reversion of Grantor's title in any respect.

(f) Successors. The covenants, terms, conditions, and restrictions of this Conservation Easement shall be binding upon, and inure to the benefit of, the parties and their respective personal representatives, heirs, successors, and assigns and shall constitute a servitude running in perpetuity with the Property.

(g) Termination of Rights and Obligations. A party's rights and obligations under this Conservation Easement terminate upon transfer of the party's interest in the Conservation Easement or Property, except that liability for acts or omissions occurring prior to transfer shall survive transfer.

(h) Captions. The captions in this instrument have been inserted solely for convenience of reference and are not a part of this instrument and shall have no effect upon its construction or interpretation.

(i) No Hazardous Materials Liability.

(1) Grantor represents and warrants that it has no knowledge or notice of any Hazardous Materials (defined below) or underground storage tanks existing, generated, treated, stored, used, released, disposed of, deposited or abandoned in, on, under, or from the Property, or transported to or from or affecting the Property.

(2) Without limiting the obligations of Grantor under Section 8(b), Grantor hereby releases and agrees to indemnify, protect and hold harmless the Grantee's Indemnified Parties (defined in Section 8(b)) from and against any and all Claims (defined in Section 8(b)) arising from or connected with any Hazardous Materials or underground storage tanks present, alleged to be present, released in, from or about, or otherwise associated with the Property at any time, except any Hazardous

Materials placed, disposed or released by Grantee or any of its employees or agents. This release and indemnification includes, without limitation, Claims for (i) injury to or death of any person or physical damage to any property; and (ii) the violation or alleged violation of, or other failure to comply with, any Environmental Laws (defined below). If any action or proceeding is brought against any of the Grantee's Indemnified Parties by reason of any such Claim, Grantor shall, at the election of and upon written notice from the applicable Grantee Indemnified Party, defend such action or proceeding by counsel reasonably acceptable to the Grantee Indemnified Party or reimburse Grantee for all charges incurred for services of the California Attorney General in defending the action or proceeding.

(3) Despite any contrary provision of this Conservation Easement, the parties do not intend this Conservation Easement to be, and this Conservation Easement shall not be, construed such that it creates in or gives to Grantee or DWR any of the following:

(A) The obligations or liability of an "owner" or "operator," as those terms are defined and used in Environmental Laws (defined below), including, without limitation, the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (42 U.S.C. § 9601 *et seq.*; hereinafter, "CERCLA"); or

(B) The obligations or liabilities of a person described in 42 U.S.C. section 9607(a)(3) or (4); or

(C) The obligations of a responsible person under any applicable Environmental Laws; or

(D) The right to investigate and remediate any Hazardous Materials associated with the Property; or

(E) Any control over Grantor's ability to investigate, remove, remediate or otherwise clean up any Hazardous Materials associated with the Property.

(4) The term "Hazardous Materials" includes, without limitation, (i) material that is flammable, explosive or radioactive; (ii) petroleum products, including by-products and fractions thereof; and (iii) hazardous materials, hazardous wastes, hazardous or toxic substances, or related materials defined in CERCLA, the Resource Conservation and Recovery Act of 1976 (42 U.S.C. § 6901 *et seq.*; hereinafter "RCRA"); the Hazardous Materials Transportation Act (49 U.S.C. § 6901 *et seq.*; hereinafter "HTA"); the Hazardous Waste Control Law (California Health & Safety Code, § 25100 *et seq.*; hereinafter "HCL"); the Carpenter-Presley-Tanner Hazardous Substance Account Act (California Health & Safety Code, § 25300 *et seq.*; hereinafter "HSA"), and in the regulations adopted and publications promulgated pursuant to them, or any other applicable Environmental Laws now in effect or enacted after the date of this Conservation Easement.

(5) The term "Environmental Laws" includes, without limitation, CERCLA, RCRA, HTA, HCL, HSA, and any other federal, state, local or administrative agency statute, ordinance, rule, regulation, order or requirement relating to pollution, protection of human health or safety, the environment or Hazardous Materials. Grantor represents, warrants and covenants to Grantee and DWR that activities upon and use of the Property by Grantor, its agents, employees, invitees and contractors will comply with all Environmental Laws.

(j) Warranty. Grantor represents and warrants that Grantor is the sole owner of the Property. Grantor also represents and warrants that, there are no outstanding mortgages, liens, encumbrances or other interests in the Property (including, without limitation, mineral interests) which may conflict or are inconsistent with this Conservation Easement have not been expressly subordinated to this Conservation Easement, and that the Property is not subject to any other conservation easement *or* the

holder of any outstanding mortgage, lien, encumbrance or other interest in the Property (including, without limitation, mineral interest) which conflicts or is inconsistent with this Conservation Easement has expressly subordinated such interest to this Conservation Easement by a recorded Subordination Agreement approved by Grantee and DWR].

(k) Additional Interests. Grantor shall not grant any additional easements, rights of way or other interests in the Property (other than a security interest that is subordinate to this Conservation Easement), nor shall Grantor grant, transfer, abandon or relinquish (each a "Transfer") any mineral, air, or water right or any water associated with the Property, without first obtaining the written consent of Grantee and DWR. Such consent may be withheld if Grantee or DWR determine(s) that the proposed interest or Transfer is inconsistent with the purposes of this Conservation Easement or will impair or interfere with the Conservation Values of the Property. This Section 13(k) shall not limit the provisions of Section 2(d) or 3(n), nor prohibit transfer of a fee or leasehold interest in the Property that is subject to this Conservation Easement and complies with Section 10. Grantor shall provide a copy of any recorded or unrecorded grant or Transfer document to the Grantee and DWR.

(l) Recording. Grantee shall record this Conservation Easement in the Official Records of Napa County, California, and may re-record it at any time as Grantee deems necessary to preserve its rights in this Conservation Easement.

(m) Third-Party Beneficiary. Grantor and Grantee acknowledge that DWR, (the "Third-Party Beneficiary") is a third party beneficiary of this Conservation Easement with the right of access to the Property and the right to enforce all of the obligations of Grantor including, but not limited to, Grantor's obligations under Section 13, and all other rights and remedies of the Grantee under this Conservation Easement.

IN WITNESS WHEREOF Grantor has executed this Conservation Easement the day and year first above written.

GRANTOR: **Notarization Required**

Approved as to form:

BY: _____

BY: _____

Insert General Counsel Name

NAME: _____

General Counsel

TITLE: _____

DATE: _____

GRANTEE:

NAPA COUNTY LAND TRUST,
A California Nonprofit Corporation
dba The Land Trust of Napa County

Dated: _____, 2018 _____

By: Greg A. Bennett

Its: Chair of Board of Trustees

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

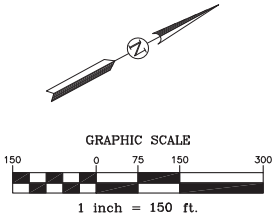
County of _____)

On _____ before me, _____, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

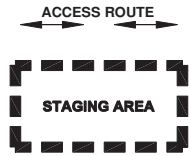
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____



- NOTES:**
1. NO ACCESS, STORAGE OF EQUIPMENT, MATERIALS OR WORK PRODUCTS ON ROADWAYS WITHIN VINEYARD VALLEY MOBILE HOME PARK OUTSIDE OF PROJECT ROW WILL BE ALLOWED.
 2. PRIMARY ACCESS TO THE ENTIRE CONSTRUCTION SITE SHALL BE VIA ADAMS STREET.
 3. ACCESS VIA PASEO GRANDE & DEL RIO COURT SHALL BE LIMITED TO ACTIVITIES ESSENTIAL TO FLOODWALL CONSTRUCTION DOWNSTREAM OF STATION 28+60.
 4. ACCESS VIA REDONDO COURT SHALL BE PERMITTED FOR CONSTRUCTION OF STORM TOE DRAIN OUTLET ONLY. (SEE DRAWING FP-2)
 5. DUE TO PERMITTING CONDITIONS, ACCESS TO AREAS ON THE RIVER SIDE OF THE PARKS PEDESTRIAN WALKWAY ALONG THE RIVERBANK WILL NOT BE PROVIDED AFTER NOVEMBER 1ST.



AS-BUILT
RECORD DRAWINGS
APRIL 2011

REV.	DATE	BY	CHK.	APPR.	DESCRIPTION	REV.	DATE	BY	CHK.	APPR.	DESCRIPTION

DESIGNED BY:	JK/KK
DRAWN BY:	STAFF
CHECKED BY:	DTN
IN CHARGE:	SRS
DATE:	1-09



MEAD & HUNT
www.meadhunt.com

Mead & Hunt, Inc.
180 Promenade Circle,
Suite 240
Sacramento, CA 95834
916.971.3961
fax: 916.971.0578

SUBMITTED _____

APPROVED _____

CITY OF ST. HELENA
COMPREHENSIVE FLOOD PROTECTION PROJECT

ACCESS, EGRESS AND STAGING PLAN

VERIFY SCALES BAR IS ONE INCH ON ORIGINAL DRAWING. ADJUST SCALES FOR REDUCED PLOTS 0" 1"	DRAWING NO.	SHEET
	G-7	7



Report to the City Council
Council Meeting of October 23, 2018

Agenda Section: New Business

Subject: Consideration and approval of a Resolution approving City of St. Helena City Council Policy P-FI-0016 Financial Policy.

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

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 financial and accounts payable payment processing 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 formal policies.

The proposed Council Policy P-FI-0016 Financial Policy is attached for review and approval. The Financial Policy establish practices for the overall financial management, budget development and fiscal administration of the City.

In terms of the recommended Financial Policy, direction is requested regarding the City Council's preferred General Fund target reserve level.

1. Section J.1. has set a General Fund target reserve level of 25% based on prior direction. Staff is seeking direction from City Council if the 25% General Fund reserve level is sufficient or if a different level is preferred.

A survey of reserve levels was conducted with various cities within Napa and Sonoma Counties for comparison; the results are as follows:

City	General Fund Reserve Level	FY 18-19 General Fund Operating Budget	Amount of Reserve	Population 2016
American Canyon	20%	\$22.9 million	\$4.6 million	20,452
Napa	20%	\$96 million	\$19.2 million	80,416
Yountville	20%	\$10.5 million	\$2.1 million	3,010
St. Helena	25%	\$14 million	\$3.5 million	6,154
Calistoga	50%	\$10.2 million	\$5.1 million	5,311
Petaluma	15%	\$47 million	\$7 million	60,530
Sonoma	17% Emergency Reserve + \$1.5 million Operating Reserve	\$19.3 million	\$4.8 million	11,054
Santa Rosa	15%	\$170 million	\$21 million	175,155
Cotati	25%	\$6.3 million	\$1.6 million	7,455
Sebastopol	20%	\$8.7 million	\$1.74 million	7,678
Healdsburg	30%	\$13 million	\$3.9 million	11,827
Windsor	25%	\$16.7 million	\$4.18 million	27,555
Cloverdale	25%	\$7.6 million	\$1.9 million	8,801

Additionally, a summary of all Fiscal Policies and Procedures is attached as an informational item for the City Council and the public.

FISCAL IMPACT

None.

RECOMMENDED ACTION

Staff recommends City Council pass a Resolution approving City of St. Helena Policy P-FI-0016 Financial Policy.

ATTACHMENTS

[P-FI-0016 Financial Policy](#)

[Resolution No. 2018- P-FI-0016 Financial Policy](#)

[Master Policy and Procedure List Finance](#)

	City of St. Helena Administrative Policy Finance	Policy Financial Policy
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Title: Financial Policy	Policy #	P-FI-0016
	Revision #	Release
	Implementation Date	2018-10-23
	Last Update Date	2018-10-23
Approval by City Council	Date Approved	2018-10-23

I. Purpose, Overview and Scope of this Policy

This document establishes policies of overall financial management, budget development, and fiscal administration for the City of St. Helena. Included herein are statements and principles designed to guide the City in maintaining its financial stability and delivering high-quality services to the public.

Formally adopted financial policies assist elected officials and City staff in the development of fiscal management practices, save time, and provide structure for financial decisions, promote public confidence, enhance transparency, and provide continuity over time. These policies will be updated periodically, but are designed with a long-term perspective and provide the basic framework and road map for addressing a wide variety of financial and economic conditions that the City will encounter. A fiscal policy supports long-term planning and enhances the City's effectiveness in implementing long-term strategies to deliver efficient public services.

This document provides a structured, central repository for a variety of fiscal policies which are organized into the following categories:

- A. General Financial Principles
- B. Annual Operating Budget Policy
- C. Capital Improvement Program
- D. Revenues
- E. Expenditures
- F. Cash Management
- G. Debt Management
- H. Fund Definitions
- I. Fund Balance Classifications
- J. Fund Balance Levels
- K. Financial Reporting
- L. Review and Update

II. Authority

Updates to this policy require City Council approval.

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	City of St. Helena Administrative Policy Finance	Policy Financial Policy
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III. Policy**A. General Financial Principals**

It is the overall policy of the City of St. Helena to build upon a sound conceptual framework to:

1. Manage its financial resources in a responsible and prudent manner.
2. Provide financial information in a relevant, thorough and timely manner, and in a format that effectively communicates financial status to the Council, citizens, and City employees.
3. Establish and maintain prudent fund balance levels.
4. Maintain financial reporting in compliance with current governmental accounting standards.
5. Promote and implement a relevant and strong system of internal financial controls to manage significant risks and monitor the reliability and integrity of financial and operating reporting.
6. Promote constructive and proactive financial decision making that includes, and is responsive to, citizens input and guidance.
7. Integrate long-term operating and capital resources planning into the annual budget process.
8. Allow for uncertainties and maintain a posture of financial flexibility.
9. Develop programs in a manner that support the City's long-term ability to cover costs and provide the level and quality of service expected by its citizens.
10. Manage debt responsibly.
11. Establish and implement investment policies in accordance with City code and State law.

B. Annual Operating Budget Policy

1. Adoption of Annual Operating Budget
 - a. Per Municipal Code 2.12.060.B.9, the City Manager supervises 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 their recommendations as to such increases, decreases, cancellations, transfers, or changes in any of the items included in the proposed budget as in their judgment should be made before the adoption of the budget.
 - b. An annual operating budget will be adopted by the City Council no later than June 30th of each fiscal year. The budget will include appropriations that provide expenditure authority to public officials responsible for operating their respective departments to fulfill obligations to provide public services as delegated by the City Council.

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	City of St. Helena Administrative Policy Finance	Policy Financial Policy
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- c. Funds may not be expended for a new fiscal year until the budget for that fiscal year has been adopted by City Council or special provisions have been adopted by the City Council.
 - d. Total projected expenditures shall not exceed total estimated revenues. Should this occur, City Council may approve a planned use of accumulated fund balances in prior years for inclusion in the budget.
 - e. The City should maintain a multi-year financial forecast (Long Range Financial Forecast) that is updated as part of the annual budget development process.
 - f. One-time revenue sources are not to be relied upon to fund on-going operations.
2. Controlling and Adjusting the Annual Budget
- a. The City structures and controls its budget by use of the following funds:
 - General Fund - is the primary operating fund of the City. It accounts for the receipt of property tax, general sales tax, transient occupancy tax, and other general revenues available to finance City operations. The General Fund accounts for all revenues and expenditures that do not fit the criteria to be accounted for in other funds with external restrictions imposed by their respective financing sources.
 - Special Funds - account for resources externally restricted for use by their respective funding sources, such as grant programs financed by the State and Federal governments.
 - Enterprise Funds - account for water and wastewater systems, and may be used for fee-based programs if the intention is to recoup almost all City costs through fees or other charges.
 - Internal Service Funds - account for centralized service costs (such as vehicle services made available to all operating departments). Charges from the internal service funds appear as an expenditure in the user department, and as revenue in the central service department.
 - b. The City's budget is controlled at the fund level by the City Council.
 - The City Council, as representatives of the public, is the sole authority for creating or increasing expenditure appropriations within a fund. The City Council is also the exclusive authority for approving changes in revenue estimates with funds.
 - c. Department Directors will be held directly responsible and accountable for their budgets as originally adopted by the City Council

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	City of St. Helena Administrative Policy Finance	Policy Financial Policy
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or as thereafter revised in accordance with this policy. The level of expenditure control for departments is at the departmental level.

- d. Departments that operate programs among different funds are limited to the appropriation levels within any one fund. This policy also describes the level of authority needed to amend the adopted budget.

3. Transfers and revisions to the adopted budget:

a. The City Council approves:

- All increases in appropriations within a fund.
- All transfers of appropriations between funds.
- All decreases in appropriations, with the exception that the City Manager may direct Department Directors to suspend expenditures pending Council consideration of decreases in appropriations needed to respond to fiscal emergency.

b. The City Manager approves:

- The City Manager may make budget transfers between departments or programs as long as those changes do not increase overall appropriations within any one given fund. Transfers between funds, overall increases in fund appropriations, and overall increases in project budgets can only be made through City Council action.

- c. Department Directors may authorize the transfer of appropriations within a department, except transfers: (1) that would purport an increase in the number of regular personnel, and (2) that would decrease appropriations for capital outlay.

d. Finance Department:

- The Finance Department is responsible for providing forms and instructions for requesting appropriation adjustments, and for analyzing and recommending adjustments to the City Manager. The Finance Department will record approved budgets and adjustments into the City's financial system.
- The Finance Department will ensure that the City's Comprehensive Annual Financial Report (CAFR) includes a comparison of actual expenditures against the final budget, as amended and adjusted under the authorities of this policy.

4. Operating expenditure appropriations not spent during the fiscal year lapse at year-end, except for:

- a. Encumbrances or commitments, as in the form of finalized purchase orders made during the fiscal year that have not been completed at year-end.

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- b. Appropriations for capital improvement projects and ongoing grants with a life-cycle beyond one year.
5. Governmental funds use the modified accrual basis of accounting while proprietary and fiduciary fund types are budgeted on a full accrual basis of accounting. The CAFR presents City's finances on a Generally Accepted Accounting Principles (GAAP) basis and the City's budget is prepared in conformance with these standards.
6. The City's budget must comply with the annual determination of the City's appropriations limit (GANN Limit) calculated in accordance with Article XIIB of the Constitution of the State of California and the City shall adopt an annual resolution to this effect.

C. Capital Improvement Program

1. The City will develop and maintain a five-year Capital Improvement Program (CIP) to be updated annually in conjunction with the operating budget. The CIP should reflect the current and changing needs of the community as well as enhance the community's quality of life.
2. All projects within the CIP are to be tracked systematically and reports should clearly display budget-to-actual performance by project, fund category, and project status.
3. Capital improvements that specifically benefit a select group of users and/or are fee-for-service based are to be financed through user fees, service charges, special assessments and taxes, or development impact fees.
4. Capital improvements that specifically benefit a fee-for-service enterprise operation (such as Water/Wastewater) are to be financed through the service fees generated within that operation and fund. Such fees should be supported by periodic updates to the related utility master plan.
5. Transfers of resources to the CIP fund will be evaluated on an annual basis dependent upon the existence of available surplus dollars.
6. The City should strive to maximize the use of capital grants and State assistance in funding capital improvements before utilizing general revenue sources.

D. Revenues

1. The City will strive to maintain a diversified and stable revenue base to minimize the impact of economic fluctuation.
2. The City will seek out, apply for, and effectively administer Federal, State, and other grants that address the City's current operating and capital priorities in accordance with P-FI-0007 – Grant Application and Management Policy.
3. The City will pursue revenue collection and auditing to assure that funds due to the City are accurately received in a timely manner.

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4. The City will seek reimbursement for State mandated costs whenever possible.
5. The City will adopt user fees with appropriate levels of cost recovery.
6. User fee studies should be performed and updated every five years to ensure the proper balance of costs and service charges. The City should strive to cover the full cost of providing non-tax and discretionary fee-based service operations except to the extent that City Council approves defined subsidy levels by program area.
7. Operating departments are to review public services to identify and determine those appropriate for fee collection. Recommendations for new fees are to be presented to the City Council for adoption to ensure fees reflect all direct and reasonable indirect costs of providing such services.
8. Enterprise operations will be self-supporting.

E. Expenditures

1. Expenditures are to be budgeted and controlled so as to not exceed estimated revenues plus the approved and planned use of fund balances accumulated in prior years.
2. The City will conduct a mid-year financial status review to determine if projected revenues and expenditures meet target levels. If an operating deficit is projected at year-end, the City should evaluate the need for immediate corrective and/or mitigating actions, including operating or capital expenditure reductions and/or activate the use of established contingency balances. The deferral of essential and scheduled operational expenditures into the following fiscal year or the use of short-term loans and transfers to balance the budget should be avoided.
3. The City implements a formal purchasing system, principles, and guidelines to ensure that expenditure levels are monitored throughout the course of any fiscal year.

F. Cash Management

1. Annually the City's Investment Policy P-FI-0002 is reviewed and presented to City Council for adoption.
2. Investments for the City are reported at fair value (generally based on quoted market prices). The State Treasurer's Investment Pool and California Asset Management Program (CAMP) operate in accordance with appropriate state laws and regulations. The reported value of the pool is the same as the fair value of the pool shares.

G. Debt Management

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1. The City should plan the use of debt in a manner that sustains financial payments at manageable levels.
2. The City will seek to maintain a high credit rating through sound financial practices as a basis for minimizing borrowing costs.
3. The City will make every effort to use pay-as-you-go financing for capital improvement projects. Debt financing for a project can be used if the overall projects cost exceeds anticipated available resources and/or if the cost of financing is favorable as compared to the use of City investment holdings over the financing term.
4. The City will monitor all forms of debt annually in conjunction with the budget preparation process and report concerns and remedies, if necessary, to the City Council.
5. The City will diligently comply with and monitor compliance with all bond covenants.
6. The City will cause to be prepared and will timely post to the Electronic Municipal Market Access database (EMMA) all required annual continuing disclosures and, if needed, any material event notices.
7. The City will monitor all debt obligations for ongoing tax compliance and arbitrage reporting.
8. The City will not issue long-term debt to fund current operations. Debt financing should only be used for long-term capital improvement projects with a useful life exceeding the term of the financing and for which the project revenues or specific identified revenue sources are sufficient to service the long-term debt.
9. The City will not incur general obligation indebtedness for public improvements which exceed in aggregate 15% of the assessed value of all real and personal property of the City as specified in the California Government Code Section 43605.
10. The City will maintain a minimum net revenue coverage ratio for the Water and Wastewater funds (all annual revenues remaining after operating and maintenance expenses, net of pass-through grants, to annual debt service requirements net of excess appropriations required for variable rate debt) of as required by each funding source.

H. Fund Definitions

1. **Governmental Fund Type Definitions**
Governmental fund types include the General Fund, special revenue funds, capital projects funds, debt service funds, and permanent funds. The Governmental Accounting Standards Board (GASB) has clarified the definitions of these funds as follows:

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- a. General Fund – The General Fund should be used to account for and report all financial resources not accounted for and reported in another fund.
 - b. Special Revenue Funds – Special revenue funds are used to account for and report the proceeds of specific revenue sources that are restricted or committed to expenditure for specified purposes other than debt service or capital projects. The restricted or committed proceeds of specific revenue sources should be expected to continue to comprise a substantial portion of the inflows reported in the fund. Other resources (investment earnings and transfers from other funds, for example) also may be reported in the fund if those resources are restricted, committed, or assigned to the specific purpose of the fund. Governments should discontinue reporting a special revenue fund, and instead report the fund's remaining resources in the general fund, if the government no longer expects that a substantial portion of the inflows will derive from restricted or committed revenue sources.
 - c. Capital Projects Funds – Capital projects funds are used to account for and report financial resources that are restricted, committed, or assigned to expenditure for capital outlays, including the acquisition or construction of capital facilities and other capital assets. Capital projects funds exclude those types of capital-related outflows financed by proprietary funds or for assets that will be held in trust for individuals, private organizations, or other governments.
 - d. Debt Service Funds – Debt service funds are used to account for and report financial resources that are restricted, committed, or assigned to expenditure for principal and interest, even if it is being accumulated for further years' payments. Debt service funds should be used to report resources if legally mandated.
 - e. Permanent Funds – Permanent funds should be used to account for and report resources that are restricted to the extent that only earnings, and not principal, may be used for purposes that support the reporting government's programs. Permanent funds do not include private-purpose trust funds, which should be used to report situations in which the government is required to use the principal or earnings for the benefit of individuals, private organizations, or other governments.
2. Proprietary Fund Type Definitions
- Proprietary fund types include enterprise funds and internal service funds. GASB has clarified the definitions of these funds as follows:

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- a. Enterprise Funds – GAAP provide that enterprise funds may be used to report any activity for which a fee is charged to external users for goods or services. Furthermore, a given activity must be accounted for in an enterprise fund if it meets any of the following criteria (in the context of its principal revenue sources):
 - a. There is outstanding debt that is backed solely by fees and charges;
 - b. Laws or regulations require that fees and charges be set to recover costs, including capital costs (depreciation or debt service); or
 - c. There is a pricing policy that fees and charges be set to recover costs, including capital costs (depreciation or debt service).
- b. Internal Service Funds – Internal service funds are used to report any activity that provides goods or services to other funds, departments, or agencies of the primary government and its component units, or to other governments, on a cost-reimbursement basis.

3. Fiduciary Fund Type Definitions

Generally Accepted Accounting Principles (GAAP) require fiduciary funds to report assets held in trustee or agency capacity for others cannot be used to support the government's own programs. Fiduciary funds, as reported in GAAP financial statements, never should include resources that can be used to support the government's own programs. Within the fiduciary funds category, funds that involve a trust agreement that affects the degree of management involvement and the length of time that the resources are held are distinguished from funds that involve only the receipt, temporary investment and remittance of fiduciary resources. Fiduciary fund types include pension, investment trust funds, private-purpose trust funds, and agency funds.

- c. Pension Funds – Used to report resources that are required to be held in trust for the members and beneficiaries of defined benefit pension plans, defined contribution plans, or other postemployment benefit plans, or other employee benefit plans.
- d. Investment Trust Funds – Used to report the external portion of investment pools reported by the sponsoring government.
- e. Private-purpose Trust Funds – Used to report all other trust arrangements under which principal and income benefit individuals, private organizations, or other governments.
- f. Agency Funds – Used to report resources held by the reporting government in a purely custodial capacity.

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I. Fund Balance Classifications

1. Governmental Fund Balances

a. Fund balance is defined as the difference between assets and liabilities and in Governmental funds is reported as fund balance.

GASB No. 54 classified fund balances into the following categories:

- **Nonspendable:** The nonspendable fund balance classification includes amounts that cannot be spent because they are either (a) not in spendable form or (b) legally or contractually required to be maintained intact. The “not in spendable form” criterion includes items that are not expected to be converted to cash, for example, inventories and prepaid amounts. It also includes the long-term amount of loans and notes receivable, as well as property acquired for resale.
- **Restricted:** The restricted portion of fund balance is restricted to specific purposes. Examples are Gas Tax revenues and grant proceeds.
- **Committed:** The committed portion of fund balance is constrained by the limitations imposed through formal City Council action. Only formal City Council action can remove or modify a previously committed account.
- **Assigned:** The assigned portion of fund balance is established for intended use by either the City Council or its designee, such as the City Manager. No formal City Council action is needed to remove the intended use. GAAP required reserves, such as the Other Post-Employment Benefits (OPEB) reserve, belong to this category.
- **Unassigned:** The unassigned portion of fund balance is that remaining after the non-spendable, the restricted, the committed, and the assigned fund balances are identified and recorded.

The City of St. Helena will use GASB’s definitions of fund balance for the annual CAFR and for all other financial reporting. For all financial planning purposes, the term Net Position or Fund Balance will be used and will include any portion of the fund balance that is available for appropriation.

Preferred order of use of governmental fund balances:

The City shall strive to use the most restricted fund balances prior to utilizing those that are less restricted. The following order of use reflects this guideline:

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- a. Non-spendable (if funds become spendable)
- b. Restricted
- c. Committed
- d. Assigned
- e. Unassigned

2. Proprietary and Fiduciary Fund Balances (Net Position)

- a. Fund balance is defined as the difference between assets and liabilities and in Proprietary and Fiduciary fund is reported as net position. GASB No. 63 classified reporting of net position into the following categories:

- Net Investment in Capital Assets: The net investment in capital assets component of net position consists of capital assets, net of accumulated depreciation, reduced by the outstanding balances of bonds, mortgages, notes, or other borrowings that are attributable to the acquisition, construction, or improvement of those assets.
- Restricted for Capital Projects: The restricted component of net position consists of restricted assets reduced by liabilities and deferred inflows of resources related to those assets. Generally, a liability relates to restricted assets if the asset results from a resource flow that also results in the recognition of a liability or if the liability will be liquidated with restricted assets reported.
- Unrestricted: The unrestricted component of net position is the net amount of the assets, deferred outflows of resources, liabilities, and deferred inflows of resources that are not included in the determination of net investment in capital assets or the restricted component of net position.

J. Fund Balance Levels

The City of St. Helena has enacted the Fund Balance policies in an effort to ensure financial security through the maintenance of a healthy fund contingency balance that guides the creation, maintenance, and use of resources for financial stabilization purposes. The City's primary objective is to maintain a prudent level of financial resources to protect against reducing service levels or raising taxes and fees due to temporary revenue shortfalls or unpredicted one-time expenditures. The City also seeks to maintain the highest possible credit ratings which are dependent, in part, on the City's maintenance of a healthy fund balance.

1. General Fund

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The City's fiscal goal is to maintain annual expenditure increases at a sustainable growth rate, and to limit expenditures to anticipated revenues in order to maintain a balanced budget. The Council's directed target is to maintain an unassigned fund balance of twenty-five percent (25%) of annual operating expenditures for the fiscal year.

2. **Buildings, Facilities, & Infrastructure Reserve**
Building, facilities, and infrastructure replacement reserve should be established and maintained to provide for the timely replacement of City owned fixed assets. The balance is hereby defined as assigned by the City Council to allow the City to maintain an infrastructure reserve with a target balance equivalent to the projected annual cost of the first year Capital Improvement Plan fund expenditures.
3. **Equipment, Technology, & Vehicle Replacement Reserve**
The balance is hereby defined as assigned by the City Council to allow the City to set aside an appropriate amount of money to property fund equipment, technology, and vehicle replacement. The City shall set aside funding annually in this reserve based on the vehicle, technology, and equipment replacement schedule.
4. **Other Benefit Reserves**
The City's policy permits employees to accumulate earned but unused vacation and sick leave benefits which are eligible for payment upon separation from service. Retiring employees have the option of applying 100% of their unused sick leave accrued towards the payment of continuation insurance premiums, to the extent allowed by law. The City should set aside funding annually in this reserve to match the current liabilities.
5. **Unassigned Operating Reserve**
These balances are hereby defined as unassigned by the City Council to allow the City to weather unpredicted cyclical and rapid downturns in the economy. These funds would be available for use in such conditions to mitigate negative economic fiscal impacts or State takeaways and can be activated within any one budget cycle through Council action. An economic downturn would entail a projected and/or sudden drop in core revenues (major tax and service revenue loss) of equal to or greater than 10% (including the impact of inflation) and/or a change in economic parameters (such as interest rates, debt service rates, pension and health rates) that cause a material change in expenditures of 10% or more, or the occurrence of a local natural disaster or unexpected financial claim requiring the immediate use of cash balances.
6. **Water and Wastewater Operating Fund Balances**
The City should maintain balances in the Water and Wastewater Funds at a level sufficient to accommodate operating and capital needs. City Council's directed target for the Water Fund is 10-14 months (83%-106%) of annual

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operating expenditures in cash and the Wastewater Fund 6-8 months (50%-67%) of annual operating expenditures in cash. These amounts include cash balances in the Water and Wastewater Capital Improvement Project Funds. Multi-year fee studies for these funds should be updated periodically as a basis for defining the revenue sources necessary to maintain system infrastructure and required service levels. As a result of the periodic fee or master plan studies, adjustments to user charges may be necessary to maintain recommended fund balance levels.

K. Financial Reporting

1. The City's accounting and financial reports are to be maintained in conformance with GAAP.
2. An annual financial audit will be performed by an independent public accounting firm familiar with municipal government activities. The independent auditor will issue an audit opinion to be included in the City's Comprehensive Annual Financial Report (CAFR). Additionally, the CAFR will be presented to the City Council. The City encourages the rotation of audit service providers every five years.
3. The City is encouraged to submit the Annual CAFR to State and/or national government finance professional organizations (Governmental Finance Officers' Association's Certification of Achievement for Excellence in Financial Reporting, California Society of Municipal Finance Officers CAFR Award) for independent review and evaluation.
4. Internal financial status reports are to be issued on a periodic and timely basis – no less than quarterly.

L. Review and Update

This financial policy will be reviewed periodically and updated, if necessary, to reflect any changing requirements.

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CITY OF ST. HELENA

RESOLUTION NO. 2018-__

Resolution approving City of St. Helena City Council Policy P-FI-0016 Financial Policy and repealing and rescinding any previous policies or administrative memoranda which are inconsistent with City Council Policy P-FI-0016.

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-0016 Financial 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-0016 Financial 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-0016 Financial Policy; and
- 2. Repeals and rescinds any previous policies or administrative memoranda which are inconsistent with City Council Policy P-FI-0016 Financial Policy.

Approved at a Regular Meeting of the St. Helena City Council on October 23, 2018, by the following vote:

Mayor Galbraith:

Vice Mayor White:

Councilmember Dohring:

Councilmember Koberstein:

Councilmember Ellsworth:

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Tzafopoulos, City Clerk

CURRENT POLICIES				
Policy #	Policy Title	Source	Resolution No.	Date Adopted by City Council
P-FI-0001	Sale of City Surplus Property or Partial Interests in City Real Property	City Council	2004-13	2/24/2004
P-FI-0002	Investment Policy	n/a	2017-162	12/12/2017*
P-FI-0003	Non-Profit Funding	n/a	2015-130	10/13/2015*
P-FI-0004	Capital Asset and Depreciation Policy	VLF Nigro & Nigro	2014-82	10/28/2014
P-FI-0005	Water Leak Policy	City Council	2016-161	1/19/2017
P-FI-0006	Escheat Policy for Unclaimed Money	VLF	2016-170	12/13/2016
P-FI-0007	Grant Application and Management Policy	City Council	2016-38	3/22/2016
P-FI-0008	Subsidy to Assist Businesses in Paying their Water/Wastewater Bills in the City of St. Helena	City Council	2017-111	6/13/2017
P-FI-0009	Low Income Water and Wastewater Subsidy	City Council	2017-18	2/14/2017
P-FI-0010	City's Regulations Providing Purchase of Supplies, Equipment, and Services and Procedures for Public Works Projects	Municipal Code	Ordinance 2015-8	11/24/2015
P-FI-0011	Adoption of Annual Budget FY 18-19	Municipal Code	2018-77	6/12/2018
P-FI-0012	Issuance and Use of City Procurement Cards	City Council	2018-14	2/14/2018
P-FI-0013	Fraud Prevention and Detection	City Council	2018-53	5/8/2018
P-FI-0014	Accounts Payable Payment Processing	City Council		To CC 10/23/18
P-FI-0015	Issuance and Use of City Issued Fuel Cards	City Council	2018-28	3/14/2018
P-FI-0016	Financial Policies - includes: General Fund Unrestricted Fund Balance Debt Management	City Council		To CC 10/23/18
P-FI-0017	Cash Controls	Staff		To CC 10/23/18
n/a	Compliance with Debt Covenants	VLF S&P BLX	2016-163 2016-164 2016-165 2017-159	11/29/2016 11/28/2017
n/a	Records Retention	Nigro & Nigro	2016-23	2/23/2016

POLICIES TO COMPLETE			
Policy #	Policy Title	Source	Notes
	Employee Handbook	Nigro & Nigro	Update Employee Handbook Last Update 2005. HR is currently working on the update
	Travel/Conference	VLF Nigro & Nigro	Resolution 2005-21 Update currently being done in conjunction with the Employee Handbook
	Code of Ethics	Nigro & Nigro	CC Code of Ethics Adopted 6/21/18 Employee - contained in Handbook and additional policy is in progress

* Update at 10/23/18 City Council Meeting

CURRENT STANDARD OPERATING PROCEDURES (SOP)			
Procedure #	SOP Title	Source	Effective Date
SOP-FI-0001	AB1600 Procedures	Staff	10/31/2016
SOP-FI-0002	BOE Quarterly Payments Procedures	Staff	10/31/2016
SOP-FI-0003	New Fiscal Year	VLF	6/26/2017
SOP-FI-0004	Setting up New Accounts in Springbrook	Staff	10/31/2016
SOP-FI-0005	Contracts Processing	Staff	8/1/2018
SOP-FI-0006	Strike Team Revenues and Expenses	Staff	11/23/2017
SOP-FI-0007	Financial Reporting (End of Year)	VLF Nigro & Nigro	7/1/2017
SOP-FI-0009	Finance Department Security	Staff	2/17/2018
SOP-FI-0010	Cash Change Drawer Parks & Recreation	Staff	6/26/2018
SOP-FI-0011	Request for Fee Waiver	Staff	7/18/2018
SOP-FI-0012	Journal Entries	Nigro & Nigro	10/8/2018
SOP-FI-0013	Accounts Receivable	Staff	5/24/2017
SOP-FI-0014	Utility Billing	Staff	5/12/2017
SOP-FI-0015	Entering Payroll	Staff	5/12/2017
SOP-FI-0016	Entering Purchase Orders	Staff	5/12/2017
SOP-FI-0017	Entering Invoices & Processing Checks	Staff	5/12/2017

STANDARD OPERATING PROCEDURES (SOP) TO COMPLETE		
Procedure #	SOP Title	Source
	Grants - Cash Management for Drawdown of Grants	Nigro & Nigro
	Grants - Comprehensive list of reporting requirements and a reminder system for meeting the reporting deadlines	Nigro & Nigro

OPERATIONAL CHANGES RECOMMENDED BY AUDITORS		
OPERATIONAL CHANGE	Source	Effective Date
Update Organization of Personnel Files	VLF	Complete
Segregation of Duties - Utility Billing Receipts and Adjustments	VLF	Complete
Segregation of Duties - Disbursements	VLF	Complete
Segregation of Duties - Library Receipts	VLF	Complete
Segregation of Duties - Police Receipts	VLF	In Progress
Segregation of Duties - Building Permit Fees and Impact Fees	VLF	Complete
Segregation of Duties - Disbursements	VLF	Complete
Segregation of Duties - Utility Billing Receipts and Adjustments	VLF	Complete



Report to the City Council
Council Meeting of October 23, 2018

Agenda Section: New Business

Subject: Bimonthly Update on City Council Goals and Strategic Objectives

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

In late 2017, the City Council adopted three-year goals and established 12-month strategic objectives to guide the organization's work.

DISCUSSION

Consistent with the City Council's direction, a bimonthly status report has been prepared to provide an update on attainment of the Council's objectives. The attached grid outlines the status of each objective and, where appropriate, includes comments to provide additional information about strategic objectives.

FISCAL IMPACT

Not applicable.

RECOMMENDED ACTION

Receive and file.

ATTACHMENTS

[FINAL - 2017-18 Strategic Objectives](#)

3-YEAR GOALS & 12-MONTH STRATEGIC OBJECTIVES

November 2017 – November 2018

3-YEAR GOAL: Improve and Maintain Safe and Reliable City Infrastructure with a Commitment to Environmental Stewardship & Public Health						
DUE DATE	WHO	WHAT	STATUS			COMMENTS
			DONE	ON TARGET	REVISED	
1. By January 31, 2018	City Engineer + Mayor Galbraith & Vice Mayor White	Prepare and present 5-year street capital improvement program (CIP) to City Council for approval.	X			Draft presented to City Council on January 23, 2018 and approved February 13, 2018.
2. By April 30, 2018	City Engineer + Public Works Project Manager (Lead)	Prepare construction bid documents for Oak Avenue bathroom project.	X			Bid plans and specs approved April 24, 2018; City Council approved the project on June 26, 2018 and directed staff to bid the project. Construction is anticipated to commence in Fall 2018 with completion in Spring 2019.
3. By June 30, 2018	City Engineer (Lead) + HR/IT Director	Implement Public Works Asset Management Software.	X			Project Manager/Consultant (Beehive) planning meeting held March 6, 2018. Formal launch in June 2018 with Water Distribution crew.
4. By August 31, 2018	City Engineer	Identify the scope of work and funding requirements necessary to complete tertiary upgrade to City's wastewater facility.	X			Discussed at August 28, 2018 City Council meeting.

5. By October 31, 2018	Planning & Community Improvement Director (Lead) + Recreation Director + Mayor Galbraith and Vice Mayor White + Two Parks & Recreation Commissioners + Landscape Architect	Develop a community supported plan and funding strategy to renovate Lyman Park post submittal of SHAPE Committee recommendations.			X	Meeting held March 15, 2018 to establish and brief members of the Steering Committee for this initiative. Council has allocated \$50,000 for near-term improvements to Lyman Park bathrooms and postponed consideration of improvements until a decision is made on future design of a new building on the City Hall property.
6. By October 31, 2018	City Engineer	Initiate construction of the Upper York Creek Dam removal project.			X	Water Board permit and US Army Corp permit now secured. Easements still needed for the downstream trap work. Phase 1 construction of downstream sediment traps anticipated in May/June 2019. Phase II permit resubmittals anticipated to be completed by February 2019 with 100% plans, specs and cost estimate.
7. By October 31, 2018	City Engineer (Lead) + Finance Director	Identify the funding requirements and strategy to provide for long term maintenance and repair of City sidewalks.			X	Additional time is needed.
8. By May 30, 2018 (and annually thereafter)	City Engineer	Complete annual update of the citywide CIP.	X			Approved at May 8, 2018 Council Meeting.
9. By March 31, 2018	City Engineer	Initiate design of Crinella Pump Station improvement.	X			RFP closed week of February 8. Award of design contract approved at April 10, 2018 Council meeting.
10. By August 31, 2018	City Engineer	Initiate Kennedy Court/La Quinta Repaving Project	X			Construction bid awarded June 26, 2018. Notice to proceed issued for August 27, 2018.
11. By March 31, 2018	City Engineer	Complete RFP and Initiate Water and Sewer Master Plan.	X			RFP released March 16, 2018. Contract awarded August 14, 2018.

12. By April 30, 2018	City Attorney (Lead) + City Engineer + Councilmembers Dohring and Ellsworth	Evaluate feasibility of modifications to existing agreements with large water users to establish firm caps in order to safeguard water supply.			X	Existing agreements have been reviewed by City Attorney. Initial discussions with working group held. Additional time is needed.
13. By November 30, 2018	Finance Director (Lead) + City Engineer + Councilmembers Ellsworth and Dohring	Follow through on Ad Hoc Utility Rate Committee observations - Begin process to understand and optimize data capture and collection to potentially consider rate tiers and surcharges and improve rate equity among users and ratepayers - Install wastewater meters for wineries and other users with unique characteristics to improve cost of service/fee nexus		X		
14. (Added)	Parks & Recreation Director + City Attorney	Expanded prohibition of smoking definition to include use of electronic smoking devices and electronic cigarettes to the City's smoking regulations.	X			Approved July 24, 2018.
15. (Added)	Public Works Director	Per Council direction in August 2018, staff is working with Riechers Spence & Associates (RSA) on a scope of work to complete the 2015 intersection realignment design and study, including review with Caltrans.		X		
16. (Added)	Public Works Director	City Council authorized replacement of bathroom and locker room trailers, and a new roof at the Public Works Corporation Yard.	X			Work is now complete.

3-YEAR GOAL: Enhance Organizational Performance

DUE DATE	WHO	WHAT	STATUS			COMMENTS
			DONE	ON TARGET	REVISED	
1. By January 31, 2018	Planning & Community Improvement Director (Lead) + Mayor Galbraith and Vice Mayor White + Planning Commission Chair Kistner	Complete RFP, recommend/approve consultant and initiate preparation of an Environmental Impact Report for City General Plan.	X			Consultant approved at City Council Meeting of January 9, 2018. Joint CC/PC kickoff meeting held Feb 20. Council action taken 3/27.
2. By October 31, 2018	HR/IT Director + Consulting Attorney	Complete update to Employee Handbook and present to the City Council recommended updates to City Policies.			X	An initial draft of the updated Employee Handbook has been received and is under staff review. Once complete, it will be necessary for staff will meet/confer with City bargaining units on the updated Handbook before it is presented to the City Council for approval.
3. By August 31, 2018	City Clerk (Lead) + HR/IT Director	Complete RFP, recommend/approve consultant and funding to complete document scanning in order to deploy public portal within City website to access City records via laserfiche.	X			RFP issued May 7, 2018; responses due June 8, 2018. Contract awarded July 24, 2018.
4. By August 31, 2018	City Building Inspector (Lead) + Planning & Community Improvement Director + Councilmember Ellsworth and Vice Mayor White	Implement a robust Code Enforcement Program that is efficient, readily understandable, and predictable by updating code provisions and establishing dedicated staff resources (funding) to it and provide recommendations for improving the adjudicatory process.			X	Council authorized additional resources to assist with Code Enforcement by partnering with the County of Napa for up to 8 hours per week of code enforcement assistance. Additional time necessary to complete contract with County.

5. By September 30, 2018	Staff Planner (Lead) + Planning & Community Improvement Director,	Review and document status and scale of large existing non-conforming businesses within the community.			X	Staff has completed initial review of Beringer Winery & received draft report from attorney. This item requires additional time due to its complexity.
6. By September 30, 2018	Planning & Community Improvement Director (Lead) + Councilmembers Dohring and Koberstein + Architect (TBD)	Draft and present citywide design guidelines to the City Council for adoption and provide recommended improvements to design review process.			X	Design Guidelines workshops and community survey complete. Staff is currently compiling data from the meetings and survey and will then review Draft Guidelines with design professionals for feedback.
7. By August 31, 2018	HR/IT Director	Prepare/present to the City Council an employee succession plan and/or strategy to help retain employees and minimize turnover costs.			X	This item requires additional time.
8. By April 30, 2018	Finance Director	Implement Forensic Audit recommendations on policy and procedure improvements.	X			Procurement Card Policy approved by City Council on February 13, 2018. Fuel Card policy approved March 13, 2018. Fraud Policy approved May 8, 2018. Travel policy updates are incorporated into the draft Employee Handbook. City Financial Policy, Investment Policy, Accounts Payable Policy, and Cash Controls Policy will be presented to City Council on Oct. 23, 2018.
9. By November 30, 2017	Finance Director	Complete water contracts compliance review.	X			2015, 2016 & 2017 data posted to City website regarding usage compliance.
10. By April 30, 2018	City Clerk (Lead) + City Manager + Councilmember Dohring and Mayor Galbraith	Review and update City Council Protocols/Rules of Conduct.	X			Working group met January 16, 2018. Presented to City Council on May 22, 2018; City Council approved on June 12, 2018.

11. By December 31, 2017	Police Chief + Fire Chief (Lead)	Conduct community Post-Fire Community workshop to solicit citizen emergency preparedness suggestions + prepare/present to the City Manager and City Council.	X			Workshop held November 17, 2017. Findings & recommendations presented at April 24, 2018 Council Meeting.
12. By April 30, 2018	Police Chief	Complete 21 days of directed enforcement to improve compliance with Truck Ordinance.	X			Letters mailed to City commercial businesses/signs installed. Directed enforcement began in April. Complaints reported to be down significantly. Consideration of possible safety exception to be discussed August 28, 2018.
13. By June 30, 2018	Police Chief	Recruit and train a second session of Police Volunteers to compliment the 6 current Volunteers, bringing the number to at least 10.			X	One additional volunteer started June 2. Efforts to recruitment continue.
14. By October 31, 2018	Police Chief	Conduct semi-annual bicycle safety campaigns to include media outreach, public education, and bike rodeos.		X		Police handed out certificates at Chokolatte on May 18, 2018 for Bike to Work Day. Bike Rodeo planned for Harvest Festival.
15. By July 31, 2018	Planning & Community Improvement Director (Lead) + Councilmembers Dohring and Koberstein + Member of Planning Commission	Introduce pre-application conferences for Planning Applicants			X	Additional time needed.
16. By June 30, 2018	Planning & Community Improvement Director (Lead) + City Attorney	Prepare recommended updates to City's Sign Ordinance.	X			Planning Commission reviewed draft ordinance. City Council first reading of proposed ordinance planned for June 12, 2018.
17. (Added)	City Manager	Fee Waiver Authority Ordinance	X			Second reading and approval planned for June 12, 2018.
18. (Added)	Finance + City Manager + Mayor Galbraith + Councilmember Dohring	Provide recommendations to amend City's non-profit grant program.	X			Planning meeting held May 30, 2018. Revised grant program recommended for City Council Approval on October 23, 2018..

19. (Added)	Mayor Galbraith + Council Member Dohring + City Manager	Policy on the Management of Legal Services	X			Approved May 8, 2018.
20. (Added)	Police Chief	Police Department planned and held a National Night Out Celebration on August 7, 2018	X			Event attracted more than 150 attendees.
21. (Added)	Public Works Director	Council approved use of Napa Valley Transportation Authority pre-qualified on-call engineer/architect and project delivery services list.	X			Approved June 26, 2018.
22. (Added)	Fire Chief + Finance Director + City Manager	Restructured Part-Time Firefighter payscale and completed recruitment of two full-time Firefighters to improve service response times and operational readiness.	X			Approved June 26, 2018.
23. (Added)	City Manager	City Council authorized hiring Interim Police Chief for 12 months on October 9, 2018.	X			
24. (Added)	Fire Marshal	Council requested Fire Marshal/Fire Chief present Fire Marshal Succession Plan.	X			Presented at August 14, 2018 City Council meeting.

3-YEAR GOAL: Ensure Long Term Economic Sustainability While Safeguarding St. Helena's Unique Culture & Quality of Life

DUE DATE	WHO	WHAT	STATUS			COMMENTS
			DONE	ON TARGET	REVISED	
1. By May 31, 2018	City Manager + Public Works Management Analyst	Complete SHAPE Committee analysis and near and long-term plan for funding, construction/renovation/disposition of civic assets.	X			Committee commenced meeting on November 16, 2017 & held approx. 20 meetings, two Community Workshops and two rounds of focus groups. Final report presented June 12, 2018.
2. By June 30, 2018	Finance Director (Lead) + City Engineer + Planning & Community Improvement Director + Recreation Director + Willdan	Complete and present for City Council adoption Impact Fee Study.			X	Additional time is necessary due to competing priorities. Preliminary City Council discussion held October 9, 2018.
3. By September 30, 2018	Finance Director + Councilmember Ellsworth	Present for City Council consideration a policy and procedure to receive charitable gifts and endowments on behalf of the City.			X	Additional time is likely necessary.
4. By March 31, 2018	Finance Director + Consultant + SHAPE Committee	Complete update to Long Range Financial Forecast taking into consideration city facilities condition assessment.	X			Presented to SHAPE Committee on February 28 and City Council on March 13, 2018.
5. By June 30, 2018	Fire Chief (Lead) + HR/IT Director	Identify options/solutions to ensure continuity of part-time fire operations.	X			City Council Workshop on Fire Operations held May 3, 2018. Two professional firefighters added to proposed FY 2018-19 budget.
6. By January 31, 2018	Finance Director + Consultant	Complete the California Municipal Financial Health Diagnostic tool.	X			Diagnostic completed and presented to City Council and SHAPE Committee on December 12 & 13, 2017.

7. By July 31, 2018	City Manager (Lead) + Planning & Community Improvement Director + Council Members Koberstein and Dohring+ Chamber of Commerce + Two Planning Commissioners (as needed) + Property owners	Obtain fresh insights/community input and develop local solutions to revitalize downtown to create resilience, including: • Work with local merchants and property owners to catalogue and understand issues and forces related to vacant and underutilized commercial space; • Intervene to assist in securing tenants for vacant buildings; • Take advantage of Urban Land Institute Advisory Services & American Institute of Architects Programs; and • Review and evaluate Zoning Code to evaluate opportunities that improve processes for businesses to open and operate.			X	Downtown market analysis study approved by City Council on March 27, 2018. Interviews initiated with tenants and property owners on March 28 and 29. Report to City Council submitted July 24, 2018. City Council adopted Downtown Economic Strategy September 25, 2018. Additional time is needed to review and update Zoning Code.
8. By June 30, 2018	Finance Director (Lead) + City Manager	Present to City Council for review, a General Fund operating budget option with conservative assumptions that maintains a minimum General Fund reserve of 35-40%.	X			Staff presented data to City Council on May 9, 2018 Budget Study Session.
9. By October 31, 2018	Finance Director	Complete financial recovery tasks related to 2017 Fire Complex.	X			OES confirmed
10. By August 31, 2018	City Manager + City Council	Evaluate SHAPE Committee recommendations and identify next steps	X			Joint City Council/SHAPE Committee workshop held June 25, 2018 to review recommendations. City Council Workshop held September 17, 2018 and approved a Civic Infrastructure Strategy to guide next steps.
11. By April 30, 2018	Finance (Lead) + City Manager	Evaluate and present options to increase City revenue for City Council consideration.			X	Postponed due to competing priorities.
12. (Added)	City Manager	City Council approved cost-containment strategies to discontinue sick leave conversion for department directors and mid-managers that join the organization after May 8, 2018.	X			Approved by City Council May 8, 2018.
13. (Added)	Finance Director + Consultant	Completed actuarial analysis of City pension costs in the wake of CalPERS discount rate and actuarial/amortization period changes to determine City's unfunded liability.	X			Presented at August 24, 2018 City Council meeting.

3-YEAR GOAL: Commit to Full Public Participation, Ongoing Communication & Regional Collaboration

DUE DATE	WHO	WHAT	STATUS			COMMENTS
			DONE	ON TARGET	REVISED	
1. By November 30, 2017	City Manager + HR/IT Director (Lead)	Launch & manage quarterly community newsletter.	X			St. Helena's Informational Newsletter (SHINE) was launched Fall 2017.
2. October 2017 Forward	City Council + City Manager + All Department Directors	Encourage active and diverse participation in government affairs.		X		
3. October 2017 Forward	City Council + City Manager + All Department Directors	Utilize a process oriented decision-making style to: - Create meaningful opportunities for citizen and community engagement (Ad Hoc Water Rate Committee model), considering magnitude of the undertaking - Develop alternative forums for informal discussion, Council question and answer - Utilize standing committees / commissions as fact finders and resources to develop recommendations on targeted issues within their area of expertise - Leverage knowledge, ideas and manpower of residents, non-profits, and special interest groups		X		
4. By June 30, 2018	City Manager + Council Member Ellsworth + LAFCO Executive Officer	Invite a representative from Napa County and the communities of Calistoga, Angwin, Yountville, Napa, American Canyon and Vallejo to a meeting to discuss approaches to how to initiate regional engagement/dialogue on housing, transportation, environmental impacts, water, etc.			X	Additional time is necessary to plan.
5. By January 31, 2018	Police Chief	Establish monthly "Coffee with a Cop" open forum gatherings.	X			
6. By September 30, 2018	City Engineer	Conduct a public workshop to solicit community feedback on the concept of a comprehensive approach to improving traffic and pedestrian safety.		X		

7. By December 12, 2017	City Arborist in consultation with Beautification Committee	Review and provide City Council with informational update on Elm Tunnel Management Plan informational in consultation with Beautification Committee.			X	City Council presentation held December 12, 2017. City staff met with Beautification Committee before meeting and again January 10, 2018 to discuss Elm Tunnel. Council directed staff to hire an arborist to update the Elm Tunnel Plan.
8. By April 30, 2018	HR/IT Director	Prepare and complete Request for Proposals (RFP) process for City website update and present options to City Council for consideration.			X	City Manager recommends postponing to 2019 to complete Citywide Compensation & Classification Study per new SHEA MOU and considering a "re-skinning" alternative and use of mobile application to reduce expenses and project complexity, and improve customer service.
9. (Added)	Recreation Director	A "Thanks & Gratitude Community Potluck" is scheduled for October 18 from 4-6pm.		X		
10. (Added)	City Manager	City-sponsored Retail Strategies Workshops have been scheduled for the Business Community on October 24, November 6, and December 11.		X		
11. (Added)	City Manager	Staff will be hosting informational drop-in format open houses for Measures E & I on October 15 (6-7pm), October 17 (2-3pm), and October 27 (10-11am).		X		

3-YEAR GOAL: Stabilize, Maintain and Improve Access to Housing

DUE DATE	WHO	WHAT	STATUS			COMMENTS
			DONE	ON TARGET	REVISED	
1. By January 15, 2018	City Manager (Lead) + Vice Mayor White + Council Member Koberstein	Present City Council with recommended professional staffing strategy and citizen-based decision-making strategy to achieve the objectives of the adopted goal.	X			Consultant Agreement approved by City Council on January 23, 2018. Kickoff meeting held January 30 th .
2. January 15 – February 28, 2018	Professional Staff (Lead) City Manager + Vice Mayor White + Council Member Koberstein	Prepare white paper on community housing needs, constraints and solutions drawing from multiple existing sources including, without limitation: adopted Housing Element, published demographic and economic data, community case studies, RHNA numbers, Calderon requirements, City ADU and second home data, housing needs analysis documents, stakeholder interviews, review of existing City regulatory powers, treatises, innovative programs, revenue sources and best practices. Prioritize work force housing component findings and rent stabilization issues– see items 4 and 8 below.			X	City Council overview presented May 22, 2018. Formal findings/white paper presentation provided at June 26, 2018.Council Meeting.
3. By February 28, 2018	City Manager (Lead) + Vice Mayor White + Council Member Koberstein	Identify and present for City Council consideration: tax, impact fee, other revenue and finance measures; and interim zoning regulations consistent with CA Code 65858 that require prioritization due to budgetary or other time constraints and/or unmitigated threats to housing and transportation			X	Includes revisit of Ad Hoc Revenue Committee recommendations and survey information. Additional time is necessary.
4. February 28, 2018	City Manager + Consultant + City Attorney + Vice Mayor White + Council Member Koberstein	Present findings regarding existing work force housing need and quantify work force housing/transportation generation characteristics; and regulatory mitigation measures. Present proposed interim ordinance for Council consideration and potential adoption (requires 4 votes)			X	Additional time is necessary.

5. By March 15, 2018	City Manager + Facilitator Jean Holsten + Consultant	Convene community meeting to discuss white paper findings regarding housing needs, constraints and to brainstorm solutions related to City regulatory/intervention strategies and other strategies related to maintenance of existing and development of new housing stock.			X	Three community workshops are contemplated to be planned after the June 26, 2018 to review white paper findings.
6. By March 31, 2018	City Council	Convene a citizen-stakeholder based Housing Task Force Committee to review and prioritize recommendations received by Housing consultant.			X	Working group is recommending enhancement of workshops as alternative public engagement strategy. Additional time is necessary.
7. By April 15 – September 15, 2018	Task Force + Housing Consultant + City Manager	Build on white paper and item #5 to identify actionable and achievable short and long-term housing solutions; evaluate use/sale of public land assets, if any, based on SHAPE Committee recommendations.			X	Use focus groups, surveys and other participatory means as deemed appropriate. Additional time is necessary.
8. By April 30, 2018	City Manager + City Attorney+ Vice Mayor White + Council Member Koberstein	Evaluate and recommend for City Council consideration rent stabilization ordinance options to maintain mobile home park as affordable housing option.			X	Rent Stabilization Ordinance concept discussed at July 24, 2018 Council Meeting. Informational Community Workshop held August 30, 2018. Council policy discussion held October 9, 2018. First Reading of Ordinance scheduled for November 13, 2018.
9. By May 1, 2018	Citizens Housing Task Force + Housing Consultant	Provide City Council with recommendations on time sensitive regulatory and finance solutions to address housing objectives.			X	City Council placed 1% TOT "Measure E" on November 2018 ballot. Informational Community Open Houses scheduled for October 15 (6-7pm), October 17 (2-3pm), and October 27, 2018 (10-11am).
10. By May 1 - September 1, 2018	City Manager + Vice Mayor White + Council Member Koberstein	Introduce work plan and items for Council action on item #9			X	Additional time is necessary.

11. By September 30, 2018	Citizens Housing Task Force + Housing Consultant	Provide City Council with recommendations on long-term housing solutions to address housing objectives.			X	Additional time is necessary.
12. By November 30, 2018	City Manager + Vice Mayor White + Council Member Koberstein	Introduce work plan and items for Council action on item #11.		X		