



UPDATED 4-5-19
City of St. Helena
Regular City Council Meeting
Tuesday, April 9, 2019 @ 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: Geoff Ellsworth, Vice Mayor: Paul Dohring, City Council Members:
Anna Chouteau, David Knudsen 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 Council Members for clarifications may be posed and answered, and Council Members may make requests that items be placed on future agendas, but in accordance with state law, no substantive discussion or action may take place unless and until the matter properly appears on the agenda.
 - 4.1. [Public Comment. Anthony Micheli](#) 9
5. REPORTS BY STAFF AND CITY COUNCIL, FUTURE AGENDA ITEMS, AND AB 1234 REPORTS:
Reports by staff and/or Council Members on items of general interest. Brief questions for clarification may be posed and answered, and Council Members 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. National Library Week 2019 Proclamation presented to St. Helena Public Library 11
[Library Week 2019 Proclamation](#)
 - 6.2. National Volunteer Week Proclamation presented to Rianda House, St. Helena Police Department and St. Helena Public Library 13
[Volunteer Proclamation 2019](#)
 - 6.3. April Arts Month Proclamation presented to Arts Council Napa Valley President & CEO Chris DeNatale 15
[2019 Arts in April Proclamation](#)

6.4.	Sexual Assault Awareness Month presented to Domestic Violence & Sexual Abuse Services Program Director Shea Hunter City of St. Helena 2019 Sexual Assault Proclamation	17 - 18
6.5.	PG&E Presentation by Pacific Gas and Electric Company North Bay Public Affairs Manager Mark Van Gorder Presentation - PG&E - St. Helena Electric Transmission Work Electric System Safety Maintenance and Repairs Fact Sheet March 2019 Electric System Safety Inspection Fact Sheet March 2019	19 - 31
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.	City Council meeting minutes (minutes are forthcoming) 1. Regular City Council Meeting Minutes of November 27, 2018 2. Regular City Council Meeting Minutes of December 11, 2018 3. Special City Council Meeting Minutes of January 8, 2019 4. Regular City Council Meeting Minutes of January 8, 2019 5. Special Joint City Council and Planning Commission Meeting Minutes of January 22, 2019 6. Regular City Council Meeting Minutes of January 22, 2019 7. Special City Council Meeting Minutes of February 4, 2019 8. Special City Council Meeting Minutes of February 6, 2019 9. Special City Council Meeting Minutes of February 12, 2019 10. Regular City Council Meeting Minutes of February 12, 2019 11. Regular City Council Meeting Minutes of February 26, 2019 1. 11.27.18 Minutes Regular City Council - 27 Nov 2018 - AMENDED 11-19-18 and 11-21-18 - Minutes 2. 12.11.18 Minutes Regular City Council - 11 Dec 2018 - AMENDED 12-7-18 - Minutes (1) 3. 1.8.19 Minutes Special City Council - 08 Jan 2019 - Minutes 4. 1.8.19 Minutes Regular City Council - 08 Jan 2019 - AMENDED 1-4-19 - Minutes 5. 1.22.19 Minutes Special Joint City Council and Planning Commission Meeting - 22 Jan 2019 - Minutes 6. 1.22.19 Minutes Regular City Council - 22 Jan 2019 - AMENDED 1-18-19 - Minutes 7. 2.4.19 Minutes Special City Council - 04 Feb 2019 Goal Setting - Minutes 8. 2.6.19 Minutes Special City Council - 06 Feb 2019 - Minutes 9. 2.12.19 Minutes Special City Council - 12 Feb 2019 - Applicant Interviews - Minutes 10. 2.12.19 Minutes Regular City Council - 12 Feb 2019 - AMENDED 2 8 19 - Minutes	33 - 103

[11. 2.26.19 Regular City Council - 26 Feb 2019 - AMENDED 2-22-19](#)

- 8.2. Consideration and proposed approval of a resolution approving a Professional Services Agreement with Zambelli Fireworks in the amount of \$40,000 for the City-sponsored July 4, 2019 fireworks show 105 - 119

CEQA Determination: This project has been determined to qualify for a Class 23 Categorical Exemption from the requirements of CEQA under Section 15323 in that it proposes the normal operation of an existing facility for a public gathering for which the facility was designed, and in that there is a past history of the of the facility being used for the same or similar kind of purpose.

Prepared By: Andre Pichly, Parks & Recreation Director

Recommendation:

Staff recommends the City Council authorize the City Manager to execute a Production Agreement with Zambelli Fireworks in the amount of \$40,000 for the City-sponsored July 4, 2019 fireworks show.

[Staff Report - Pdf](#)

9. PUBLIC HEARINGS

- 9.1. None

10. OLD BUSINESS

- 10.1. *UPDATED ATTACHMENT 4/5/19 121 - 149
Review and Comment on the Napa County Local Agency Formation Commission (LAFCO) draft Sphere of Influence (SOI) Policy

CEQA Determination: Not a CEQA project

Prepared By: Noah Housh, Planning & Community Improvement Director

Recommendation:

It is recommended that the City Council review the draft Napa County LAFCO Sphere of Influence Policy update language and provide staff direction on any issues and concerns to highlight with a formal comment letter from the City.

[Staff Report - Pdf](#)

- 10.2. *This item will not be heard at the April 9, 2019 City Council meeting.

~~Upper York Creek Habitat Restoration Project (Staff Report forthcoming)~~

~~1. Consideration Of A Resolution Of The City Council Of The City Of St. Helena Determining That No Substantial Changes Requiring Preparation Of A Subsequent EIR Have Been Made To The Upper York Creek Habitat Restoration Project As A Result Of Proposed Modifications And Approving An Addendum To The Previously Certified Final EIR As The Appropriate Environmental Document For The Upper York Creek Habitat Restoration Project As Modified;~~

~~2. Consideration Of A Resolution Of The City Council Of The City Of St. Helena Approving And Authorizing The City Manager To Execute,~~

~~Enter Into And Implement The Construction, Maintenance, Access And Sediment Disposal Agreement By And Between The City And Spring Mountain Vineyards In Connection With The Upper York Creek Habitat Restoration Project; and~~

~~3. Consideration Of A Resolution Of The City Council Of The City Of St. Helena Approving Phase 1 Of The Upper York Creek Habitat Restoration Project And Modifications To The Project And Authorizing The Public Works Director To Finalize And Approve The Project Plans And Manual For Phase 1 Of The Upper York Creek Habitat Restoration Project And To Solicit Public Bids For The Construction Thereof~~

- 10.3. Discussion and Direction Regarding 2019 Work Plan Staffing and Assignments 151 - 163

CEQA Determination: Not a CEQA project

Prepared By: Mark T. Prestwich, City Manager

Recommendation:

It is recommended the City Council discuss, identify, and confirm 2019 Work Plan staffing and assignments for the planned policy initiatives.

[Staff Report - Pdf](#)

[Public Comment.Mary Stephenson](#)

- 10.4. Consideration of approval of a Resolution supporting the St. Helena Little League's Fundraising Efforts for Improvements at Crane Park. 165 - 169

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

Recommendation:

Staff recommends the City Council adopt a resolution supporting the St. Helena Little League Fundraising Efforts for Improvements at Crane Park.

[Staff Report - Pdf](#)

11. NEW BUSINESS

- 11.1. Consideration and Proposed Adoption of a Resolution Authorizing the City Manager to Execute a Professional Services Agreement with HydroScience Engineers, in an Amount Not-to-Exceed \$440,000 for Owner's Representative of the City of St. Helena Wastewater Treatment and Reclamation Plant Project to Perform Select Engineering Services, Facilitate the Procurement of a Design-Build Team, and to Ensure that the Design of the WWTRP Project Improvements are Constructed in a Manner and Cost that Meets the City of St. Helena's Needs and Budget in Response to San Francisco Bay Regional Water Quality Control Board Order R2-2016-004. 171 - 314

CEQA Determination: Project is exempt from the requirements 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, Section 15262 Acceptance of Feasibility and Planning Studies and Section 15306 Information Collection in that it is purely the recommendation to negotiate a contract and the acceptance of a feasibility study. Any and all future funding and/or construction activities resulting from this action will be separately reviewed for compliance with CEQA and a formal determination made.

Prepared By: Felix Hernandez III, Utilities Operations Manager

Recommendation:

Staff recommends City Council adopt a resolution authorizing the City Manager to Execute a Professional Services Agreement with HydroScience Engineers, in an Amount Not-to-Exceed \$440,000 for Owner's Representative of the City of St. Helena Wastewater Treatment and Reclamation Plant Project to Perform Select Engineering Services, Facilitate the Procurement of a Design-Build Team, and to Ensure that the Design of the WWTRP Project Improvements are Constructed in a Manner and Cost that Meets the City of St. Helena's Needs and Budget in Response to San Francisco Bay Regional Water Quality Control Board Order R2-2016-004.

[Staff Report - Pdf](#)

- 11.2. City Council review and consideration of potential grant projects available under Senate Bill 2-The Building Jobs and Homes Act 315 - 318

CEQA Determination: Not a CEQA project

Prepared By: Noah Housh, Planning & Community Improvement Director

Recommendation:

It is recommended that the City Council review the SB2 Grant opportunities and the conceptual projects identified by staff, and provide direction on prioritizing which type of project to pursue.

[Staff Report - Pdf](#)

- 11.3. *UPDATED TITLE 4/5/19 319 - 320

City Manager report on schedule and format for purely informational Measure F public information workshops and open houses.

~~Measure F Public Information Workshops and Open Houses~~

CEQA Determination: Not a CEQA project

Prepared By: Mark T. Prestwich, City Manager

Recommendation:

Receive and file.

[Staff Report - Pdf](#)

- 11.4. Authorize Submittal of Letter of Support for Assembly Constitutional Amendment (ACA) 1 (Aguiar-Curry) 321 - 344

CEQA Determination: Not a CEQA project

Prepared By: Mark T. Prestwich, City Manager

Recommendation:

Pass a Motion authorizing submittal of a letter of support for ACA 1

(Aguiar-Curry).

[Staff Report - Pdf](#)

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

12.1.

April City Council Meetings:

4/23 (staff reports due 4/5)

4/24 Special Mtg Workshop

TBD Land Use 101/CEQA

TBD Brown Act Training

4/8/19 PC Governance

PROCLAMATIONS AND PUBLIC RECOGNITION:

4/23 Building Safety Month Proclamation

4/23 Oath of Office – Dispatcher Brenda Ortega

CONSENT:

4/23 On call MPSA

4/23 Hunt Ave approve plans for sidewalk - PW

4/23 Fire Chief Contract and First Reading

4/23 Vine Trail BKF Contract amendment - PW

4/23 SB1 Streets List - PW

OLD BUSINESS:

4/23 ATSC Work Plan

PH or NEW BUSINESS:

PH - 4/23 1stReading Water Usage Date MC 17.08.060

4/23 Qtrly Grant Report

4/23 Qtrly Finance Report

4/23 Chamber Presentation

4/23 LRFF and Fiscal Diagnostic

4/23 Tennis Court Lighting Study

May City Council Meetings:

5/9 Budget Workshop

5/14 (staff reports due 4/26)

5/28 (staff reports due 5/10)

2040 General Plan and FEIR. City Council review is likely to occur on May 14, May 28 and/or June 11

PROCLAMATIONS AND PUBLIC RECOGNITION:

5/14 Mental Health Month Proclamation

National Police Week 5/12-18

5/14 PW Works Week

5/28 Police Department VIP Graduation

5/14 Bike to Work & School Day Friday, May 17th

PG&E Safety Presentation

CONSENT:

5/28 Sidewalk Award

5/28 2019 Pavement Project

PH or NEW BUSINESS:

CIP Budget

13. ADJOURNMENT

The next Regular City Council meeting is scheduled for April 23, 2019, at 6:00 p.m. in the Vintage Hall Board Room located at 465 Main Street.

This agenda was reposted at City Hall, 1480 Main Street, and at Vintage Hall, 465 Main Street, St. Helena, California on ~~March 29, 2019~~ April 5, 2019.



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

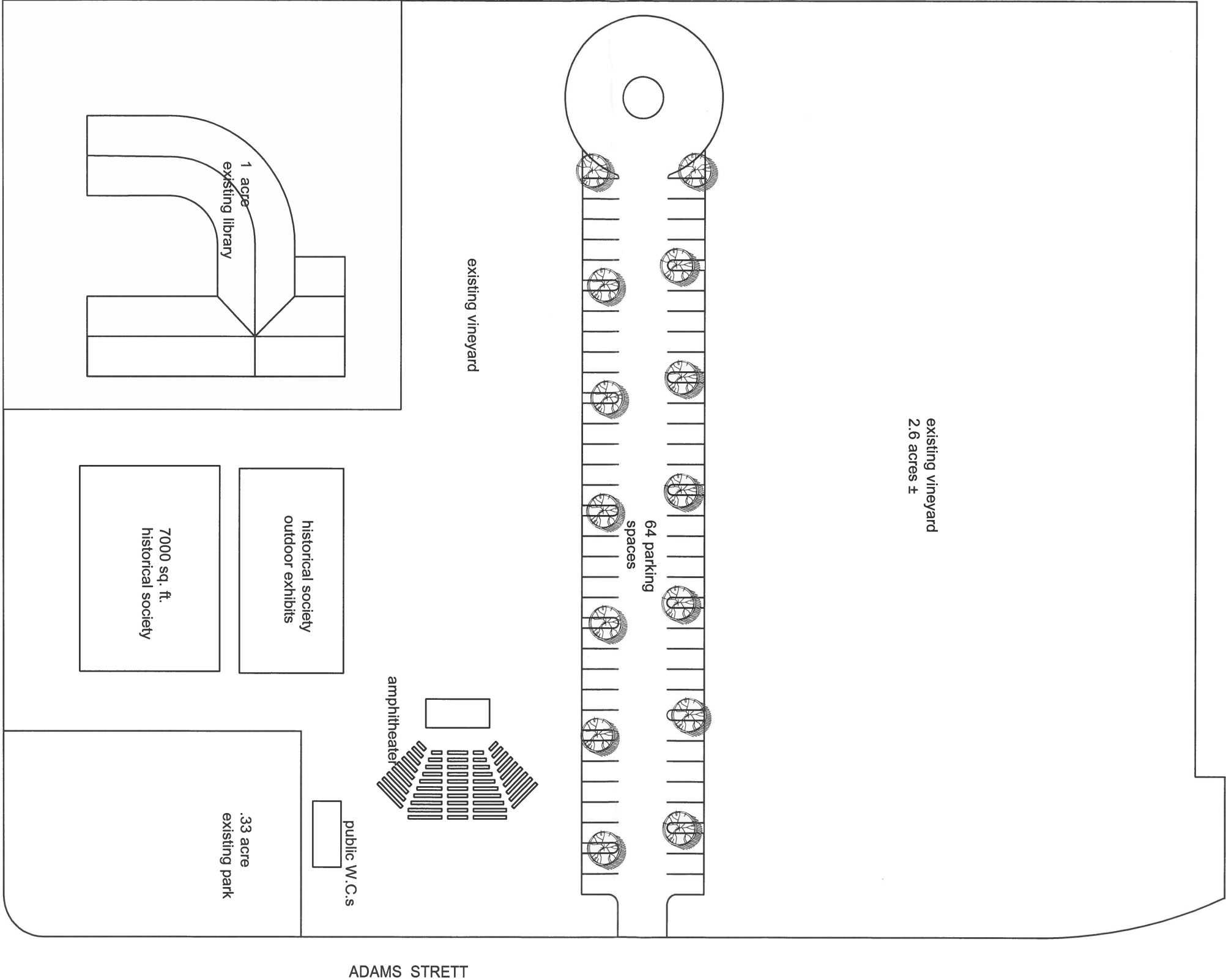
The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City of St. Helena is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision, including without limitation Government 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 Library Week 2019

WHEREAS, today's libraries are not just about books but what they do for and with people;

WHEREAS, libraries of all types are at the heart of cities, towns, schools and campuses;

WHEREAS, libraries have long served as trusted and treasured institutions where people of all backgrounds can come together and feel safe and connected;

WHEREAS, libraries and librarians build strong communities through transformative services, engaging programs and expertise;

WHEREAS, libraries, which promote the free exchange of information and ideas for all, are cornerstones of their communities and democracy;

WHEREAS, libraries promote civic engagement by keeping people informed and aware of community events and issues;

WHEREAS, librarians and library workers partner with other civic organizations to make sure their community's needs are being met;

WHEREAS, libraries and librarians empower their communities to make informed decisions by providing free access to information;

WHEREAS, libraries are a resource for all members of the community regardless of race, ethnicity, creed, ability, sexual orientation, gender identity or socio-economic status, by offering services and educational resources that transform lives and strengthen communities;

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

NOW, THEREFORE, be it resolved, that I, Geoff Ellsworth, Mayor of the City of St. Helena, proclaim April 7-13, 2019 National Library Week. I encourage all residents to visit the library this week to explore or rediscover what's available at your library and with your library card. Because of you, and through your support, libraries not only transform but also equal strong communities.

Dated: April 9, 2019

Geoff Ellsworth, Mayor
City of St. Helena

City of St. Helena PROCLAMATION

National Volunteer Week 2019

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

WHEREAS, volunteers can connect with local community service opportunities through hundreds of community service organizations; and

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

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

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

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

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

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

NOW, THEREFORE, be it resolved, that I, Geoff Ellsworth, Mayor of St. Helena, do hereby proclaim

April 7-13, 2019
National Volunteer Week

I encourage my fellow citizens to volunteer in their respective communities. By volunteering and recognizing those who serve, we can come together to make a difference.

Dated: April 9, 2019

Geoff Ellsworth, Mayor
City of St. Helena

City of St. Helena

PROCLAMATION

April 2019 Arts Month

Whereas, the month of April has been recognized as a countywide celebration of the arts and local culture, known as Arts in April Napa Valley, by dozens of arts and cultural organizations, hundreds of individuals, and businesses across the county, as well as by the agencies of Visit Napa Valley and Arts Council Napa Valley for 9 years;

Whereas, the arts and culture embody much of the accumulated wisdom, intellect, and imagination of humankind;

Whereas, the arts and culture enhance and enrich the lives of every resident;

Whereas, hundreds of residents from each town and city came together in the creation of the County of Napa's adopted Community Cultural Plan, which has been in place since 2008, and endorsed the following cultural core values for all of Napa County:

Self-expression is everyone's birthright;

The arts serve as a common language;

The arts are critical to a healthy economy;

The arts allow us access to our past, to ourselves, and to each other;

And, the arts give us a sense of place and of home.

Now, therefore let it be resolved, that I, Geoff Ellsworth, Mayor of the City of St. Helena, do hereby proclaim April as Arts Month in the City of St. Helena and call upon our citizens to celebrate and promote arts and culture in our City and to specifically encourage the greater participation by those said citizens in taking action for arts and culture in their towns and cities.

Dated: April 9, 2019

Geoff Ellsworth, Mayor
City of St. Helena

City of St. Helena

PROCLAMATION

Sexual Assault Awareness Month

April 2019

The month of April 2019 is Sexual Assault Awareness Month in California, and throughout the United States. This year's campaign is dedicated to raise public awareness about sexual violence and educate communities on how to prevent it. The campaign theme, ***I Ask***, requires many voices and roles to relate the message of understanding and respecting consent. Asking for consent is a healthy, normal, and necessary part of everyday life.

Whereas, Sexual Assault Awareness Month is intended to spread knowledge that sexual violence is a widespread problem and how it impacts our community directly or indirectly. Sexual Violence is prevalent, it can happen to anyone, and the impact on the survivor is long lasting. ***I Ask*** is about every person being able to make consensual, respectful, and informed choices about their bodies and relationships. As individuals, we have a role to promote positive behavior, healthy relationships, and creating safe environments; and

Whereas, prevention is possible when misconceptions are eliminated, we can all create positive change by using our voices to share the importance of consent. We should serve as leaders in prevention by putting consent into practice, by always respecting the personal and emotional boundaries of those around us. We can ensure that others boundaries are respected by asking for consent and empowering people to have these conversations; and

Whereas, Sexual Assault Victims Services, a program of NEWS, has promoted healthy sexuality and prevention of sexual violence for over 35 years, also provides 24-hour help line service to survivors and their significant others, offers prevention education, responds to emergency calls, and offers support and comfort during forensic medical exams, also all criminal proceedings. NEWS' Sexual Assault Victims Services requests public support as it continues its effort to create a future where women, men and children can live free from violence and exploitation. With leadership and dedication, we can promote healthy relationships and prevent sexual violence in the City of St. Helena and throughout Napa County. In collaborations with NEWS' Sexual Assault Victims Services, we must work together to create change, increase education, awareness, and community involvement; ***Prevention is Possible.***

Now, therefore, let it be resolved, that I, Geoff Ellsworth, Mayor of the City of St. Helena, on behalf of the St. Helena City Council, do hereby proclaim ***April 2019*** as ***Sexual Assault Awareness Month***, in St. Helena, and I commend this observance to all citizens.

Dated: April 9, 2019

Geoff Ellsworth, Mayor

City of St. Helena

Electric Transmission Upcoming Work

City of St. Helena

April 9, 2019

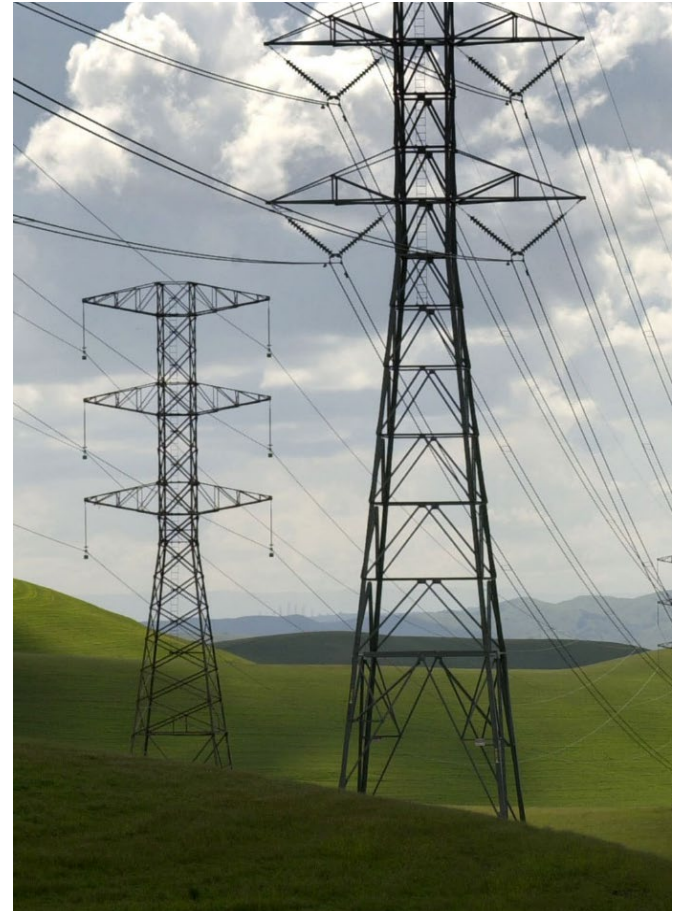


Together, Building
a Better California



Electric Transmission Asset Strategy

- PG&E's core mission is to **provide safe and reliable energy**.
- We continue to **enhance and strengthen our infrastructure** to improve our operations.
- PG&E's asset strategy team **regularly reviews our electric infrastructure and prioritizes replacements** to reduce risk of asset failure.
- Review criteria includes, but is not limited to:
 - Overall safety and reliability
 - Age and condition of a structure
 - Work previously performed along the circuit
- This review is **in addition to maintenance and repairs identified during routine patrols** and the recent wildfire safety inspections.





Scope of Work - St. Helena

- This year, PG&E will be replacing electric transmission infrastructure on the following circuits based on asset strategy's review and recommendations:

Circuit	Scope	Approx. Location	Approx. Timing
Fulton-Calistoga	Replacing 13 towers and poles and installing a new circuit	Near Hudson Avenue, Madrona Avenue and Spring Mountain Road	Late April through October
Eagle Rock-Fulton-Silverado	Installing approx. 5,000 feet of conductor	Near Spring Street and White Sulphur Springs Road	Late April through May
Silverado-Fulton Jct.	Installing two new circuits of conductor and two new switches	Mills Lane	June through October

Work timing is approximate and is subject to change.





Wildfire Safety Inspections



As part of our enhanced wildfire safety efforts, implemented following the 2017 and 2018 wildfires as additional precautionary measures intended to further reduce wildfire risks, **we are conducting accelerated safety inspections of electric infrastructure in areas of higher wildfire risk (Tier 2 and Tier 3).**

- **We are conducting comprehensive inspections of electric towers and poles** through visual and aerial inspections.
- This work is being done as part of our Community Wildfire Safety Program, and is **in addition to our routine inspections and maintenance** programs.
- We are inspecting **substations and transmission and distribution lines** in high fire-threat areas.

5

Following the wildfires in 2017 and 2018, some of the changes included in this presentation are contemplated as additional precautionary measures intended to further reduce future wildfire risk.

Electric System Maintenance and Repairs

We **evaluate the inspection results to determine if repairs are needed** and the **associated timing**. If any issues are found during the accelerated inspections that pose an immediate risk to public safety, **we take action right away to address the issue.**



- When inspections determine that repairs are needed, but **there is not an immediate safety risk**, we will follow our preventative maintenance procedures, consistent with state guidelines for high fire-threat areas.
- Repairs will depend on what we observe in the field but could range from installing new signs or electrical components to replacing poles or towers.

Scope of Work - St. Helena

- **To minimize customer impact, we are bundling any necessary maintenance or repair work** identified during our wildfire safety inspections, where possible, with the planned asset strategy replacements.
- Work will **occur along with same three circuits:**
 - Fulton-Calistoga
 - Eagle Rock-Fulton-Silverado
 - Silverado-Fulton Jct.
- This work includes installing markers, repairing foundations, replacing insulators, and replacing towers and conductors.
- Work is scheduled to **begin in April and last through 2020.**



Customer Outreach

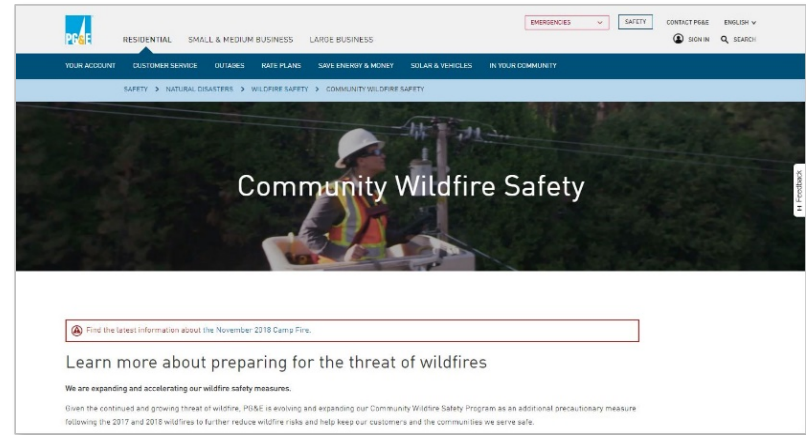
- In advance of this work beginning, we are **conducting community outreach, as appropriate.**
- This can include **letter, automated voice recordings or doorhangers.**
- Residents **can expect to see:**
 - Crews accessing the area via **vehicle and helicopter**
 - Work occurring **from 6am to 6pm**, depending upon weather conditions





Contact Information

- For questions regarding upcoming electric transmission work, residents are encouraged to email us at **wildfiresafety@pge.com**
- For more information on our Community Wildfire Safety Program, please **visit pge.com/wildfiresafety**



Thank You



Together, Building
a Better California



Community Wildfire Safety Program

Electric System Safety Maintenance and Repairs

As part of our enhanced wildfire safety efforts, implemented following the 2017 and 2018 wildfires as additional precautionary measures intended to further reduce wildfire risk, we are conducting accelerated safety inspections of infrastructure in areas at higher risk of wildfire.

What We Are Doing

We are performing both visual and aerial inspections, including using technology such as drones to further enhance and complement the visual inspections. We will evaluate inspection results to determine repair needs and associated timing.

For any issues found during the accelerated inspections that pose an immediate risk to public safety, we are taking action right away to address the issue. When inspections determine that repairs are needed but there is not an immediate safety risk, we follow our preventative maintenance procedures, consistent with state guidelines for high fire-threat areas.

Frequently Asked Questions

How is this different from your routine maintenance program?

For these accelerated safety inspections, we have enhanced the criteria we are using based on a risk-based approach to identify components on electric towers and poles that have an increased risk of potential wildfire ignition. This includes looking at cross-arms, insulators, and footings, among other critical electric components. As part of enhanced inspections for transmission towers, we are also climbing towers and using drone technology to gather additional data and information.

What type of repairs are you making and how are you determining the timing of necessary repairs?

Repairs will depend on what we observe in the field but could range from installing new signs or electric components to replacing poles or towers. For conditions that do not require immediate action, we will complete the repairs in a timeframe consistent with state guidelines for high fire-threat areas, which range from 6 to 12 months depending on the nature of the condition and the location.

How will you notify customers if outages are required for repairs?

In many cases, we anticipate being able to plan our work in a way that minimizes customer impacts. This includes performing repair work without de-energizing lines when it is safe to do so, and bundling work that does require maintenance outages. If we need to turn off a line to safely complete the work, we will notify customers via letter seven days prior to any maintenance outages. In some instances, we may need to complete expedited repairs in a shorter timeframe. In these cases, we will aim to notify customers with as much advance warning as possible, through an automated phone call or doorhanger.



REPAIR TYPE

Repairs will depend on what we observe in the field but could range from installing new signs or electrical components to replacing poles or towers.



TIMING OF REPAIRS

For any issues that pose an immediate risk to public safety, we are taking action right away to address it. When there is not an immediate safety risk, we follow our preventative maintenance procedures, consistent with state guidelines for high fire-threat areas.



MAINTENANCE OUTAGES

We will aim to notify customers with as much advance warning as possible through **letter, automated phone call or doorhanger.**

LEARN MORE AT
PGE.COM/WILDFIREINSPECTIONS

March 2019

Following the wildfires in 2017 and 2018, some of the changes included in this document are contemplated as additional precautionary measures intended to further reduce future wildfire risk. "PG&E" refers to Pacific Gas and Electric Company, a subsidiary of PG&E Corporation. ©2019 Pacific Gas and Electric Company. All rights reserved. CCC-1218-0715



Community Wildfire Safety Program Electric System Safety Inspections

Given the continued and growing threat of extreme weather and wildfires, we are evolving and expanding our Community Wildfire Safety Program as an additional precautionary measure to further reduce wildfire risks and help keep our customers and communities safe. As part of these efforts, we are conducting enhanced and accelerated safety inspections of electric infrastructure in areas at higher risk of wildfire.

What We Are Doing

We are conducting comprehensive inspections of electric towers and poles in high fire-threat areas (Tier 2 and Tier 3), as designated by the California Public Utilities Commission (CPUC) High Fire-Threat District Map. Inspections will include both visual and aerial inspections, where possible. We will use aerial imagery captured by helicopter and, in some cases, by using drones for certain portions of the structures, like the top of the tower or poles or the ends of the tower arms, to complement and further enhance the visual inspections. This work is in addition to our routine inspection and maintenance programs.

When Inspections Will Take Place

Inspections are ongoing, and we are working to complete all inspections by the end of May 2019, dependent on weather and other factors. We are taking action right away to address any immediate risk to public safety found during the accelerated inspections.

Working Together

We want to work together to answer any questions customers may have about this safety work. For inspections on residential property, we will leave a doorhanger with more information about the work, when applicable. Anyone with questions can email us at wildfiresafety@pge.com and our dedicated customer outreach specialists will respond within one business day.

QUICK FACTS



We are inspecting **approximately 50,000 structures** across more than **5,500 miles of transmission lines**. This includes ground inspections of poles and climbing of towers.



We are inspecting **approximately 685,000 structures** across **25,200 miles of distribution lines** in high fire-threat areas. This includes ground inspections and climbing of poles, as needed.



Work is performed by **crews of up to 4 people** and may take up to **2 hours per structure** to complete.



Aerial inspections by drones complement and **further enhance visual inspections** for transmission structures.



Helicopters may also be used for inspections or to deliver crews to remote locations.

Learn more about our Community Wildfire Safety Program by visiting pge.com/wildfiresafety.

March 2019

Following the wildfires in 2017 and 2018, some of the changes included in this document are contemplated as additional precautionary measures intended to further reduce future wildfire risk. "PG&E" refers to Pacific Gas and Electric Company, a subsidiary of PG&E Corporation. ©2019 Pacific Gas and Electric Company. All rights reserved. CCC-0119-0780

MINUTES
City of St. Helena
Regular City Council Meeting
Tuesday, November 27, 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, Council Member Paul Dohring, Council Member Mary Koberstein, and Council Member Geoff Ellsworth

Absent:

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. PUBLIC FORUM:

Ann Carr and Glenn Smith addressed the City Council.

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

City Attorney Thomas Brown noted that there was no reportable action taken during the November 27, 2018, special City Council closed session meeting.

City Manager Mark Prestwich provided a St. Helena Jingle all the Way update and noted that there is now an emergency preparedness link added to the City's website homepage. City Manager Mark Prestwich requested a motion from the City Council to add an item to the agenda for consideration of the insurance requirements for the Jingle all the Way event. The additional item would, per the request from the Chamber of Commerce, add them to the City's insurance as additionally insured specifically for the event, amending their contract, provided that it is acceptable to the City Attorney.

Mayor Galbraith called for public comment.

No public was received and Mayor Galbraith closed public comment.

Vice Mayor White made a motion that there is an immediate need for action to agendize the request from the Chamber of Commerce. Direction to staff is to add the

Regular City Council
November 27, 2018

Chamber to the City's insurance as additionally insured specifically for the Jingle all the Way event and also an amendment to the contract acceptable by the City Attorney. The request will be added to Consent as item 8.9 and the need arose after the posting of the November 27, 2018 agenda.

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

Public works Director Erica Ahmann Smithies reported that the intersection at Mitchell Drive and Oak Avenue will be closed due to a storm drain repair.

Planning Director Noah Housh provided a General Plan/EIR update.

Parks and Recreation Director Andre Pichly provided a Home for the Holidays and Jingle all the Way update.

6. PRESENTATIONS AND PUBLIC RECOGNITIONS

6.1 This item wasn't heard.

Naveed Paydar, PhD, Local Government Liaison News & Outreach Office,
Executive Division California Public Utilities Commission

6.2 Planning Commission report out by Lester Hardy, Chair

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 of approval of a Resolution 2018-160 authorizing the City Manager to (1) execute Amendment No. 1 to a Freeway Maintenance Agreement on Highway 29/Main Street with Caltrans; (2) execute a Tree Replacement Cooperative Agreement in the amount of \$32,000 with Caltrans; and (3) execute an Electrical Sharing Agreement with Caltrans.

CEQA Determination: Not a CEQA project

Regular City Council
November 27, 2018

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

Adopt a Resolution authorizing the City Manager to (1) execute Amendment No. 1 to a Freeway Maintenance Agreement on Highway 29/Main Street with Caltrans; (2) execute a Tree Replacement Cooperative Agreement in the amount of \$32,000 with Caltrans; and (3) execute an Electrical Sharing Agreement with Caltrans.

- 8.2 Item 8.2 was not heard.

~~Consideration and approval of a Resolution accepting Brush-17, a Type 6 Fire Engine from the St. Helena City Fire Department Association with a total value of \$268,143.94~~

~~CEQA Determination: Not a CEQA project~~

~~Prepared By: April Mitts, Finance Director~~

~~Recommendation:~~

~~Staff recommends City Council approve a Resolution accepting Brush-17, a Type 6 Fire Engine from the St. Helena City Fire Department Association with a total value of \$268,143.94~~

- 8.3 Consideration and approval of a Resolution 2018-161 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.

Item 8.4 was removed from Consent.

- 8.4 ~~Report on compliance with the Calderon lawsuit Settlement Agreement and a Determination by the Planning Director that no additional project approvals are necessary to meet the milestones identified in the agreement.~~

- 8.5 Consideration and proposed adoption of a resolution 2018-162 authorizing the City Manager to execute a Professional Service Agreement with RSA+ in the amount of \$43,600 to design and prepare bid documents for consideration of an alternate left turn pocket alignment on Highway 29/Main Street at Pratt Avenue.

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

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

Regular City Council
November 27, 2018

Recommendation:

Adopt a resolution authorizing the City Manager to execute a Professional Service Agreement with RSA+ in the amount of \$43,600 to design and prepare bid documents for consideration of an alternate left turn pocket alignment on Highway 29/Main Street at Pratt Avenue.

Item 8.6 was removed from Consent.

- 8.6 ~~Consideration of proposed adoption of (1) a Resolution 2018-163 establishing parking regulations (3-hour zone) to the south side of Pine Street between Main Street and Oak Avenue; (2) a Resolution 2018-164 rescinding Resolution 2010-15 and updating portions on Pine Street and South Crane Avenue to the City's list of yellow zones (loading); and (3) a Resolution 2018-165 rescinding Resolution 2018-159 and updating portions on Pine Street to the City's list of red zones (parking prohibitions)~~

Item 8.7 was removed from Consent.

- 8.7 ~~*NEW ITEM ADDED 11/19/18
Second Reading of an Ordinance 2018-9 Adding St. Helena Municipal Code ('SHMC') Title 9, Section 9.24 to adopt Mobile Home Park Rent Stabilization~~
- 8.8 *NEW ITEM ADDED 11/21/18
Consideration and proposed adoption of a resolution 2018-166 to approve the Final Map for the Lands of Sander, LLC and authorizing the City Manager to execute the Subdivision Improvement Agreement. (Staff report forthcoming)
Provided 11-26-18

CEQA Determination: Exempt from CEQA pursuant to Section 15332, which exempts projects characterized as in-fill development when the project is consistent with the general plan and zoning; occurs within city limits on less than five acres; has no valuable habitat; won't cause any significant environmental effects; and can be served by existing public services
Prepared By: Erica Ahmann Smithies, Public Works Director and City Engineer
Recommendation:

Staff recommends City Council adopt the attached resolution approving the Final Map for the Lands of Sander, LLC and authorizing the City Manager to execute the Subdivision Improvement Agreement.

- 8.9 *11-27-18 Item added by vote

Consideration and approval of a request by the Chamber of Commerce to be added to the City's insurance as additionally insured specifically for the Jingle all the Way event and also an amendment to the contract acceptable by the City Attorney.

- 8.4 Report on compliance with the Calderon lawsuit Settlement Agreement and a Determination by the Planning Director that no additional project approvals are

Regular City Council
November 27, 2018

necessary to meet the milestones identified in the agreement.

CEQA Determination: Not a CEQA project

Prepared By: Thomas B. Brown, City Attorney

Recommendation:

This is an informational report only. No action is being requested or required.

Tom Belt addressed the City Council.

Vice Mayor Peter White moved to adopt item 8.4. The motion was seconded by Council Member Geoff Ellsworth and on roll call carried by the following vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

- 8.6 Consideration of proposed adoption of (1) a Resolution 2018-163 establishing parking regulations (3-hour zone) to the south side of Pine Street between Main Street and Oak Avenue; (2) a Resolution 2018-164 rescinding Resolution 2010-15 and updating portions on Pine Street and South Crane Avenue to the City's list of yellow zones (loading); and (3) a Resolution 2018-165 rescinding Resolution 2018-159 and updating portions on Pine Street to the City's list of red zones (parking prohibitions)

CEQA Determination: Exempt

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

Recommendation:

Adopt (1) a Resolution establishing parking regulations (3-hour zone) to the south side of Pine Street between Main Street and Oak Avenue; (2) a Resolution rescinding Resolution 2010-15 and updating portions on Pine Street and South Crane Avenue to the City's list of yellow zones (loading); and (3) a Resolution rescinding Resolution 2018-159 and updating portions on Pine Street to the City's list of red zones (parking prohibitions)

Julie Spencer and Anthony Micheli addressed the City Council.

Council Member Geoff moved to adopt item 8.6. 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, Council Member Paul Dohring, Council Member Mary Koberstein, and Council Member Geoff Ellsworth

Regular City Council
November 27, 2018

NOES: None
ABSENT: None
ABSTAIN: None
RECUSE: None

- 8.7 *NEW ITEM ADDED 11/19/18
Second Reading of an Ordinance 2018-9 Adding St. Helena Municipal Code ('SHMC') Title 9, Section 9.24 to adopt Mobile Home Park Rent Stabilization

CEQA Determination: Not a CEQA project
Prepared By: Mark T. Prestwich, City Manager
Recommendation:
Conduct second reading of the ordinance, adopt by title only and waive further reading.

City Attorney representative Deepa Sharma reported on this item.

No public was received.

Council Member Paul Dohring moved to adopt item 8.7. The motion was seconded by Council Member Mary Koberstein and on roll call carried by the following vote:

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

9. PUBLIC HEARINGS

- 9.1 None

10. NEW BUSINESS

- 10.1 Quarterly Grant Report for FY 2019 Q1, for the period ending September 30, 2018

CEQA Determination: Not a CEQA project
Prepared By: Mandy Kellogg, Admin Services Mgr
Recommendation:
Receive and file report.

Administrative Services Manager Mandy Kellogg reported on this item.

Regular City Council
November 27, 2018

No public comment was received.

- 10.2 Consideration and Proposed Approval of a Resolution 2018-167 (1) Amending the Fiscal Year 2018-2019 adopted Capital Improvement Program Budget to include Project C19-03, Crane Park Light Improvements, (2) Authorizing a budget of \$30,000 for Project C19-03, (3) Authorizing a budget increase from \$25,000 to \$170,000 for Project C19-02, Rehabilitate Crane Park Tennis Courts, (4) Authorizing a transfer from Skate Park Lighting Fund 223 to Civic CIP Fund 733 in an amount not to exceed the fund balance of approximately \$1,200 for the portion of C19-03 related to skate park lighting, and (5) Authorizing a transfer from Park Impact Fee Fund 734 to Civic CIP Fund 733 upon completion of Projects C19-02 and C19-03 for all costs associated with these projects for an amount not-to-exceed \$200,000.

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

Prepared By: Andre Pichly, Parks & Recreation Director

Recommendation:

Staff recommends City Council adopt a Resolution authorizing (1) Amending the Fiscal Year 2018-2019 adopted Capital Improvement Program Budget to include Project C19-03, Crane Park Light Improvements, (2) Authorizing a budget of \$30,000 for Project C19-03, (3) Authorizing a budget increase from \$25,000 to \$170,000 for Project C19-02, Rehabilitate Crane Park Tennis Courts, (4) Authorizing a transfer from Skate Park Lighting Fund 223 to Civic CIP Fund 733 in an amount not to exceed the fund balance of approximately \$1,200 for the portion of C19-03 related to skate park lighting, and (5) Authorizing a transfer from Park Impact Fee Fund 734 to Civic CIP Fund 733 upon completion of Projects C19-02 and C19-03 for all costs associated with these projects for an amount not-to-exceed \$200,000.

Parks and Recreation Director Andre Pichly reported on this item.

Anthony Micheli, Pat Dell, Elain de Man and Matt Demchuk addressed the City Council.

Council Member Paul Dohring moved to adopt staff's recommendation. 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, Council Member Paul Dohring, Council Member Mary Koberstein, and Council Member Geoff Ellsworth

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

Regular City Council
November 27, 2018

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

11.1

December City Council Meetings:	
12/11 (staff reports due 11/21)	
12/25 Cancelled Meeting	
CONSENT:	
12/11 Compensation schedule	
12/11 Award of RFP for downtown improvements - PW	
12/11 Neighborhood community table put on by the St. Helena Chamber, hospital and Nimbus Arts - PW	
Certification of the Municipal Election - Admin	
12/11 2nd Reading of Rent Stabilization Ordinance (RSO)	
PH or NEW BUSINESS:	
12/11 Bimonthly Goals and Objectives Update – Admin (Would go 2nd mtg but it's cancelled)	
12/11 Public Works Reorganization	
Discussion - Concept Review Ordinance - Planning	
12/11 Draft Truck Ordinance Safety Exception Waiver Process	
12/11 Appointment of Vice Mayor	

12. ADJOURNMENT

Mayor Galbraith adjourned the meeting at 7:11 p.m.

The regular City Council meeting minutes of November 27, 2018, was adopted at the April 9, 2018 regular City Council meeting.

APPROVED:

ATTEST:

Alan Galbraith, Mayor

Cindy Tzafopoulos, City Clerk

MINUTES
City of St. Helena
Regular City Council Meeting
Tuesday, December 11, 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, Council Member Paul Dohring, Council Member Mary Koberstein, and Council Member Geoff Ellsworth

Absent:

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. PUBLIC FORUM:
No public comment.

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

Planning Director Noah Housh provided a General Plan and EIR update.

Public Works Director Erica Ahamnn Smithies provided an Oak Avenue storm drain repair update.

Parks and Recreation Director provided a Home for the Holidays and Jingle all the Way update.

6. PRESENTATIONS AND PUBLIC RECOGNITIONS

6.1 St. Helena Chamber of Commerce update by President and CEO Amy Carabba and provided a presentation

7. STAFF BRIEFING

7.1 Elm Tunnel Update was provided by Maintenance Manager Carlos Uribe.

Regular City Council
December 11, 2018

8. CONSENT ITEMS

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

- 8.1 Consideration and proposed approval of a resolution 2018-168 duly approving and adopting publicly available pay schedules in accordance with the requirement of California Code of Regulations, Title 2, Section 570.5 which includes a revised salary schedule for all part-time Casual Worker classifications

CEQA Determination: Not a CEQA project

Prepared By: Kathy Robinson, Human Resources & IT Director

Recommendation:

Staff recommends City Council duly approve and adopt publicly available pay schedules in accordance with the requirement of California Code of Regulations, Title 2, Section 570.5 which includes a revised salary schedule for all part-time Casual Worker classification, and make no other changes to the salary schedules for other classifications.

- 8.2 Consideration and Proposed Approval of a Resolution 2018-169 Rescinding Resolution 2018-75 Rules of Procedure for the Conduct of Council Meetings and Re-establishing City Council Standards of Conduct, and Re-establishing Rules of Procedure for the Conduct of Council Meetings and Re-establishing City Council Standards of Conduct

CEQA Determination: Not a CEQA project

Prepared By: Cindy Tzafopoulos, City Clerk

Recommendation:

Staff recommends adopting the resolution.

- 8.3 Consideration and Proposed resolution 2018-170 (1) amending the Fiscal Year 2018-2019 adopted Capital Improvement Program Budget to include R19-05, Emergency Oak Avenue Storm Drain Repair Project; (2) authorizing a budget of \$450,000 for R19-06; (3) awarding a construction contract to Ghilotti Construction for R19-06 for an amount of \$350,000; (4) authorizing the City Manager to execute the contract; (5) authorizing the Director of Public Works to approve change orders up to \$100,000; and (5) authorizing a transfer for the total amount of expenditures for R18-06, up to \$450,000, from (a) Gas Tax Funds 225, 226, 227, 228, 229, (b) Road Maintenance and Rehabilitation Fund 230 (SB1), and (c) Storm Drain Impact Fee Fund 742 to Roads CIP Fund 741 upon completion of R19-06

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

Regular City Council
December 11, 2018

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

Adopt a resolution (1) amending the Fiscal Year 2018-2019 adopted Capital Improvement Program Budget to include R19-06, Emergency Oak Avenue Storm Drain Repair Project; (2) authorizing a budget of \$450,000 for R19-06; (3) awarding a construction contract to Ghilotti Construction for R19-06 for an amount of \$350,000; (4) authorizing the City Manager to execute the contract; (5) authorizing a transfer for the total amount of expenditures for R18-06, up to \$450,000, from (a) Gas Tax Funds 225, 226, 227, 228, 229, (b) Road Maintenance and Rehabilitation Fund 230 (SB1), and (c) Storm Drain Impact Fee Fund 742 to Roads CIP Fund 741 upon completion of R19-06.

Item 8.4 was removed from Consent.

8.4 ~~Bimonthly Update on City Council Goals and Strategic Objectives~~

8.5 *NEW ITEM 12-7-18

Consideration and proposed adoption of a resolution 2018-171 authorizing (1) the City Manager to execute a Professional Service Agreement with Waterways Consulting, Inc. in the amount of \$37,802.86 to design and prepare bid documents for Capital Improvement Project R19-03, Sulphur Creek Erosion Repair and (2) a budget transfer from Fund 700 (Flood Control Capital) to Fund 741 (Streets CIP) for total costs associated with this PSA for a not-to-exceed amount of \$37,802.86.

CEQA Determination: This project qualifies for a Class 6 Categorical Exemption 'Information Collection' under Section 15306 of CEQA. Any future project will require additional analysis and a formal determination regarding the environmental impacts of that project.

Prepared By: Edrees Argand, Junior Assistant Engineer

Recommendation:

Staff recommends City Council adopt a resolution authorizing (1) the City Manager to execute a Professional Service Agreement with Waterways Consulting, Inc. in the amount of \$37,802.86 to design and prepare bid documents for Capital Improvement Project R19-03, Sulphur Creek Erosion Repair and (2) a budget transfer from Fund 700 (Flood Control Capital) to Fund 741 (Streets CIP) for total costs associated with this PSA for a not-to-exceed amount of \$37,802.86.

8.6 *NEW ITEM 12-7-18

Consideration and proposed approval of a resolution 2018-172 approving out-of-state travel for Firefighter Nick Solakian and Firefighter Jose Rodriguez to attend the design meeting for the St. Helena Fire Department's Type 6 engine in New London, Wisconsin, December 12-15, 2018.

CEQA Determination: Not a CEQA project

Prepared By: John Sorensen, Fire Chief

Regular City Council
December 11, 2018

Recommendation:

Staff recommends City Council adopt the resolution approving out-of-state travel for Firefighters Nick Solakian and Jose Rodriguez to attend the Type 6 Engine Design Meeting with EJ Metals in New London, Wisconsin, December 12-15, 2018.

Item 8.7 was removed from Consent.

8.7 ~~*NEW ITEM 12-7-18~~

~~Consideration and proposed approval of a resolution approving temporary closure of Adams Street and authorizing possession of open alcoholic beverages on those public streets for the 2019 Inaugural Neighborhood Community Table Event scheduled for May 11, 2019 from approximately 5:00 p.m. to 9:00 p.m.~~

8.8 Consideration and proposed approval of a Resolution 2018-174 accepting the certification of the vote for the November 6, 2018 St. Helena General Municipal Election (Staff report provided 12-7-18)

CEQA Determination: Not a CEQA project

Prepared By: Cindy Tzaopoulos, City Clerk

Recommendation:

Adopt the resolution accepting the certification of the vote for Mayor, Council Members and Measure E.

Council Member Paul Dohring moved to approve 8.1 through 8.3, 8.5, 8.6 and 8.8. 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, Council Member Paul Dohring, Council Member Mary Koberstein, and Council Member Geoff Ellsworth

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

8.4 Bimonthly Update on City Council Goals and Strategic Objectives

CEQA Determination: Not a CEQA project

Prepared By: Mark T. Prestwich, City Manager

Recommendation:

Receive and file.

City Manager Mark Prestwich reported on this item.

Bobbi Monnette addressed the City Council.

Regular City Council
December 11, 2018

8.7 *NEW ITEM 12-7-18

Consideration and proposed approval of a resolution 2019-173 approving temporary closure of Adams Street and authorizing possession of open alcoholic beverages on those public streets for the 2019 Inaugural Neighborhood Community Table Event scheduled for May 11, 2019 from approximately 5:00 p.m. to 9:00 p.m.

CEQA Determination: Categorically Exempt, Section 15323

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

Recommendation:

Approve Resolution authorizing temporary closure of Adams Street, east of Library Lane from May 10, 2019 at 6:00 p.m. to May 12, 2019 at 6:00 p.m.

Bobbi Monnette and Marcus Marquez addressed the City Council.

Public Works Director Erica Ahmann Smithies reported on this item.

Vice Mayor Peter White moved to approve item 8.7. The motion was seconded by Mayor Alan Galbraith and on roll call carried by the following vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

9. PUBLIC HEARINGS

9.1 None

10. NEW BUSINESS

10.1 Recognition of Outgoing Mayor Alan Galbraith and Vice Mayor Peter White (A recess in recognition of outgoing Mayor Alan Galbraith and Vice Mayor Peter White was held.)

Mayor Galbraith and Vice Mayor White were recognized for their service to the City of St. Helena.

A break was taken and then City Clerk Cindy Tzaopoulos reconvened the meeting.

10.2 Oath of Office was administered by City Clerk Cindy Tzaopoulos to Mayor-Elect Geoff Ellsworth and Council Member-Elect Anna Chouteau and Council Member Paul Dohring

Regular City Council
December 11, 2018

- 10.3 New Mayor and Council Members were seated
- 10.4 Consideration of the Vice Mayor Nomination Made by the Mayor and Requiring Council Approval

CEQA Determination: Not a CEQA project
Prepared By: Cindy Tzaopoulos, City Clerk
Recommendation:
Mayor nominates Vice Mayor for Council approval.

No public comment was received.

Mayor Geoff Ellsworth moved to appoint Council Member Dohring as Vice Mayor. The motion was seconded by Council Member Mary Koberstein and on roll call carried by the following vote:

AYES: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau and Council Member Mary Koberstein
NOES: None
ABSENT: None
ABSTAIN: None
RECUSE: None

- 10.5 Procedure For Filling Council Vacancy Created By Council Member Ellsworth's Election As Mayor

CEQA Determination: Not a CEQA project
Prepared By: Thomas B. Brown, City Attorney
Recommendation:
Receive the report and provide direction.

City Attorney Thomas Brown reported on this item.

No public comment received.

City Council directed staff to begin the application process for the recruitment of a new Council Member. Candidate interviews and appointment to be conducted during a special City Council meeting on January 8, 2019.

- 10.6 First Reading and Introduction of an Ordinance Authorizing the City Council To Suspend Enforcement of the City's Curfew Ordinance (SHMC Chapter 9.12) By Resolution 2018-175, and Review of Draft Suspension Resolution For Adoption Upon Effective Date of Ordinance

CEQA Determination: Not a CEQA project
Prepared By: Thomas B. Brown, City Attorney

Regular City Council
December 11, 2018

Recommendation:

1. Introduce and conduct the first reading of the ordinance authorizing the City Council to suspend, by resolution, enforcement of the City's Curfew Ordinance, SHMC Chapter 9.12, by title only and waive further reading.
2. Consider, discuss and provide direction for draft resolution suspending the City's enforcement of the Curfew Ordinance.

City Attorney Thomas Brown reported on the item.

Mayor Ellsworth opened public comment.

Citizen addressed the City Council.

Mayor Ellsworth closed public comment.

Vice Mayor Paul Dohring moved to introduce and conduct the first reading of the ordinance authorizing the City Council to suspend, by resolution, enforcement of the City's Curfew Ordinance, SHMC Chapter 9.12, by title only and waive further reading as amended to correct the chapter number in Section 1.

Adopt a resolution 2018-175 suspending the City's enforcement of the Curfew Ordinance for six months. The motion was seconded by Council Member Mary Koberstein and on roll call carried by the following vote:

AYES: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau and Council Member Mary Koberstein

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

10.7 Consideration and Discussion for Camp Wildfire Victim Assistance

Mayor Ellsworth reported on this item.

Mayor Ellsworth opened public comment.

Ann Carr and Pat Dell addressed the City Council.

Mayor Ellsworth closed public comment.

The City Council directed staff to report back and provide an update on this item at the January 8, 2019 regular City Council meeting.

Regular City Council
December 11, 2018

10.8 Provide Direction on Draft Request for Proposals (RFP) Scope of Work for Feasibility Planning/Visioning of City Hall, Library and Recreation Facilities

CEQA Determination: Not a CEQA project

Prepared By: Mark T. Prestwich, City Manager

Recommendation:

Discuss and provide direction to the City Manager.

City Manager Mark Prestwich reported on this item.

Mayor Ellsworth opened public comment.

Glenn Smith, citizen, Jack Stuart, Chris Kreiden and Pat Dell addressed the City Council.

Mayor Ellsworth closed public comment.

Mayor Ellsworth reopened public comment.

Grace Kistner and Jack Stuart addressed the City Council.

The City Council directed staff to limit the scope of work on the Draft RFP, postpone all proposal dates by two weeks to allow more time for proposal submittals, and bring back for Council approval during the first meeting in January.

10.9 *NEW ITEM 12-7-18

Consideration and proposed adoption of a resolution: (1) approving a Professional Services Agreement with BKF for St. Helena Downtown Street Improvements in an amount not to exceed \$529,000 and authorizing the City Manager to execute the agreement; (2) authorizing the City Manager to execute all grant related documents pertaining to CIP Project R18-81; and (3) authorizing a budget increase of \$234,000 to design in CIP Project R18-81 in FY 2019/20 with funding allocated from FY 2019/20 SB1 and Gas Tax funds.

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

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

Recommendation:

Staff recommends City Council adopt a resolution: (1) approving a Professional Services Agreement with BKF for St. Helena Downtown Street Improvements in an amount not to exceed \$529,000 and authorizing the City Manager to execute the agreement; (2) authorizing the City Manager to execute all grant related documents pertaining to CIP R18-81; and (3) authorizing a budget

Regular City Council
December 11, 2018

increase of \$234,000 to design in CIP Project R18-81 in FY 2019/20 with funding allocated from FY 2019/20 SB1 and Gas Tax funds.

City Manager Mark Prestwich reported on this item.

Mayor Ellsworth opened public comment.

Wayne Armstrong addressed the City Council.

Mayor Ellsworth closed public comment.

Vice Mayor Paul Dohring moved to approve staff recommendation. The motion was seconded by Council Member Mary Koberstein and on roll call carried by the following vote:

AYES: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau and Council Member Mary Koberstein

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

- 10.10 Authorization Of The City Council To Review Otherwise Confidential Customer Water Usage Data For Purpose of Verifying Compliance With Water Use Agreements or Conditions of Project Approval By:

- (1) Introduce and Conduct the First Reading of the Ordinance Adding Sections 13.04.215 and 13.12.120 To The St. Helena Municipal Code ("SHMC");
- (2) Direction To The Planning Commission To Review The Proposed Amendment Of SHMC Section 17.08.060; and
- (3) Adoption of Draft Resolution Designating City Council Subcommittee To Review Water Customers' Usage Data, Effective Upon Effective Date of Ordinance

CEQA Determination: Not a CEQA project

Prepared By: Thomas B. Brown, City Attorney

Recommendation:

1. Introduce and conduct the first reading of the ordinance (**Attachment 2**) authorizing the City Council to access otherwise confidential water customer water usage data for the purpose of verifying customer compliance with water use agreements and water neutrality requirements by title only and waive further reading.
2. Consider, discuss and approve or provide other direction for the draft resolution (**Attachment 3**), which would be effective upon the effective date of the ordinance (**Attachment 2**), implementing the new ordinance by creating Council working group to access otherwise confidential

Regular City Council
December 11, 2018

water customer water usage data for the purpose of verifying customer compliance with water use agreements and conditions imposed or representations made during the land use approval process.

3. Direct Planning Commission to consider and make a recommendation concerning the draft ordinance amending the Zoning Ordinance, SHMC section 17.08.060.

City Attorney Thomas Brown reported on this item.

No public comment received.

Council Member Mary Koberstein moved to approve staff recommendation. The motion was seconded by Vice Mayor Paul Dohring and on roll call carried by the following vote:

AYES: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau and Council Member Mary Koberstein
NOES: None
ABSENT: None
ABSTAIN: None
RECUSE: None

- 10.11 Consideration of Refunding the City of St. Helena's 2005B Wastewater and 2006A Water Bonds

CEQA Determination: Not a CEQA project
Prepared By: April Mitts, Finance Director
Recommendation:
Discuss and provide direction to the City Manager.

Finance Director April Mitts reported on this item.

No public comment received.

The City Council directed staff to proceed with refunding of the 2005B Wastewater and 2006A Water Bonds.

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

11.1

January City Council Meetings:	
1/8 (staff reports due 12/21)	
1/22 (staff reports due 1/4)	
1/22 Special Joint CC/PC Fair Housing	
PH or NEW BUSINESS:	
1/8 Council appointments – Admin	

Regular City Council
December 11, 2018

1/8 City Council meeting calendar – Admin
1/8 Public Works Reorganization
1/8 Fire Department Informational Update
1/8 Draft Truck Ordinance Safety Exception Waiver Process
1/8 Dash Data Contract Amendment – Admin
1/22 CAFR - Fin
1/22 Mid-Year Qtrly Finance Report
1/22 Qtrly Grant Report
1/8 Social Host Ordinance

12. ADJOURNMENT

Mayor Ellsworth adjourned the meeting at 9:28 p.m.

The regular City Council meeting minutes of December 11, 2018 was adopted at the regular City Council meeting of April 9, 2019.

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzaopoulos, City Clerk

MINUTES
City of St. Helena
Special City Council Meeting
Tuesday, January 8, 2019 @ 4:00 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 Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Mary Koberstein, and Council Member Anna Chouteau

Absent:

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT:

Loraine Stuart, Libby Shafer, Jay Green and Vicki Bradshaw addressed the City Council.

4. NEW BUSINESS:

4.1 The City Council will interview applicants to fill the City Council vacancy.

The City Council conducted interviews with City Council applicants which included Erica Roetman Sklar, David Knudsen and Lester Hardy.

5. ADJOURNMENT

Mayor Ellsworth adjourned the meeting at 4:45 p.m.

The special City Council meeting minutes of January 8, 2019 was adopted at the regular City Council meeting of April 9, 2019.

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzafopoulos, City Clerk

MINUTES
City of St. Helena
Regular City Council Meeting
Tuesday, January 8, 2019 @ 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 Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau, and Council Member Mary Koberstein

Absent:

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **PUBLIC FORUM:**
No public comment was received.
5. **REPORTS BY STAFF AND CITY COUNCIL, FUTURE AGENDA ITEMS, and AB 1234 REPORTS:**

City Attorney Thomas Brown noted that there was no reportable action taken at the January 8, 2019 closed session.

Public Works Director Eric Ahmann Smithies provided an Oak Avenue storm drain repair update.

After the conclusion of Section 5. REPORTS BY STAFF AND CITY COUNCIL the City Council heard the following items:

- 10. NEW BUSINESS, Item 10.1; and
- 4. PUBLIC FORUM

out of order prior to section 6. PRESENTATIONS AND PUBLIC RECOGNITIONS:

10. NEW BUSINESS

- 10.1 Consideration and Proposed Approval of a Resolution for the City Council Appointment of an Applicant to Fill the Vacancy Left by the November 6, 2018 General Municipal Election when Council Member Ellsworth was Elected to the Office of

Regular City Council
January 8, 2019

Mayor, and direct the City Clerk to administer the Oath of Office to the New Council Member (~~Staff Report Forthcoming~~) Provided 1/4/19

CEQA Determination: Not a CEQA project

Prepared By: Cindy Tzaopoulos, City Clerk

Recommendation:

Nominate an applicant for approval by the majority of Council. Direct the City Clerk to administer the oath of office.

No public comment was received.

Council Member Mary Koberstein moved to appoint David Knudsen to fill the vacancy left by the November 6, 2018 General Municipal Election when Council Member Ellsworth was elected to the Office of Mayor, and directed the City Clerk to administer the Oath of Office to New Council Member Knudsen. The motion was seconded by Vice Mayor Paul Dohring and on roll call carries by the following vote:

AYES: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau and Council Member Mary Koberstein

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

Mayor Ellsworth called for a break.

Council Member Knudsen was seated at the dais and Mayor Ellsworth reconvened the meeting at 6:42 pm.

4. PUBLIC FORUM:

Mayor Geoff Ellsworth reopened public forum.

Deputy County Executive Officer Molly Rattigan, Planning, Building & Environmental Services Director David Morrison and Bobbi Monnette addressed the City Council.

6. PRESENTATIONS AND PUBLIC RECOGNITIONS

6.1 *NEW ITEM ADDED 1/4/19

Dr. Martin Luther King, Jr. Proclamation presented to Rev. Susan Napoliello, member of the Napa County MLK Steering Committee

7. STAFF BRIEFING

7.1 None

Regular City Council
January 8, 2019

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 approval of a Resolution 2019-1 acknowledging the retro-fitting of Water Tender 17, from the St. Helena City Fire Department Association with a total value of \$149,000

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

Recommendation:

Staff recommends City Council approve a Resolution acknowledging the St. Helena Fire Department Association for recently retro-fitting Water Tender 17 for a total value of \$149,000.

- 8.2 Consideration of approval of a Resolution 2019-2 approving a Professional Services Agreement with Del Rio Advisors, LLC in an amount not-to-exceed \$28,250 for Municipal Advisor services in connection to refunding the 2005B and 2006A Water and Wastewater Bonds.

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

Recommendation:

Staff recommends City Council approve a Professional Services Agreement with Del Rio Advisors, LLC in an amount not-to-exceed \$28,250 for Municipal Advisor services in connection to refunding the 2005B and 2006A Water and Wastewater Bonds.

- 8.3 Consideration and proposed adoption of a resolution 2019-3 approving a Professional Services Agreement with Green Valley Consulting Engineers for the R19-79 Pavement Restoration Project in an amount not to exceed \$90,000 and authorizing the City Manager to execute the agreement.

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

Prepared By: Edrees Argand, Junior Assistant Engineer

Recommendation:

Staff recommends City Council adopt a Resolution approving a Professional Services Agreement with Green Valley Consulting Engineers for the R19-79 Pavement Restoration Project in an amount not to exceed \$90,000 and authorizing the City Manager to execute the agreement.

- 8.4 Consideration and proposed approval of a resolution 2019-4 (1) approving Amendment #1 to STH Contract: FY2019-013 with Dash Data, Inc for document imaging and quality control services for an additional \$60,000 for a total not to exceed amount of \$130,000 and (2) approving a budget increase of

Regular City Council
January 8, 2019

\$39,000 to 101-4210-2145 for the completion of the document imaging project.

CEQA Determination: Not a CEQA project
Prepared By: Cindy Tzaopoulos, City Clerk
Recommendation:

Staff recommends City Council approve the resolution (1) approving Amendment #1 to STH Contract: FY2019-013 with Dash Data, Inc for document imaging and quality control services for an additional \$60,000 for a total not to exceed amount of \$130,000 and (2) approving a budget increase of \$39,000 to 101-4210-2145 for the completion of the document imaging project.

- 8.5 Consideration and proposed approval of a resolution 2019-5 approving a five-year agreement with EBSCO Stacks for the updating and ongoing maintenance of the St. Helena Public Library's website in the amount of \$5,000.00 for the first year with an increase of 3% in years two through five for a total not-to-exceed amount of \$26,546.00 with an option to extend the agreement an additional two years bringing the not-to-exceed amount to \$38,312.31.

CEQA Determination: Not a CEQA project
Prepared By: Chris Kreiden, Library Director
Recommendation:

Staff recommends City Council approve a resolution approving a five-year agreement with EBSCO Stacks for the updating and ongoing maintenance of the St. Helena Public Library's website in the amount of \$5,000.00 for the first year with an increase of 3% in years two through five for a total not-to-exceed amount of \$26,546.00 with an option to extend the agreement an additional two years bringing the not-to-exceed amount to \$38,312.31.

Council Member Mary Koberstein moved to approve items 8.1 through 8.5. The motion was seconded by Council Member Anna Chouteau and on roll call carried by the following vote:

AYES: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau Council, Member David Knudsen and Council Member Mary Koberstein

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

Item 8.6 was removed from Consent.

- 8.6 Consideration and proposed approval of a Second Reading of the Ordinance 2019-1 Adding Sections 13.04.215 and 13.12.120 To The St. Helena Municipal Code ("SHMC")

Regular City Council
January 8, 2019

Item 8.7 was removed from Consent.

- 8.7 ~~Consideration and Proposed resolution 2019-6 (1) accepting the Cycle 9 Highway Safety Improvement Program Grant; (2) amending the Fiscal Year 2018-2019 adopted Capital Improvement Program Budget to include R19-07, Silverado Trail Guardrail Replacement Project; (3) authorizing a budget of \$556,100 for R19-07; and (4) authorizing the City Manager to execute all grant related documents pertaining to CIP Project R19-07~~
- 8.6 Consideration and proposed approval of a Second Reading of the Ordinance 2019-1 Adding Sections 13.04.215 and 13.12.120 To The St. Helena Municipal Code ("SHMC")

CEQA Determination: Not a CEQA project

Prepared By: Thomas B. Brown, City Attorney

Recommendation:

Approve Second Reading of the Ordinance Adding Sections 13.04.215 and 13.12.120 To The St. Helena Municipal Code ("SHMC") by title only and waive further reading.

Council Member Chouteau recused herself due to a financial conflict and left the meeting room.

City Attorney Thomas Brown reported on this item.

Lester Hardy, Anthony Micheli and Tom Belt addressed the City Council.

It was the consensus of the City Council for two Council Members, Mayor Ellsworth and Vice Mayor Dohring to meet with the City Manager to review this item and bring this item back for consideration at a later date.

Council Member Chouteau returned to the meeting room and was seated at the dais.

- 8.7 Consideration and Proposed resolution 2019-6 (1) accepting the Cycle 9 Highway Safety Improvement Program Grant; (2) amending the Fiscal Year 2018-2019 adopted Capital Improvement Program Budget to include R19-07, Silverado Trail Guardrail Replacement Project; (3) authorizing a budget of \$556,100 for R19-07; and (4) authorizing the City Manager to execute all grant related documents pertaining to CIP Project R19-07

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

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

Recommendation:

Consideration and Proposed resolution (1) accepting the Cycle 9 Highway Safety Improvement Program Grant; (2) amending the Fiscal Year 2018-2019 adopted Capital Improvement Program Budget to include R19-07, Silverado

Regular City Council
January 8, 2019

Trail Guardrail Replacement Project; (3) authorizing a budget of \$556,100 for R19-07; and (4) authorizing the City Manager to execute all grant related documents pertaining to CIP Project R19-07.

No public comment was received.

Council Member Mary Koberstein moved to approve items 8.7. The motion was seconded by Vice Mayor Dohring and on roll call carried by the following vote:

AYES: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau, Council Member David Knudsen and Council Member Mary Koberstein

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

9. PUBLIC HEARINGS

9.1 None

10. NEW BUSINESS

10.1 Item 10.1 was heard after Section 5.

~~Consideration and Proposed Approval of a Resolution for the City Council Appointment of an Applicant to Fill the Vacancy Left by the November 6, 2018 General Municipal Election when Council Member Ellsworth was Elected to the Office of Mayor, and direct the City Clerk to administer the Oath of Office to the New Council Member (Staff Report Forthcoming) Provided 1/4/19~~

10.2 Referendum Petition Pertaining to Ordinance 2018-9 (Mobile Home Rent Stabilization Ordinance)

CEQA Determination: Not a CEQA project

Prepared By: Mark T. Prestwich, City Manager

Recommendation:

1. Introduce an ordinance repealing Ordinance 2018-9 (Mobile Home Rent Stabilization); or
2. Direct staff to draft a resolution placing the ordinance on the November 2020 General Election ballot or a Special Election; or
3. Refer to staff for additional information

City Attorney Thomas Brown reported on this item.

It was the consensus of the City Council to direct staff to provide additional information at a future meeting.

Regular City Council
January 8, 2019

- 10.3 Low Income Water and Wastewater Subsidy rate calculation correction for affected Vineyard Valley residents and consideration of approval of a Resolution 2019-8 waiving the refunding of \$7,585.18 in subsidy discounts over-paid to affected Vineyard Valley residents

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

Recommendation:

Provide direction to City staff. If Option 1 is selected a Resolution has been provided for adoption by City Council.

City Manager Mark Prestwich reported on this item.

No public comment was received.

Council Member Anna Chouteau moved to adopt option 1. The motion was seconded by Council Member Mary Koberstein and on roll call carried by the following vote:

AYES: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau, Member David Knudsen and Council Member Mary Koberstein

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

- 10.4 Consideration of an Amendment to the St. Helena Social Host Accountability Ordinance To Broaden The Ordinance's Applicability To Cannabis and Other Controlled and Intoxicating Substances In Addition To Alcohol

CEQA Determination: Not a CEQA project

Prepared By: Timothy A. Foley, Chief of Police

Recommendation:

Discuss and provide direction to the City Manager.

City Manager Mark Prestwich reported on this item.

UpValley Partnership for Youth Program Coordinator Regina Penna, UpValley Finance and Operations Director Norma Ferriz and Vivian Purcher addressed the City Council.

It was the consensus of the City Council to direct staff to agendize this item at a later date for action.

- 10.5 Discussion and Direction Regarding Upper Valley Waste Management Agency

Regular City Council
January 8, 2019

Joint Powers Authority (JPA) Excess Funds

CEQA Determination: Not a CEQA project
Prepared By: Mark T. Prestwich, City Manager
Recommendation:
Discuss and provide direction

Council Member Koberstein is a Board Member on the Upper Valley Waste Management Agency and reported on this item.

No public comment was received.

It was the consensus of the City Council to recommend to split the excess funds equally between all jurisdictions. Council Member Koberstein will report back to the City Council once the Agency has made a determination on how the excess funds will be used.

10.6 2019 City Council assignments to various City and Napa County Committees, Boards and Commissions

CEQA Determination: Not a CEQA project
Prepared By: Cindy Tzaopoulos, City Clerk
Recommendation:

1. Affirm or recommend City Council Liaisons to each committee:

- a. Active Transportation/Sustainability Committee
- b. Board of Library Trustees
- c. Parks and Recreation Commission

2. Affirm or recommend appointment to various City/County collaborative agency committees:

- a. One Alternate - City/SHUSD/Chamber/NVC (Monrovia)
- b. One Primary/One Alternate - Association of Bay Area Governments (ABAG) General Assembly
- c. One Primary - Napa Valley Tourism Corporation/ St. Helena Tourism Improvement District (SHTID)
- d. One Alternate - Napa County City Selection Committee Alternate

3. Make recommendation to the Napa County Board of Supervisors to affirm or recommend new member:

- a. One Alternate - Napa County Flood Control and Water Conservation District
- b. One Primary - Napa County Gang & Youth Violence Commission
- c. One Primary and One Alternate - Napa Valley Transportation Authority (NVTa)
- d. One Primary and One Alternate - Napa County Watershed Information Center & Conservancy (WICC)

Regular City Council
January 8, 2019

e. One Primary and One Alternate - Upper Valley Waste Management Board

No public comment was received.

It was the consensus of the City Council to affirm the following City Council Liaisons to each City committee:

- a. Council Member Ellsworth - Active Transportation/Sustainability Committee
- b. Council Member Chouteau - Board of Library Trustees
- c. Council Member Knudsen - Parks and Recreation Commission

It was the consensus of the City Council to affirm the following appointments to various City/County collaborative agency committees:

- a. Vice Mayor Dohring - City/SHUSD/Chamber/NVC (Monrovia)
- b. Vice Mayor Dohring Primary and Council Member Knudsen Alternate - Association of Bay Area Governments (ABAG) General Assembly
- c. Council Member Chouteau - Napa Valley Tourism Corporation/ St. Helena Tourism Improvement District (SHTID)
- d. Vice Mayor Dohring - Napa County City Selection Committee Alternate

It was the consensus of the City Council to recommend the following appointments to the Napa County Board of Supervisors:

- a. Vice Mayor Dohring Primary - Napa County Flood Control and Water Conservation District
- b. Council Member Dohring - Youth Opportunities Commission
- c. Vice Mayor Dohring Primary and Council Member Chouteau Alternate - Napa Valley Transportation Authority (NVTa)
- d. Mayor Ellsworth Primary and Council Member Koberstein Alternate - Napa County Watershed Information Center & Conservancy (WICC)
- e. Council Member Koberstein Primary and Council Member Ellsworth Alternate - Upper Valley Waste Management Board

Mayor Geoff Ellsworth moved to adopt the 2019 City Council assignments to various City and Napa County Committees, Boards and Commissions. The motion was seconded by Vice Mayor Paul Dohring and on roll call carried by the following vote:

AYES: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau, Member David Knudsen and Council Member Mary Koberstein

NOES: None

Regular City Council
January 8, 2019

ABSENT: None
ABSTAIN: None
RECUSE: None

- 10.7 Meeting Calendar Discussion
Prepared By: Mark T. Prestwich, City Manager

City Manager Mark Prestwich reported on this item.

No public comment was received.

It was the consensus of the City Council to cancel the July 9, 2019 and December 24, 2019 regular City Council meetings.

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

11.1	January City Council Meetings:
	1/22 Joint CC/PC Fair Housing Mtg 4pm
	1/22 (staff reports due 1/4)
	<i>PROCLAMATIONS AND PUBLIC RECOGNITION:</i>
	Informational County presentation on new laws related to vaping and tobacco use
	<i>CONSENT:</i>
	<i>PH or NEW BUSINESS:</i>
	1/22 Public Works Reorganization
	1/22 Draft Truck Ordinance Safety Exception Waiver Process
	1/22 Fire Department Informational Update
	1/22 CAFR - Fin
	1/22 Mid-Year Qtrly Finance Report
	1/22 Qtrly Grant Report
	MTC Update from Supervisor Pedroza
	PG&E Mitchell Drive Reimbursement and First Right of Refusal

12. ADJOURNMENT

Mayor Ellsworth adjourned the meeting at 8:50 p.m.

The regular City Council meeting minutes of January 8, 2019 was adopted at the regular City Council meeting of April 9, 2019.

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzafopoulos, City Clerk

Regular City Council
January 8, 2019

MINUTES
City of St. Helena
Special Joint City Council and Planning
Commission Meeting Meeting
Tuesday, January 22, 2019 @ 4:00 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 Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau, Council Member David Knudsen, and Council Member Mary Koberstein

Absent:

1 CALL TO ORDER

2 PLEDGE OF ALLEGIANCE

3 ROLL CALL

Mayor: Geoff Ellsworth, Vice Mayor: Paul Dohring, City Council Members: Anna Chouteau, David Knudsen and Mary Koberstein

Chairperson: Lester Hardy, Commissioners: Daniel Hale, Bobbi Monnette and John Ponte

4 PUBLIC FORUM:

No public comment was received.

5 NEW BUSINESS

- a) Fair Housing Napa Valley presentation and an interactive discussion

Fair Housing Napa Valley Executive Director Pablo Zatarain provided an interactive presentation. Mr. Zatarain highlighted housing trends within Napa County with an emphasis on opportunities and solutions.

6 ADJOURNMENT

The Special Joint City Council and Planning Commission meeting minutes were adopted at the Regular City Council meeting of April 9, 2019.

Special Joint City Council and Planning Commission Meeting
January 22, 2019

The meeting adjourned at 4:52 p.m.

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzaopoulos, City Clerk

MINUTES
City of St. Helena
Regular City Council Meeting
Tuesday, January 22, 2019 @ 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 Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau, and Council Member Mary Koberstein

Absent:

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. PUBLIC FORUM:

Mike Tackett requested the City Council agendaize a discussion regarding watershed protection. Mayor Geoff Ellsworth and Council Member Mary Koberstein directed staff to agendaize the discussion at a later date.

Elaine de Man addressed the City Council.

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

Public Works Director Erica Ahmann Smithies provided a Bell Canyon update.

Council Member Chouteau reported on her recent attendance to the League of California Cities New Mayors and Council Members Academy.

City Attorney Thomas Brown noted that there was no reportable action at the January 14, 2019 and January 22, 2019 closed session.

6. PRESENTATIONS AND PUBLIC RECOGNITIONS

6.1 *AMENDED 1-18-19

Recognition of Jingle All the Way Part Time Employees and Planning Committee

6.2 Metropolitan Transportation Commission (MTC) Update by Napa County Supervisor Alfredo Pedroza

Regular City Council
January 22, 2019

- 6.3 Tobacco Products and Vaping Presentation by Jessica Chapin, Supervising Staff Services Analyst, Chronic Disease and Health Equity Unit, Napa County Health and Human Services Agency, Public Health Division

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 of approval of a Resolution 2019-9 approving a Professional Services Agreement with Jones Hall, a Professional Law Corporation in an amount not-to-exceed \$36,200 for Bond Counsel services in connection to refunding the 2005B and 2006A Water and Wastewater Bonds.

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

Recommendation:

Staff recommends City Council approve a Professional Services Agreement with Jones Hall, a Professional Law Corporation in an amount not-to-exceed \$36,200 for Bond Counsel services in connection to refunding the 2005B and 2006A Water and Wastewater Bonds.

Council Member Mary Koberstein moved to approve items 8.1. The motion was seconded by Council Member Anna Chouteau and on roll call carried by the following vote:

AYES: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau, Council Member David Knudsen and Council Member Mary Koberstein

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

Vice Mayor Paul Dohring noted he is recusing from item 8.2.

- 8.2 Consideration of a resolution 2019-10 approving an increase in the food and beverage establishment cap to facilitate the Planning Commissions' approval of a Use Permit to allow the operation of a 30-seat wine bar at 1299 Main St, Suite A in the Central Business Zoning District.

CEQA Determination: The City Council hereby finds that the project is exempt

Regular City Council
January 22, 2019

from the requirements of CEQA pursuant to Section 15301 which exempts the maintenance and minor alteration of existing facilities and 15303 which exempts the construction of limited numbers of new, small structures and equipment.

Prepared By: Noah Housh, Planning & Community Improvement Director
Recommendation:

It is recommended by the Planning Commission and the Department of Planning and Community Improvement, that the City Council adopt a resolution to approve the proposed increase in the number of food and beverage establishments and allow the operation of a new 30-seat wine bar at 1299 Main Street, Suite A in the Central Business Zoning District.

Council Member Mary Koberstein moved to approve 8.2. The motion was seconded by Council Member Anna Chouteau and on roll call carried by the following vote:

AYES: Mayor Geoff Ellsworth, Council Member Anna Chouteau, Council Member David Knudsen and Council Member Mary Koberstein

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: Vice Mayor Paul Dohring

9. PUBLIC HEARINGS

9.1 None

10. NEW BUSINESS

- 10.1 Consideration of a Resolution Supporting a Community Fundraising Effort to Purchase and Deliver One or More Recreational Vehicles to Assist with Temporary Shelter for Butte County Families in Need (~~Staff report is forthcoming~~ Provided 1-18-19)

CEQA Determination: Not a CEQA project

Prepared By: Mark T. Prestwich, City Manager

Recommendation:

Adopt Resolution supporting a community fundraising effort to purchase and deliver one or more recreational vehicles to assist with temporary shelter for Butte County families in need.

City Manager Mark Prestwich reported on this item.

Pat Dell addressed the City Council.

It was the consensus of the City Council to support the community efforts to

Regular City Council
January 22, 2019

purchase a recreational vehicle to assist Butte County families in need. No motion was made to adopt the resolution and it will be agendaized at a later date for adoption.

- 10.2 City Council direction regarding request for a leak adjustment for Pizzeria Tra Vigne and City Council direction to revise Leak Adjustment Policy P-FI-0005.

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

Recommendation:

Staff is seeking City Council direction on the following:

1. Does the City Council desire to grant a water and/or wastewater leak adjustment to Pizzeria Tra Vigne? If yes, under which method?
 - Grant the request for 1 cycle (current policy) or 2 cycles as requested?
 - Grant the request for water only (current policy) or water and wastewater as requested?
 - Grant the request for 50% of excess (current residential policy), 100% of the excess as requested, or another amount?
2. Does the City Council desire to extend the leak adjustment policy to commercial properties or prefer to make these decisions on a case-by-case basis?
3. Does the City Council desire to revise any other components of the current leak adjustment policy?

City Manager Mark Prestwich reported on this item.

Pizzeria Tra Vigne owner Nash Cognetti addressed the City Council.

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

It was the consensus of the City Council to direct staff to bring back a business and commercial properties leak adjustment policy for consideration.

- 10.3 Quarterly Grant Report for FY 2019 Q2, for the period ending December 31, 2018

CEQA Determination: Not a CEQA project

Prepared By: Mandy Kellogg, Admin Services Mgr

Recommendation:

Receive and file report.

Administrative Services Manager Mandy Kellogg reported on this item.

No public was received.

Regular City Council
January 22, 2019

Item 10.7 was heard after item 10.3.

- 10.7 First Reading and Introduction of an Ordinance to Broaden the City's Social Host Accountability Ordinance's Applicability to Cannabis and Other Controlled and Intoxicating Substances in Addition to Alcohol (SHMC Chapter 9.08)

CEQA Determination: Not a CEQA project

Prepared By: Timothy A. Foley, Chief of Police

Recommendation:

Introduce and conduct First Reading of an Ordinance Broadening the City's Social Host Accountability Ordinance's Applicability to Cannabis and Other Controlled and Intoxicating Substances in Addition to Alcohol, SHMC Chapter 9.08, by title only and waive further reading.

City Manager Mark Prestwich reported on this item.

Bobbi Monnette and Regina Penna addressed the City Council.

Vice Mayor Paul Dohring moved to adopt staff's recommendation. The motion was seconded by Council Member Mary Koberstein and on roll call carried by the following vote:

AYES: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau, and Council Member Mary Koberstein

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

- 10.4 Fiscal Year 2018/19 2nd Quarter Finance Report and Proposed Consideration of Resolution 2019-11 Approving Mid-Year Budget Adjustments for FY 2018/19

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

Recommendation:

Staff recommends the City Council approve a Resolution Approving Mid-Year Budget Adjustments for FY 2018/19.

Finance Director April Mitts reported on this item.

Mark Smithers addressed the City Council.

Council Member Anna Chouteau moved to approve staff's recommendation. The motion was seconded by Council Member Mary Koberstein and on roll call carried by the following vote:

Regular City Council
January 22, 2019

AYES: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau, and Council Member Mary Koberstein
NOES: None
ABSENT: None
ABSTAIN: None
RECUSE: None

- 10.5 Presentation of the Fiscal Year 2018 Comprehensive Annual Financial Report (CAFR) and Independent Auditor's Report on Internal Control Over Financial Reporting

CEQA Determination: Not a CEQA project
Prepared By: Mandy Kellogg, Admin Services Mgr
Recommendation:
Staff recommends the City Council receive the presentation and accept the Comprehensive Annual Financial Report of the City of St. Helena for Fiscal Year Ended June 30, 2018.

Administrative Services Manager Mandy Kellogg reported on this item.

No public comment was received.

- 10.6 Provide Direction on Draft Request for Proposals (RFP) Scope of Work for Feasibility Planning/Visioning of City Hall, Library and Recreation Facilities

CEQA Determination: Not a CEQA project
Prepared By: Mark T. Prestwich, City Manager
Recommendation:
Discuss and provide direction to the City Manager.

Mark Smithers and Oliver Caldwell addressed the City Council.

The City Council provided direction to City Manager Mark Prestwich.

- 10.7 Item 10.7 was heard after item 10.3

~~First Reading and Introduction of an Ordinance to Broaden the City's Social Host Accountability Ordinance's Applicability to Cannabis and Other Controlled and Intoxicating Substances in Addition to Alcohol (SHMC Chapter 9.08)~~

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

- 11.1 **February City Council Meetings:**

2/12 (staff reports due 1/25)

2/26 (staff reports due 2/8)

CONSENT:

Regular City Council
January 22, 2019

Award of Bid of downtown restroom
Argonaut NOC
Lyman Bathroom NOC
Upper York Creek Dam EIR Addendum
<i>PH or NEW BUSINESS:</i>
2/12 Draft Truck Ordinance Safety Exception Waiver Process
Public Works Reorganization
Traffic Calming and Safety Improvements
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.
Public Works Re-Org
ATSC Work Plan
P&R Work Plan

12. ADJOURNMENT

Mayor Ellsworth adjourned the meeting at 9:32 p.m.

The regular meeting minutes of January 22, 2019 was approved at the April 9, 2019 regular City Council meeting.

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzafopoulos, City Clerk

MINUTES
City of St. Helena
Special City Council Meeting
Monday, February 4, 2019 @ 1:00 PM
St. Helena Fire Department, 1480 Main, St. Helena
465 Main Street, St. Helena

Present: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau, Council Member David Knudsen, and Council Member Mary Koberstein

Absent: None

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. PUBLIC COMMENT:

Eric Sklar, Bonnie Thoreen, Erica Sklar and Mary Stephenson addressed the City Council.

5. Recap of January 31, 2019 City Council Workshop

Facilitator Rod Gould provided a recap and of the January 31, 2019 City Council workshop.

6. Overview of goal setting session

Facilitator Rod Gould and City Manager Mark Prestwich provided an overview of the goal setting session.

Mayor Ellsworth called for a break at 2:40 pm.

Mayor Ellsworth reconvened the meeting at 2:50 pm.

7. Review of the City's vision and mission statement

The City Council reviewed the current vision and mission statement and made no changes.

8. ESTABLISH CITYWIDE GOALS AND OBJECTIVES

Special City Council
February 4, 2019

The City Council provided direction to staff.

9. ADJOURNMENT

Mayor Ellsworth adjourned the meeting at 4:05 p.m.

The special meeting minutes of February 4, 2019 was adopted at the April 9, 2019 regular City Council meeting.

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzaopoulos, City Clerk

MINUTES
City of St. Helena
Special City Council Meeting
Wednesday, February 6, 2019 @ 2:00 PM
St. Helena Fire Department, 1480 Main, St. Helena
465 Main Street, St. Helena

Present: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau, Council Member David Knudsen, and Council Member Mary Koberstein

Absent:

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **PUBLIC COMMENT:**

Public comment was taken during the presentations.

5. NEW BUSINESS

5.1 Update on City Projects / Issues:

- Report on Hotel Market Analysis (Ken Hira, President, Kosmont Companies)
- York Creek Dam Removal
- Downtown Streetscape Project
- Wastewater Treatment Facility Phase 1 Upgrades
- 2019 Paving Projects
- Hunt Avenue Sidewalk Gap Closure
- Pratt Avenue/Main Striping
- Downtown Restrooms
- Integrated Utility Master Plan
- General Plan
- Farmstead at Long Meadow Ranch Hotel
- Hunter Subdivision
- Design Guidelines
- Review of Planning Projects and Department Staffing Update
- Compensation and Classification Study
- Update to Employee Handbook
- Public Works Reorganization Plan
- Assistant to the City Manager Position
- Fire Department Operations

Special City Council
February 6, 2019

City Manager Mark Prestwich, Public Works Director Erica Ahmann Smithies and Planning Director Noah Housh provided updates.

Mark Smithers, Evelyn Goelz, Vicki Bradshaw and Ann Nevero addressed the City Council.

6. ADJOURNMENT

Mayor Ellsworth adjourned the meeting at 4:36 p.m.

The special City Council meeting minutes of February 6, 2019 was adopted at the regular City Council meeting of April 9, 2019.

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzaopoulos, City Clerk

MINUTES
City of St. Helena
Special City Council Meeting
Tuesday, February 12, 2019 @ 5:00 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 Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau, Council Member David Knudsen, and Council Member Mary Koberstein

Absent:

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **PUBLIC COMMENT:**

No public comment was received.

5. **Planning Commission and Active Transportation & Sustainability Applicant Interviews**

5.1 The City Council will interview the following Applicants:

Planning Commission

Two applications were received from Autumn Anderson and Richard Walloch for one available term expiring June 30, 2020.

Active Transportation & Sustainability Committee

Two applications were received from Denise Henquet Sprengers and Erin Dempsey to fill a term of office expiring June 30, 2020 and two alternate positions expiring on June 30, 2019 and June 30, 2020.

The Mayor and City Council interviewed Planning Commission applicants Autumn Anderson and Richard Walloch.

Special City Council
February 12, 2019

No applicants for the Active Transportation & Sustainability Committee were present.

6. ADJOURNMENT

Mayor Ellsworth adjourned the meeting at 5:38 p.m.

The February 12, 2019 special City Council meeting minutes were adopted at the April 9, 2019 regular City Council meeting.

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzaopoulos, City Clerk

MINUTES
City of St. Helena
Regular City Council Meeting
Tuesday, February 12, 2019 @ 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 Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau, Council Member David Knudsen, and Council Member Mary Koberstein

Absent:

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. PUBLIC FORUM:**

Sue Clark addressed the City Council.

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

City Manager Mark Prestwich announced that the RFP for the Architectural Feasibility Planning/Visioning for Library, City Hall, and Recreation Facilities was issued on Wednesday, February 6, 2019.

Finance Director April Mitts noted the Comprehensive Annual Financial Report (CAFR) and Popular Annual Financial Report (PAFR) are nearly finalized to be presented to the City Council at a future meeting.

Planning Director Noah Housh provided a General Plan and EIR update.

- 6. PRESENTATIONS AND PUBLIC RECOGNITIONS**
 - 6.1 None
- 7. STAFF BRIEFING**
 - 7.1 None

Regular City Council
February 12, 2019

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 of a resolution 2019-12 approving Revision #1 to City Council Policy P-FI-0016 Financial Policy to ensure compliance with Senate Bill 1029 for Debt Issuance and repealing and rescinding any previous policies or administrative memoranda which are inconsistent with City Council Policy P-FI-0016 Financial Policy, Revision #1.

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

Recommendation:

Staff recommends City Council adopt a Resolution approving Revision #1 to City Council Policy P-FI-0016 Financial Policy to ensure compliance with Senate Bill 1029 for Debt Issuance and repealing and rescinding any previous policies or administrative memoranda which are inconsistent with City Council Policy P-FI-0016, Revision #1.

- 8.2 *NEW ITEM 2/8/19

Recommendation to the Napa County Board of Supervisors that St. Helena resident Jeannie Kerr be reappointed to the Napa County Local Food Advisory Council

CEQA Determination: Not a CEQA project

Prepared By: Cindy Tzaferopoulos, City Clerk

Recommendation:

It is appropriate for the Mayor and Council to review the application (will be provided prior to the meeting) and recommend the applicant to the Napa County Board of Supervisors.

- 8.3 Second Reading and Adoption of an Ordinance 2019-2 to Broaden the City's Social Host Accountability Ordinance's Applicability to Cannabis and Other Controlled and Intoxicating Substances in Addition to Alcohol (SHMC Chapter 9.08)

CEQA Determination: Not a CEQA project

Prepared By: Timothy A. Foley, Chief of Police

Recommendation:

Conduct the Second Reading and Adopt an Ordinance Broadening the City's Social Host Accountability Ordinance's Applicability to Cannabis and Other Controlled and Intoxicating Substances in Addition to Alcohol, SHMC Chapter 9.08, by title only and waive further reading.

Vice Mayor Paul Dohring moved to adopt items 8.1 through 8.3. The motion

Regular City Council
February 12, 2019

was seconded by Council Member Anna Chouteau and on roll call carried by the following vote:

AYES: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau, Council Member David Knudsen, and Council Member Mary Koberstein

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

Item 8.4 was pulled from Consent.

8.4

~~Consideration of a Resolution 2019-13 Supporting a Community Fundraising Effort to Purchase and Deliver One or More Recreational Vehicles to Assist with Temporary Shelter for Butte County Families in Need~~

8.4

Consideration of a Resolution 2019-13 Supporting a Community Fundraising Effort to Purchase and Deliver One or More Recreational Vehicles to Assist with Temporary Shelter for Butte County Families in Need

CEQA Determination: Not a CEQA project

Prepared By: Mark T. Prestwich, City Manager

Recommendation:

Adopt Resolution supporting a community fundraising effort to purchase and deliver one or more recreational vehicles to assist with temporary shelter for Butte County families in need.

Ann Carr addressed the City Council.

Council Member Mary Koberstein moved to adopt item 8.4. The motion was seconded by Council Member Anna Chouteau and on roll call carried by the following vote:

AYES: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau, Council Member David Knudsen, and Council Member Mary Koberstein

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

9. PUBLIC HEARINGS

9.1 None

Regular City Council
February 12, 2019

10. NEW BUSINESS

- 10.1 Consideration and proposed approval of a resolution 2019-14 appointing applicants to the Planning Commission and the Active Transportation & Sustainability Committee and consider leaving the recruitment open for the unfilled terms of office until filled

CEQA Determination: Not a CEQA project

Prepared By: Cindy Tzaferopoulos, City Clerk

Recommendation:

Per resolution 2018-75 Council Rules of Procedure appointments shall be made by interview, ballot process and the Mayor shall nominate applicants with the appointments subject to approval by the majority of Council.

Planning Commission

- Appoint one applicant to fill the term expiring June 30, 2020.

Active Transportation Sustainability Committee

- Appoint two applicants to one regular term expiring June 30, 2020 and one applicant to an alternate position expiring June 30, 2020.

City Clerk Cindy Tzaferopoulos reported on this item.

Mayor Ellsworth called for a break at 6:21 pm.

Mayor Ellsworth reconvened the meeting at 6:26 pm.

Autumn Anderson addressed the City Council.

Vice Mayor Paul Dohring moved to appoint Autumn Anderson to the Planning Commission term expiring June 30, 2020 and Denise Henquet Sprengers term expiring June 30, 2020 and Erin Dempsey Alternate term expiring June 30, 2020 to the ATSC. The motion was seconded by Council Member Mary Koberstein and on roll call carried by the following vote:

AYES: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau, Council Member David Knudsen, and Council Member Mary Koberstein

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

- 10.2 *2/8/19 AMENDED TITLE

~~Questions Relating To The Rent Stabilization Ordinance Referendum~~

Discussion and direction to staff concerning questions raised about City response to Mobile Home Rent Stabilization Ordinance ("RSO") referendum;

Regular City Council
February 12, 2019

including (1) limits on City advocacy; (2) City/community participation in mediation/facilitation; (3) repeal of RSO; and/or (4) scheduling of election on RSO referendum

CEQA Determination: Not a CEQA project
Prepared By: Thomas B. Brown, City Attorney
Recommendation:
Receive the report and provide direction.

City Attorney Thomas Brown reported on this item.

Susanna James, Robin McGuire, Michael Merriman, Grace Kistner and Pat Dell addressed the City Council.

It was the consensus of the City Council to direct staff to prepare the necessary documents to call for a special elections to be held on June 4, 2019 with a hand ballot count.

- 10.3 Consideration and proposed approval of (1) First Reading of an Ordinance Adding Sections 13.04.215 and 13.12.120 to the St. Helena Municipal Code ("SHMC"); (2) Refer to the Planning Commission for Its Review and Recommendation on the Ordinance Amending Section 17.08.060; and (3) Approve the Resolution Designating A City Council Subcommittee To Review Otherwise Confidential Water Customer Water Usage Data.

CEQA Determination: Not a CEQA project
Prepared By: Thomas B. Brown, City Attorney
Recommendation:

1. Approve the First Reading of the Ordinance Adding Sections 13.04.215 and 13.12.120 to the St. Helena Municipal Code ("SHMC") by title only and waive further reading.
2. Refer to the Planning Commission for its review and recommendation on the Ordinance Amending Section 17.08.060.
3. Approve the Resolution Designating A City Council Subcommittee To Review Otherwise Confidential Water Customer Water Usage Data.

Council Member Anna Chouteau recused herself and left the meeting room.

City Attorney Thomas Brown reported on this item.

No public comment was received.

Vice Mayor Paul Dohring moved to approve the first reading of the Ordinance adding Sections 13.04.215 and 13.12.120 to the St. Helena Municipal Code ("SHMC") by title only and waive further reading, and;

Regular City Council
February 12, 2019

Refer to the Planning Commission for its review and recommendation on the Ordinance Amending Section 17.08.060, and;
Approve the Resolution 2019-15 designating A City Council subcommittee (Mayor Ellsworth and Vice Mayor Dohring) to review otherwise confidential water customer water usage data. The motion was seconded by Council Member Mary Koberstein and on roll call carried by the following vote:

AYES: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member David Knudsen, and Council Member Mary Koberstein

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: Council Member Anna Chouteau

Mayor Ellsworth called for a break.

Council Member Anna Chouteau entered the meeting room and sat at the dais.

Mayor Ellsworth reconvened the meeting.

- 10.4 City Council discussion and direction regarding update of City Council Policy P-FI-0005 Leak Adjustment Policy to Commercial Properties

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

Recommendation:

Provide direction on policy preferences for extending the City's residential leak adjustment policy to commercial properties.

Finance Director April Mitts reported on this item.

Pizzeria Tra Vigne owner Nash Cognetti addressed the City Council.

The City Council provided direction to staff and this item will come to Council at a later date for consideration.

- 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.

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

Regular City Council
February 12, 2019

“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 t

Prepared By: Noah Housh, Planning & Community Improvement Director
Recommendation:

It is recommended by the Planning Commission and staff that the City Council review, comment on and make a recommendation to staff regarding preparing a finalized Ordinance making changes to Chapter 17.136.050 of the St. Helena Municipal Code to create a Temporary Use Permit and the associated review process, as well as the possible collection of a fee to cover the some or costs of such a permit, citywide.

Planning Director Noah Housh reported on this item.

KC Garrett addressed the City Council.

The City Council provided direction to staff and the item will come to Council at a later date for consideration.

10.6 Review of Fiscal Year (FY) 2019/20 Budget Preparation Calendar

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

Recommendation:

Receive and File

Finance Director reported on this item.

No public comment was received.

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

11.1	February City Council Meetings: 2/6 Special Meeting (2pm to 5pm) 2/26 (staff reports due 2/8)
	CONSENT:
	Refunding of Bonds
	Fire Chief Contract
	Argonaut NOC
	Lyman Bathroom NOC

Regular City Council
February 12, 2019

Upper York Creek Dam EIR Addendum
<i>PH or NEW BUSINESS:</i>
2/26 Award of Bid of downtown restroom
Housing Element Update
Pizzeria Tre Vigne Leak Adjustment
City Council Protocol Update
Public Works Reorganization
Traffic Calming and Safety Improvements
2/26 ATSC Work Plan
<u>March City Council Meetings:</u>
3/12 (staff reports due 2/22)
3/26 (staff reports due 3/8)
<i>PH or NEW BUSINESS:</i>
CIP Budget
<u>April City Council Meetings:</u>
4/9 (staff reports due 3/22)
4/23 (staff reports due 4/5)
<i>PROCLAMATIONS AND PUBLIC RECOGNITION:</i>
4/23 Building Safety Month
<i>CONSENT:</i>
Fireworks approval of vendor
Library Fines and Fees
<i>PH or NEW BUSINESS:</i>
P&R Work Plan

12. ADJOURNMENT

Mayor Ellsworth adjourned the meeting at 9:20 p.m.

The regular City Council meeting minutes of February 12, 2019 was adopted at the regular City Council meeting of April 9, 2019.

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzafopoulos, City Clerk

MINUTES
City of St. Helena
Regular City Council Meeting
Tuesday, February 26, 2019 @ 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 Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau, Council Member David Knudsen, and Council Member Mary Koberstein

Absent:

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. PUBLIC FORUM:

Nimbus Arts Executive Director Jamie Graff, Anthony Micheli and Tom Belt addressed the City Council.

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

City Attorney Thomas Brown noted that there was no reportable action taken at the February 26, 2019 closed session City Council meeting.

City Manager Mark Prestwich announced the downtown streetscape project is now moving into the design phase. A downtown streetscape plan community open house will occur on March 22nd. Also, the continued community fundraising efforts are still underway for the RV to Paradise project.

6. PRESENTATIONS AND PUBLIC RECOGNITIONS

6.1 None

7. STAFF BRIEFING

7.1 None

Regular City Council
February 26, 2019

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)

Council Member Chouteau announced she is recusing herself from item 8.1 and 8.7.
Council Member Knudsen announced he is recusing himself from item 8.1.

Item 8.1 was removed from Consent.

8.1 ~~Consideration and proposed approval of Regular Meeting Minutes of:~~

~~Regular City Council Meeting October 9, 2018
Regular City Council Meeting October 23, 2018
Special City Council Meeting October 30, 2018
Regular City Council Meeting November 13, 2018~~

8.2 Consideration and Proposed Approval of a Resolution 2019-16 Rescinding Resolution 2018-169 Rules of Procedure for the Conduct of Council Meetings and Re-establishing City Council Standards of Conduct, and Re-establishing Rules of Procedure for the Conduct of Council Meetings and Re-establishing City Council Standards of Conduct

CEQA Determination: Not a CEQA project

Prepared By: Cindy Tzafopoulos, City Clerk

Recommendation:

Staff recommends City Council approve a Resolution Rescinding Resolution 2018-169 Rules of Procedure for the Conduct of Council Meetings and Re-establishing City Council Standards of Conduct, and Re-establishing Rules of Procedure for the Conduct of Council Meetings and Re-establishing City Council Standards of Conduct.

8.3 Consideration and proposed adoption of a Resolution 2019-17 accepting the work and final project construction costs of \$50,574.49 and directing the filing of the Notice of Completion for the Lyman Park Improvements, Project C19-01

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

Prepared By: Edrees Argand, Junior Assistant Engineer

Recommendation:

Adopt the attached resolution accepting the work and final project construction costs of \$50,574.49 and directing the filing of the Notice of Completion for the Lyman Park Improvements, Project C19-01.

8.4 Consideration and approval of a resolution 2019-18 approving: (1) Contract Amendment #1 to STH Contract: 2018-0015 with CEQA consultant Dyett and Bhatia in the amount of \$15,000 for a total not-to-exceed amount of \$351,880 to address extensive public comments received on the St. Helena 2040

Regular City Council
February 26, 2019

General Plan Update Environmental Impact Report (EIR) and to assist with making minor updates to the 2040 General Plan itself; and (2) Authorize the City Manager to modify the contract, if necessary, to address other unanticipated minor tasks or unanticipated revisions up to an additional \$10,000 for a total not-to-exceed amount of \$361,800.

CEQA Determination: Not a CEQA project

Prepared By: Noah Housh, Planning & Community Improvement Director

Recommendation:

Staff recommends City Council adopt a resolution authorizing: (1) Contract Amendment #1 to STH Contract: 2018-0015 with CEQA consultant Dyett and Bhatia in the amount of \$15,000 for a total not-to-exceed amount of \$351,880 to address extensive public comments received on the St. Helena 2040 General Plan Update Environmental Impact Report (EIR) and to assist with making minor updates to the 2040 General Plan itself; and (2) Authorize the City Manager to modify the contract, if necessary, to address other unanticipated minor tasks or unanticipated revisions up to an additional \$10,000 for a total not-to-exceed amount of \$361,800.

- 8.5 Consideration and proposed adoption of a Resolution 2019-19 accepting the work and final project construction costs of \$450,379.45 and directing the filing of the Notice of Completion for the 2018 Pavement Overlay, Project R18-79

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

Prepared By: Edrees Argand, Junior Assistant Engineer

Recommendation:

Adopt the attached Resolution accepting the work and final project construction costs of \$450,379.45 and directing the filing of the Notice of Completion for the 2018 Pavement Overlay, Project R18-79

- 8.6 Consideration of a Resolution 2019-20 approving:
1. The City to accept the FY 2019 Tobacco Law Enforcement Program Grant in the amount of \$393,514;
 2. Authorize the City Manager to execute the Memorandum of Understanding (MOU);
 3. Authorize the addition of one limited-term Police Officer position;
 4. Authorize assignment of a Police Officer to the School Resource Officer to the tobacco enforcement program expiring on June 30, 2021;
 5. Authorize a budget expense increase to Fund 277 in the amount of \$72,738 and a budget revenue increase to Fund 277 in the amount of \$72,738.

CEQA Determination: Not a CEQA project

Prepared By: Mandy Kellogg, Admin Services Mgr

Recommendation:

City Staff recommends authorization of a resolution approving:

Regular City Council
February 26, 2019

1. Authorize the City to accept the FY 2019 Tobacco Law Enforcement Program Grant in the amount of \$393,514;
2. Authorize the City Manager to execute the Memorandum of Understanding (MOU);
3. Authorize the addition of one limited-term Police Officer position;
4. Authorize assignment of a Police Officer to the School Resource Officer to the tobacco enforcement program expiring on June 30, 2021;
5. Authorize a budget expense increase to Fund 277 in the amount of \$72,738 and a budget revenue increase to Fund 277 in the amount of \$72,738.

8.7 Second Reading and Adoption of an Ordinance 2019-3 Adding Sections 13.04.215 and 13.12.120 to the St. Helena Municipal Code ("SHMC")

CEQA Determination: Not a CEQA project

Prepared By: Cindy Tzaopoulos, City Clerk

Recommendation:

Conduct the Second Reading Adopting the Ordinance Adding Sections 13.04.215 and 13.12.120 to the St. Helena Municipal Code ("SHMC") by title only and waive further reading.

Vice Mayor Paul Dohring moved to adopt 8.2 through 8.7 with Council Member Chouteau recusing from item 8.7. The motion was seconded by Council Member Mary Koberstein and on roll call carried by the following vote:

AYES: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau (items 8.2 through 8.6), Council Member David Knudsen, and Council Member Mary Koberstein

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: Council Member Chouteau recused from item 8.7

8.1 Consideration and proposed approval of Regular Meeting Minutes of:

1. Regular City Council Meeting October 9, 2018
2. Regular City Council Meeting October 23, 2018
3. Special City Council Meeting October 30, 2018
4. Regular City Council Meeting November 13, 2018

Prepared By: Cindy Tzaopoulos, City Clerk

Dr. Brown and Anthony Micheli addressed the City Council.

Council Member Mary Koberstein moved to approve Consent item 8.1. The motion was seconded by Vice Mayor Paul Dohring and on roll call carried by the following vote:

Regular City Council
February 26, 2019

AYES: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, and Council Member Mary Koberstein
NOES: None
ABSENT: None
ABSTAIN: None
RECUSE: Council Member Anna Chouteau and Council Member David Knudsen

9. PUBLIC HEARINGS

- 9.1 Consideration of approval of a Resolution 2019-21 approving a request for an exemption from SHMC 13.04.055 which requires a connection to the public water system for the single family residence to be located at 500 Mills Lane (APN 009-070-019)

CEQA Determination: Not a CEQA project

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

Adopt a Resolution approving a request for an exemption from SHMC 13.04.055 which requires a connection to the public water system for the single family residence to be located at 500 Mills Lane (APN 009-070-019).

Public Works Director Erica Ahmann Smithies reported on this item.

No initial public comment was received when Mayor Ellsworth called for public comment.

After Council deliberation applicant Mike Preston addressed the City Council.

Vice Mayor Paul Dohring moved to adopt staff recommendation as amended with additional language to be added to the resolution:

3. The property owner requesting the exception shall record a notice which shall run with the deed on the property advising subsequent property owners of the lack of public facilities and of the potential for failure of the private system(s). The deed notice shall further advise successor property owners that the city of St. Helena has no obligation to provide public facilities to the property even in the event of the failure of the private system(s).

4. The property owner requesting the exception shall execute and record a hold harmless agreement with the deed of the property. Said agreement shall relieve the city of St. Helena of any and all liability which might arise from the use and/or failure of the private system(s). Said hold harmless agreement shall be in a form acceptable to the city attorney and shall be recorded prior to occupancy of any new development on the subject lot.

The motion was seconded by Council Member Anna Chouteau and on roll call carried by the following vote:

Regular City Council
February 26, 2019

AYES: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau, Council Member David Knudsen, and Council Member Mary Koberstein
NOES: None
ABSENT: None
ABSTAIN: None
RECUSE: None

10. NEW BUSINESS

- 10.1 Consideration and Approval of a Resolution 2019-22 Authorizing: (1) the Refinancing of Outstanding Obligations of the Water System Via Entrance into Loan Agreement Secured by the Net Revenues of the Water System, and (2) Execution of Said Loan Agreement and Related Documents.

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

Recommendation:

Staff recommends the City Council approve a resolution Authorizing: (1) the Refinancing of Outstanding Obligations of the Water System Via Entrance into Loan Agreement Secured by the Net Revenues of the Water System, and (2) Execution of Said Loan Agreement and Related Documents.

Finance Director April Mitts reported on this item.

No public comment was received.

Vice Mayor Paul Dohring moved to adopt staff's recommendation. The motion was seconded by Council Member David Knudsen and on roll call carried by the following vote:

AYES: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau, Council Member David Knudsen, and Council Member Mary Koberstein
NOES: None
ABSENT: None
ABSTAIN: None
RECUSE: None

- 10.2 Review and consideration of the 2018 St. Helena Housing Element Progress Report

CEQA Determination: Not a CEQA project

Prepared By: Noah Housh, Planning & Community Improvement Director

Recommendation:

Regular City Council
February 26, 2019

It is recommended that the City Council review, consider and file this report and anticipate staff submittal of the information to HCD in keeping with the April 1, 2019 deadline to maintain grant eligibility.

Planning Director Noah Housh reported and provided an update on this item.

Pat Dell and Tom Belt addressed the City Council.

Vice Mayor Dohring recused himself from item 10.3 and left the meeting room.

10.3 Discussion and Consideration of Spring Mountain Road Traffic Calming and Safety Improvements

CEQA Determination: Not a CEQA project
Prepared By: Timothy A. Foley, Chief of Police
Recommendation:
Discuss and provide direction.

Chief of Police Timothy Foley reported on this item.

John Anderson, Tom Belt, Anthony Micheli, Steve Carlin, Mike Chisek, Mark Smithers and citizen addressed the City Council.

It was the consensus of the City Council that no additional stop sign would be installed, but rather an additional crosswalk with illuminated signage at the Spring Mountain Road and Spring Mountain Court intersection.

Vice Mayor Dohring returned to the meeting room and was seated at the dais.

Mayor Ellsworth announced that item 10.8 would be heard prior to item 10.4.

10.8 Consideration and adoption of a Resolution 2019-24:

1. Calling a special election to be held on June 4, 2019;
2. Ordering the submission to the electors of the city a referendum pertaining to Ordinance 2018-9 (Mobile Home Rent Stabilization Ordinance);
3. Requesting that Napa County provide election services with full reimbursement by the City of St. Helena;
4. Authorizing the City Council or designee to file a written argument;
5. Directing the City Attorney to prepare an impartial analysis; and
6. Authorizing the filing of rebuttal arguments

CEQA Determination: Not a CEQA project
Prepared By: Thomas B. Brown, City Attorney
Recommendation:
Adopt the attached Resolution that does the following:

Regular City Council
February 26, 2019

1. Calls a special election to be held on June 4, 2019;
2. Orders the submission to the electors of the city a referendum pertaining to Ordinance 2018-9 (Mobile Home Rent Stabilization Ordinance);
3. Requests that Napa County provide election services with full reimbursement by the City of St. Helena;
4. Authorizes the City Council or designee to file a written argument;
5. Directs the City Attorney to prepare an impartial analysis; and
6. Authorizes the filing of rebuttal arguments.

Vice Mayor Dohring and Council member Koberstein presented the Council with a suggested revision to the ballot label (question) in the draft resolution presented with the staff report. Their alternative was as follows:

F Shall Ordinance No. 2018-9 be adopted to 1) establish a rent stabilization program for St. Helena mobile home park residents who opt into the program by signing a lease of twelve months or less; 2) provide mobile home park owners a just and reasonable return on investment; and 3) create a dispute resolution process for the park owner and residents if the owner proposes an annual rent increase that is above the permissible limit?	YES
	NO

City Attorney Thomas Brown reported on this item, and confirmed that the alternative ballot label had been presented by Vice Mayor Dohring and Council member Koberstein.

Robyn Orcini and Pat Dell addressed the City Council.

City Council members deliberated. During deliberations, Council member Knudsen stated that he supported the alternative ballot label proposed by Vice Mayor Dohring and Council member Koberstein.

Council Member Mary Koberstein moved to adopt the a resolution that does the following:

1. Calls a special election to be held on June 4, 2019;
2. Orders the submission to the electors of the city a referendum pertaining to Ordinance 2018-9 (Mobile Home Rent Stabilization Ordinance);
3. Requests that Napa County provide election services with full reimbursement by the City of St. Helena;
4. Authorized the City Council to designate Vice Mayor Dohring and Council Member Koberstein to file a written argument on behalf of the City Council, which will include all five members as signers;
5. Directs the City Attorney to prepare an impartial analysis; and
6. Authorizes the filing of rebuttal arguments.

The motion was seconded by Vice Mayor Paul Dohring and on roll call carried

Regular City Council
February 26, 2019

by the following vote:

AYES: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau, Council Member David Knudsen, and Council Member Mary Koberstein

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

City Attorney Thomas Brown interjected during the staff report on Item 10.4 and advised the Council, with respect to Item 10.8, that the record would reflect that the Council action on the adopted motion for Item 10.8 was to adopt the alternative ballot label (question) language (below) proposed by Vice Mayor Dohring and Council member Koberstein.

10.4 Consideration of approval of one or more of the following options:

1. Resolution 2019-23 rejecting all construction bids for the C-82 Downtown Restrooms Project;
2. Recommend award of the construction contract to R.O. Construction and authorize a budget transfer in the amount of \$321,570 from the General Fund Reserves to the Civic CIP Fund to complete the project;
3. Direct Staff to explore a building kit or modular building option and bring back to City Council/Planning Commission for review and approval;
4. Place the project on hold and re-evaluate once other private venture public restrooms are online for 6 months.

CEQA Determination: 15303 New Construction or Conversion of Small Structures

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

Discuss options and provide direction to City staff.

Public Works Director Erica Ahmann Smithies reported on this item.

City Attorney Thomas Brown interjected during the staff report on Item 10.4 and advised the Council, with respect to Item 10.8 (the RSO referendum election item that the Council had just acted on), that the record would reflect that the Council action on the adopted motion for Item 10.8 was to adopt the alternative ballot label (question) language (below) proposed by Vice Mayor Dohring and Council member Koberstein.

F Shall Ordinance No. 2018-9 be adopted to 1) establish a rent stabilization program for St. Helena mobile home park residents who opt into the program by signing a lease of twelve	YES
--	------------

Regular City Council
February 26, 2019

months or less; 2) provide mobile home park owners a just and reasonable return on investment; and 3) create a dispute resolution process for the park owner and residents if the owner proposes an annual rent increase that is above the permissible limit?

NO

Public Works Director Erica Ahmann Smithies continued with the staff report

Ahren Trumble addressed the City Council.

Council Member Mary Koberstein moved to:

1. Adopt a Resolution rejecting all construction bids for the C-82 Downtown Restrooms Project;
2. Directed Staff to explore a building kit or modular building option and location with input from the streetscape consultant Gates and Associates and bring back to City Council/Planning Commission at a later date for review and approval;
3. Place the project on hold and re-evaluate once other private venture public restrooms are online for 6 months.

The motion was seconded by Council Member Anna Chouteau and on roll call carried by the following vote:

AYES: Mayor Geoff Ellsworth, Council Member Anna Chouteau, Council Member David Knudsen, and Council Member Mary Koberstein

NOES: Vice Mayor Paul Dohring

ABSENT: None

ABSTAIN: None

RECUSE: None

10.5 Review and Approval of Three Year City Council Goals and 2019 Work Plan

CEQA Determination: Not a CEQA project

Prepared By: Mark T. Prestwich, City Manager

Recommendation:

It is recommended the City Council discuss and approve three-year organizational goals, 2019 work plan objectives, and identify Council liaisons for various policy initiatives. It is also recommended the matrix be reviewed and discussed at a City Council meeting quarterly.

City Manager Mark Prestwich reported on this item.

Eric Sklar addressed the City Council.

The City Council discussed the work plan and provided direction to the City Manager. It was also the consensus of the City Council to agendize the matrix

Regular City Council
February 26, 2019

for discussion at a City Council meeting quarterly.

Mayor Geoff Ellsworth moved to continue the meeting beyond 9:30 pm. The motion was seconded by Council Member Anna Chouteau and on roll call carried by the following vote:

AYES: Mayor Geoff Ellsworth, Council Member Anna Chouteau, Council Member David Knudsen, and Council Member Mary Koberstein

NOES: Vice Mayor Paul Dohring

ABSENT: None

ABSTAIN: None

RECUSE: None

10.6 ***This item is continued to the March 12, 2019 City Council Meeting**

Resolution Of The City Council Of The City Of St. Helena Determining That No Substantial Changes Requiring Preparation Of A Subsequent EIR Have Been Made To The Upper York Creek Habitat Restoration Project As A Result Of Proposed Modifications And Approving The Addendum Together With The Previously Certified Final EIR As The Appropriate Environmental Document For The Upper York Creek Habitat Restoration Project As Modified

CEQA Determination: Environmental Impact Report

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

Adopt the Resolution certifying that no substantial changes have been made to the proposed Upper York Creek Habitat Restoration Project and that an Addendum to the Final EIR is the appropriate document under the requirements of the California Environmental Quality Act.

10.7 ***NEW ITEM 2-22-19**

Discussion and Direction Regarding County of Napa Draft Water Quality and Tree Protection Ordinance

CEQA Determination: Not a CEQA project

Prepared By: Mark T. Prestwich, City Manager

Recommendation:

Provide direction to City staff.

City Manager Mark Prestwich reported on this item.

The City Council provided direction and it was the consensus to direct City Manager Mark Prestwich to draft a letter to the County.

10.8 Item 10.8 was heard after item 10.3

Consideration and adoption of a Resolution:

Regular City Council
February 26, 2019

1. Calling a special election to be held on June 4, 2019;
2. Ordering the submission to the electors of the city a referendum pertaining to Ordinance 2018-9 (Mobile Home Rent Stabilization Ordinance);
3. Requesting that Napa County provide election services with full reimbursement by the City of St. Helena;
4. Authorizing the City Council or designee to file a written argument;
5. Directing the City Attorney to prepare an impartial analysis; and
6. Authorizing the filing of rebuttal arguments

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

11.1

March City Council Meetings:	
3/12 (staff reports due 2/22)	
3/26 (staff reports due 3/8)	
3/14 Special Meeting - Fire Department Informational Update	
PROCLAMATIONS AND PUBLIC RECOGNITION:	
Red Cross Month Proclamation	
CONSENT:	
3/12 Rally4Rianda Event	
Fire Chief Contract	
PH or NEW BUSINESS:	
CIP Budget	
Appeal to water back billing	
P&R Work Plan	
Pizzeria Tra Vigne Leak Adjustment	
ATSC Work Plan	
April City Council Meetings:	
4/9 (staff reports due 3/22)	
4/23 (staff reports due 4/5)	
PROCLAMATIONS AND PUBLIC RECOGNITION:	
4/9 April Arts Month Proclamation	
4/23 Building Safety Month	
4/9 National Library Week	
4/9 National Volunteer Week	
CONSENT:	
4/9 Fireworks approval of vendor	
Library Fines and Fees	
May City Council Meetings:	
5/14 (staff reports due 4/26)	
5/28 (staff reports due 5/10)	
PROCLAMATIONS AND PUBLIC RECOGNITION:	

Regular City Council
February 26, 2019

5/14 Police Department VIP Graduation
5/14 Bike to Work & School Day Friday, May 17th

12. ADJOURNMENT

Mayor Ellsworth adjourned the meeting at 9:39 p.m.

The February 26, 2019 regular City Council meeting minutes were adopted at the April 9, 2019 regular City Council meeting.

APPROVED:

Geoff Ellsworth, Mayor

ATTEST:

Cindy Tzaopoulos, City Clerk



Report to the City Council
Council Meeting of April 9, 2019

Agenda Section: Consent

Subject: Consideration and proposed approval of a resolution approving a Professional Services Agreement with Zambelli Fireworks in the amount of \$40,000 for the City-sponsored July 4, 2019 fireworks show

CEQA Determination: This project has been determined to qualify for a Class 23 Categorical Exemption from the requirements of CEQA under Section 15323 in that it proposes the normal operation of an existing facility for a public gathering for which the facility was designed, and in that there is a past history of the of the facility being used for the same or similar kind of purpose.

Prepared By: Andre Pichly, Parks & Recreation Director

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

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

In 2015, 2016, 2017, and 2018, the Parks and Recreation Commission was able to raise approximately \$130,000 thanks to the generosity of our citizens and businesses. In 2017 and 2018 the City contributed for half of the costs for the firework display. The proposed Fiscal Year 2019/20 budget includes a transfer from the General Fund to continue to cover half of the cost of the fireworks show and it is the intent of the

Recreation Department and the Parks and Recreation Commission to continue fundraising efforts to offset the cost of the fireworks show by 50%.

DISCUSSION

For the 2019 show, City staff will work with Zambelli Fireworks for a pyrotechnics display similar in scope to the 2018 event. This includes a manually fired show that will last approximately 15 – 18 minutes with a total of 11,758 elements fired. The show will use the display shells that are 2.5 inches which have a smaller fallout zone than larger shells to reduce the impact to nearby properties and clean-up costs.

Zambelli will provide licensed pyrotechnic operators, insurance coverage, and obtain the necessary City permit for the show. Because Independence Day is four days into the new fiscal year, the contract must be signed during the City's budget process. By approving this resolution, the City is committing to \$40,000 from the FY 2019/20 City Budget to pay for the contract and committing to a transfer from the General Fund for \$20,000.

FISCAL IMPACT

The Zambelli Fireworks agreement will not exceed \$40,000; funding for the agreement is included in the proposed FY 2019/20 budget.

RECOMMENDED ACTION

Staff recommends the City Council authorize the City Manager to execute a Production Agreement with Zambelli Fireworks in the amount of \$40,000 for the City-sponsored July 4, 2019 fireworks show.

ATTACHMENTS

[PSA Pyrotechnics 2019](#)

[Resolution No. 2019- Zambelli](#)

AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT, made and entered into on March 26, 2019 by and between the City of St. Helena, located in the County of Napa, State of California (City), and Zambelli Fireworks (Contractor).

RECITALS:

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

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

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

SECTION 1 – BASIC SERVICES

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

SECTION 2 – ADDITIONAL SERVICES

Contractor shall not be compensated for any services rendered in connection with its performance of this Agreement that are in addition to or outside of those set forth in this Agreement or **Exhibit A, “Scope of Work”**, 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 Work”**.

SECTION 4 – COMPENSATION AND METHOD OF PAYMENT

A. Subject to any limitations set forth in this Agreement, City agrees to pay Contractor the amount specified in **Exhibit B, “Costs”** attached hereto and made a part hereof. Total compensation shall not exceed \$40,000.00, unless additional compensation is approved in accordance with Section 2.

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

Page 1 of 11

PSA Template - Pyrotechnics

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

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

SECTION 5 – STANDARD OF PERFORMANCE

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

SECTION 6 – INSPECTION AND FINAL ACCEPTANCE

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

SECTION 7 – INSURANCE REQUIRED

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

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

Page 2 of 11

PSA Template - Pyrotechnics

- B. Minimum Limits of Insurance. Contractor shall maintain limits no less than:
1. General Liability: \$5,000,000 per occurrence for bodily injury, personal injury and property damage including operations, products and completed operations, as applicable. If Commercial General Liability Insurance or other form with a General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit – \$10,000,000.
 2. Automobile Liability: \$2,000,000 per accident for bodily injury and property damage.
 3. Employer's Liability: \$2,000,000 per accident for bodily injury or disease.
- C. Professional Liability Insurance. When Contractor under this Agreement is duly licensed under California Business and Professions Code as an architect, landscape architect, environmental engineer or other professional engineer, or land surveyor ("design professional"), Contractor shall maintain at least \$2,000,000 of professional liability insurance.
- D. Excess Limits. If Contractor maintains higher limits than the minimums shown above, City requires and shall be entitled to coverage for the higher limits maintained by Contractor. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the City.
- E. Primary Coverage. For any claims related to this contract the Contractors insurance coverage shall be primary insurance as respects to City, its officers, officials, employees and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees, or volunteers shall be excess of Contractors insurance and shall not contribute with it.
- F. Deductibles and Self-Insured Retentions. Any deductibles or self-insured retentions of \$25,000 or greater must be declared to and approved by the City.
- G. Other Insurance Provisions. The commercial general liability and automobile liability policies are to contain, or be endorsed to contain, the following provisions:
1. The City, its agent, officers, officials, employees, and volunteers are to be covered as additional insured as respects: liability arising out of work or operations performed by the Contractor or Contractor's subcontractors; or automobile owned, leased, hired or borrowed by the Contractor.
 2. For any claims related to Contractor's conduct while performing the work of this project, the Contractor's insurance coverage shall be primary insurance as respects the City, its agents, officers, officials, employees and volunteers. Any insurance or self-insurance maintained by the City, its agents, officers, officials, employees or volunteers shall be excess of the Contractor's insurance and shall not contribute with it.
 3. Each insurance policy required by this clause shall be endorsed to state that coverage shall not be cancelled by either party, except after thirty (30) days prior

written notice by certified mail, return receipt requested, has been given to the City.

4. Coverage shall not extend to any indemnity coverage for the active negligence of the additional insured in any case where an agreement to indemnify the additional insured would be invalid under Subsection (b) of Section 2782 of the Civil Code.
- H. Waiver of Subrogation. Contractor's commercial general liability, automobile liability, workers' compensation, and employer's liability policies shall be endorsed with a waiver of subrogation. The insurance company, in its endorsement, agrees to waive all rights of subrogation against the City, its agents, officers, officials, employees and volunteers for losses paid under the terms of this policy which arises from the work performed by the named insured for the City.
 - I. The Acceptability of Insurers. Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A: VII, unless otherwise acceptable to the City.
 - J. Verification of Coverage. Contractor shall furnish the City with original certificates and 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. Contractor shall indemnify and hold harmless City, its agents, officers, officials, employees, and volunteers from any and all claims, demands, suits, loss, damages, injury, and/or liability (including any and all costs and expenses in connection therewith), incurred by reason of any negligent or otherwise wrongful act or omission of Contractor, its officers, agents, employees and subcontractors, or any of them, under or in connection with this Agreement; and Contractor agrees at its own cost, expense and risk to defend any and all claims, actions, suits, or other legal proceedings brought or instituted against City, its agents, officers, officials, employees and volunteers, or any of them, arising out of such negligent or otherwise wrongful act or omission, and to pay and satisfy any resulting judgments.

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

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

Contractor's obligations under this section, but the limits of such insurance shall not limit the liability of Contractor hereunder. The provisions of this section shall survive the expiration or earlier termination of this Agreement.

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

SECTION 9 – INDEPENDENT CONTRACTOR STATUS

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

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

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

SECTION 10 – CONFLICTS OF INTEREST 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 Contractor in the course of providing any services pursuant to this Agreement shall become the sole property of City and may be used, reused or otherwise disposed of by City without the permission of the Contractor. When requested by City, but no later than three years after project completion, Contractor shall deliver to City all such original maps, models, designs, drawings, photographs, studies, surveys, reports, data, notes, computer files, files and other documents.

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

SECTION 12 – CONFIDENTIAL INFORMATION; RELEASE OF INFORMATION

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

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

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

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

SECTION 13 – SUSPENSION OF WORK

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

SECTION 14 – COMPLIANCE WITH LAW

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

SECTION 15 – COMPLIANCE WITH CIVIL RIGHTS

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

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

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

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

SECTION 16 – RECORDS

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

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

SECTION 17 – COOPERATION BY CITY

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

SECTION 18 – NOTICES

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

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

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

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

SECTION 19 – TERMINATION

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

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

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

SECTION 20 – ATTORNEY FEES

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

SECTION 21 – ENTIRE AGREEMENT

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

SECTION 22 – SUCCESSORS AND ASSIGNS

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

SECTION 23 – CONTINUITY OF PERSONNEL

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

SECTION 24 – DEFAULT

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

SECTION 25 – WAIVER

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

SECTION 26 – LAW TO GOVERN; VENUE

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

SECTION 27 – SEVERABILITY

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

SECTION 28 – SPECIAL PROVISIONS

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

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

Contractor:

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. 2019-__

**Resolution Approving a Professional Services Agreement with
Zambelli Fireworks in the amount of \$40,000 for the City-
sponsored July 4, 2019 Fireworks Show**

RECITALS

- A. Since 2015, the City of St. Helena has partnered with the Parks and Recreation Commission to organize the July 4th fireworks show; and
- B. The Parks and Recreation Commission raised approximately \$130,000 in donations to help offset the cost of the fireworks show; and
- C. In FYs 2018 and 2019 donations were not adequate to cover the full cost of the firework show and General Funds were used; and
- D. The City and the Parks and Recreation Commission will continue raise donations from local businesses and private citizens to help offset the cost of the fireworks show to help lessen the burden on the City's General Fund; and
- E. A Request for Proposals process was conducted to identify a vendor who could articulate qualifications that meet City standards and provide use of the most competitive price; and
- F. One bid was received from Zambelli Fireworks who has been the vendor for this event since Calendar Year 2015 and has over 100 years of experience in the pyrotechnics industry; and
- G. Staff recommends City Council approve a contract with Zambelli Fireworks for the Calendar Year 2019 fireworks show.

RESOLUTION

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

- 1. This project has been determined to qualify for a Class 23 Categorical Exemption from the requirements of CEQA under Section 15323 in that it proposes the normal operation of an existing facility for a public gathering for which the facility was designed, and in that there is a past history of the facility being used for the same or similar kind of purpose; and
- 2. Authorizes the City Manager to execute the agreement with Zambelli Fireworks in the Amount of \$40,000; and

3. Approve an expenditure of \$40,000 from the Fourth of July Budget in FY 2019/20 for the event; and
4. Approve a transfer of \$20,000 from the General Fund to the Fourth of July Fund in FY 2019/20 if adequate funds are not raised.

Approved at a Regular Meeting of the St. Helena City Council on April 9, 2019, by the following vote:

Mayor Ellsworth:

Vice Mayor Dohring:

Councilmember Koberstein:

Councilmember Chouteau:

Councilmember Knudsen:

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzaopoulos, City Clerk



Report to the City Council
Council Meeting of April 9, 2019

Agenda Section: Old Business

Subject: Review and Comment on the Napa County Local Agency Formation Commission (LAFCO) draft Sphere of Influence (SOI) Policy

CEQA Not a CEQA project
Determination:

Prepared By: Noah Housh, Planning & Community Improvement Director

Reviewed By: Mark T. Prestwich, City Manager

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

LAFCOs were created in 1963 by Assembly Bill 1662 (John Knox) with the initial tasks of reviewing and approving/disapproving proposals for the incorporation of new cities and creation of new special district in all 58 counties in California. At the time, county governments were largely empowered to form and expand cities and special districts without oversight and the creation of LAFCOs was an effort to begin to regulate this process. Locally elected officials responded unfavorably to this new review authority, fearing a substantive loss in controlling new growth and development and began negotiating a compromise with the Governor's Office and Legislature. This negotiation ultimately led to a unique compromise that remains largely intact today in which the Legislature sets policies and procedures for managing the formation and post-formation development of local agencies (highlighted by the directive to curb sprawl and protect agriculture) while delegating implementation authority to locally elected officials serving on local agency formation commissions or "LAFCOs."

Last updated in 2000, all LAFCO's are regulated under the Cortese-Knox-Hertzberg Local Government Reorganization Act. This Act, among other things establishes procedures for local government changes of organization, including city incorporations, annexations to a city or special district, and city and special district consolidations. Chapter Four of the Act (Section 56425), governs the SOI process. More information on

this legislation is available from the California LAFCO Office website. Link-
<https://calafco.org/resources/lafco-law/cortese-knox-hertzberg-act>

In 2016, the Napa County LAFCO initiated a Sphere of Influence (SOI) Update and Municipal Service Review (MSR) for the City of St. Helena. This process was ultimately postponed for multiple reasons, one of which was to allow the City to complete the on-going 2040 General Plan Update.

In August of 2018, the Napa County LAFCO initiated a Sphere of Influence Policy Update, proposing to re-write the policy direction regarding how SOI's are ultimately decided. City staff commented on the proposed draft language at the time, and changes were made to the proposed SOI Policy Language in response to concerns raised.

On March 11, 2019, the Napa County LAFCO held a workshop meeting to provide information on their SOI Policy Update process, and to request comments from the public and local agencies whom have concerns or input to share. LAFCO is requesting comments be provided by April 19, 2019. This report is an opportunity to gain City Council input on the proposed draft policy language with the goal of providing comments to Napa County LAFCO by the requested date.

On March 26, the City Council briefly considered the topic, and chose to assign Mayor Ellsworth and Councilmember Koberstein as liaisons to work with staff in drafting a letter to bring back for consideration by the entire City Council. This draft letter is attached to the report.

DISCUSSION

Staff is requesting City Council input on the LAFCO draft SOI Policy language to support the drafting of a comment letter to LAFCO. Staff previously commented on the initial draft (comment letter attached) and a final public draft of the updated SOI language is available for review and comment (current LAFCO redline attached).

Staff has identified several continuing issues of concern, as identified below:

1. Acknowledgement of existing services being provided by the City. Both the current St. Helena SOI and the draft SOI policy language do not appear to take into account that the City of St. Helena provides numerous services, including water service; Emergency Response (medical aid, Fire and Police protection); and recreation and library services, to a significant number of unincorporated parcels beyond the City boundary. The Cortese-Knox-Hertzberg (CKH) Act specifically defines SOIs as 56076 *"Sphere of Influence" means a plan for the probable physical boundaries and service area of a local agency, as determined by the commission.*", however none of the areas outside of the City boundary that receive City services are included in the current SOI. Given that these areas are already served by significant levels of City services, and based on language in the CKH Act, it seems that the current SOI is not in keeping with the established policy direction and the draft SOI policy language should seek to

address this. Further, proposed language in Section V. A. 4) of the draft SOI policy appears to compound this issue by requiring that areas receiving City services must first be within a City's established SOI before addressing any annexation issues or questions. How could this be addressed if areas already being served by the City are not acknowledged by the SOI policy?

2. Definitions. Napa County LAFCO proposes to utilize a variety of definitions in their draft SOI policy, proposing to specifically depart from State provided definitions in some cases, while incorporating State definitions in others. Staff recommends the LAFCO policy utilize all definitions identified in the CKH Act (such as Prime Agricultural Land and Open Space), and look to other State sources for definitions of terms such as "Study Area" where none is provided in the CKH Act.

3. Methods to address health hazards. Currently the draft SOI policy does not appear to anticipate providing solutions to health hazard impacts such as well contamination and/or septic system failure through the extension of utility services, however other LAFCO policies seem to support such extensions when warranted (which is conflict with the City's Municipal Code). Staff recommends the SOI policy update anticipate that property owners whose developed properties are impacted by a contaminated well and/or a compromised septic system will likely seek to mitigate these impacts by requesting utility services from a City or Special District, and establish a process for determining whether the properties should be annexed or incorporated into the City's SOI. Staff does not recommend utility service extensions be provided to properties not included in a City's or Special District's Sphere of Influence. The current draft SOI policy language is silent regarding this inconsistency.

Staff requests City Council comment on these identified issues and any other concerns the Council wishes to highlight with a formal comment letter to the Napa County LAFCO regarding the pending SOI Policy update.

FISCAL IMPACT

No direct fiscal impacts are anticipated to result from the City Council commenting on the Napa County LAFCO draft SOI policy update language.

RECOMMENDED ACTION

It is recommended that the City Council review the draft Napa County LAFCO Sphere of Influence Policy update language and provide staff direction on any issues and concerns to highlight with a formal comment letter from the City.

ATTACHMENTS

[LAFCO-Current Draft SOI Policy \(BF tracked changes 2-4-19\) \(2\) \(2\)](#)
[Final November 2018 SOI and MSR Policy Comments-St Helena](#)
[Conceptual City Comments to the Napa LAFCO-SOI Policy Review](#)
[Draft Council LAFCo Comment Letter-3-29-19-with CC Liason Input](#)
[LAFCO-Current Draft SOI Policy City Staff Draft Comments](#)



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

Policy on Spheres of Influence

(Preliminary Draft Presented: August 6, 2018; Revised Draft Presented: *****)

I. BACKGROUND

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, beginning with California Government Code (G.C.) §56425, requires the Local Agency Formation Commission (LAFCO or “Commission”) to establish and maintain spheres of influence for all local agencies within its jurisdiction. A sphere of influence (SOI) is defined by statute as a “plan for the probable physical boundary and service area of a local government agency as determined by the commission” (G.C. §56076). Every determination made by LAFCO shall be consistent with the SOIs of the local agencies affected by that determination (G.C. §56375.5). The Commission encourages cities, towns, and the County of Napa (“County”) to meet and agree to SOI changes. The Commission shall give “great weight” to these agreements to the extent they are consistent with its policies (G.C. §56425(b) and (c)). Local agency SOIs are established and changed based on information in municipal service reviews, including adopted determinative statements and recommendations (G.C. §56430).

II. PURPOSE

The purpose of these policies is to guide the Commission in its consideration of SOI amendment requests as well as SOI reviews and updates initiated by LAFCO. This includes establishing consistency with respect to the Commission’s approach in the scheduling, preparation, and adoption of SOI reviews and updates.

III. OBJECTIVE

It is the intent of the Commission to determine appropriate SOIs that promote the orderly expansion of cities, towns, and special districts in a manner that ensures effective, efficient, and economic provision of essential public services, including public water, wastewater, fire protection and emergency response, and law enforcement. The Commission recognizes the importance of considering local conditions and circumstances in implementing these policies. An SOI is primarily a planning tool that will:

- Serve as a master plan for the future organization of local government within the County by providing long range guidelines for the efficient provision of services to the public;
- Discourage duplication of services by two or more local governmental agencies;
- Guide the Commission when considering individual proposals for changes of organization;

- Identify the need for specific reorganization studies, and provide the basis for recommendations to particular agencies for government reorganizations.

IV. DEFINITIONS

The Recognizing that an SOI is a plan for the probable physical boundary and service area of a local government agency as determined by LAFCO, the Commission incorporates the following definitions:

- A. ~~An~~ “SOI establishment” refers to the initial adoption of ~~an a city or special district~~ SOI by the Commission.
- B. ~~An~~ “SOI amendment” refers to a single change to an established SOI, typically involving one specific geographic area and initiated by a landowner, resident, or local agency.
- C. ~~An~~ “SOI review” refers to a comprehensive review of an established SOI conducted as part of a municipal service review (MSR). Based on information collected in the SOI review component of an MSR, the Commission shall determine if an SOI update is needed.
- D. ~~An~~ “SOI update” refers to a single change or multiple changes to an established SOI, typically initiated by the Commission and based on information collected in the SOI review.
- E. ~~A~~ “~~zero~~ Zero SOI” ~~may be assigned to when determined by the Commission, indicates a local agency to indicate the Commission’s position that a change of organization is appropriate that would~~ should be dissolved and its service area and service responsibilities assigned the affected agency’s service obligations and responsibilities to another one or more other local agency/agencies. Such future action would typically involve consolidation or dissolution.
- F. ~~A~~ “~~study~~ Study area” refers to territory evaluated as part of an SOI update for possible addition to, or removal from, an established SOI. ~~Study~~ The study areas shall be identified by the Commission in ~~concurrence~~ consultation with all affected agencies ~~and will be based on information collected in the SOI review.~~

V. LOCAL CONSIDERATIONS

A. General Guidelines for Determining Spheres of Influence

- 1) It shall be a basic policy of the Commission that the establishment, amendment, or update of a local agency’s SOI is intended to facilitate the orderly extension of public services for urban development, with limited exceptions. Land designated as agricultural or open-space shall not be approved for inclusion within any local agency’s SOI for purposes of urban development, with limited exceptions. For purposes of this section, the Commission will rely on the definitions of “agricultural lands”, “prime

agricultural land”, and “open space” pursuant to G.C. §56016, §56064, and §56059, respectively.

2) The Commission encourages residents, landowners, and local agencies to submit requests for changes to SOIs to the LAFCO Executive Officer as part of the LAFCO-initiated MSR and SOI review process.

1)3) The first Agricultural Preserve in the United States was created in 1968 by the Napa County Board of Supervisors. The Agricultural Preserve protects lands in the fertile valley and foothill areas of Napa County in which agriculture is and should continue to be the predominant land use. Measure P was passed by voters in 2008 and requires voter approval for any changes that would re-designate unincorporated agricultural and open-space lands. The Commission will consider the Agricultural Preserve and Measure P in its decision making processes to the extent they apply, where appropriate, prior to taking formal actions relating to SOIs.

2) In addition to the definitions of “agricultural lands” and “prime agricultural lands” pursuant to G.C. §56016 and §56064, respectively, the Commission shall use the County General Plan land use designations as the basis to identify agricultural and open-space lands in establishing, amending, and updating a local agency’s SOI.

3) It shall be a basic policy of the Commission that the establishment, amendment, or update of a local agency’s SOI is intended to facilitate the orderly extension of public services for urban development with limited exceptions. Land designated as agricultural or open-space shall not be approved for inclusion within any local agency’s SOI for purposes of urban development with limited exceptions.

4) The Commission discourages proposals from residents, landowners, and local agencies proposing amendments to SOIs unless justified by special conditions and circumstances. The Commission encourages residents, landowners, and local agencies to submit SOI amendment requests to the LAFCO Executive Officer as part of the LAFCO-initiated MSR and SOI review process.

5)4) In the course of an SOI review for any local agency as part of an MSR, the Commission shall identify all existing outside services provided by the affected agency. For any services provided outside the affected agency’s jurisdictional boundary but within its SOI, the Commission shall request the affected agency submit an annexation plan or justification for not annexing the territory that is receiving outside services.

6)5) In the course of reviewing a city or town’s SOI, the Commission will consider the amount of vacant land within the affected city or town’s SOI. The Commission discourages SOI amendment requests involving vacant or

underdeveloped land that requires the extension of urban facilities, utilities, and services where infill development is more appropriate.

~~7)6)~~ A local agency's SOI shall generally be used to guide annexations within a five-year planning period. Inclusion of land within an SOI shall not be construed to indicate automatic approval of an annexation proposal.

~~8) Any local agency's SOI shall only be amended or updated by the Commission in collaboration with the County of Napa. Prior to amending or updating an SOI, the Commission shall encourage cities and towns to first develop existing vacant and underdeveloped infill lands within their jurisdictions and SOIs to maximize the efficient use of available services and infrastructure. The Commission shall discourage the premature conversion of agricultural and open-space lands to urban uses.~~

~~7)~~ ⁹⁾ When an annexation is proposed outside a local agency's SOI, the Commission may consider both the proposed annexation and SOI amendment at the same meeting. The SOI amendment to include the affected territory, however, shall be considered and resolved prior to Commission action on the annexation.

~~10)8)~~ A local agency's SOI should reflect existing and planned service capacities based on information collected by, or submitted to, the Commission. This includes information contained in current MSRs. The Commission shall consider the following municipal service criteria in determining SOIs:

- a) The present capacity of public facilities and adequacy of public services provided by affected local agencies within the current jurisdiction, and the adopted plans of these local agencies to address any municipal service deficiency, including adopted capital improvement plans.
- b) The present and probable need for public facilities and services within the area proposed or recommended for inclusion within the SOI, and the plans for the delivery of services to the area.

~~11)9)~~ The Commission shall consider, at a minimum, the following land use criteria in determining SOIs:

- a) The present and planned land uses in the area, including lands designated for agriculture and open-space.
- b) Consistency with the County General Plan and the general plan of any affected city or town.

- c) Adopted general plan policies of the County and of any affected city or town that guide future development away from lands designated for agriculture or open-space.
- d) Adopted policies of affected local agencies that promote infill development of existing vacant or underdeveloped land.
- e) Amount of existing vacant or underdeveloped land located within any affected local agency's jurisdiction and current SOI.
- f) Adopted urban growth boundaries by the affected land use authorities.

B. Scheduling Sphere of Influence Reviews and Updates

G.C. §56425(g) directs the Commission to update each SOI every five years, as necessary. Each year, the Commission shall adopt a Work Program with a schedule for initiating and completing MSRs and SOI reviews based on communication with local agencies. This includes appropriate timing with consideration of city, town, and County general plan updates. The Commission shall schedule SOI updates, as necessary, based on determinations contained in MSRs.

C. Environmental Review

SOI establishments, amendments, and updates will be subject to the review procedures defined in the California Environmental Quality Act (CEQA) and the Napa LAFCO CEQA Guidelines. ~~In the event the Commission is the Lead Agency under CEQA, the affected agency shall prepare the appropriate environmental documents needed to satisfy the requirements of CEQA.~~

If an environmental assessment/analysis ~~was~~is prepared by an agency for a project associated with an SOI establishment, amendment, or update, and LAFCO ~~was~~is afforded the opportunity to evaluate and comment during the Lead Agency's environmental review process, then LAFCO can act as a Responsible Agency under CEQA for its environmental review process.

A complete set of the adopted environmental documents prepared for the project, a copy of the filed Notice of Determination/Notice of Exemption, and a copy of the Department of Fish and Wildlife fee receipt must be submitted as part of the application. Completion of the CEQA review process will be required prior to action by the Executive Officer or the Commission.

VI. FORM OF REQUEST FOR SPHERE OF INFLUENCE AMENDMENT

Any person or local agency may file a written request with the Executive Officer requesting amendments to an SOI pursuant to §56428(a). Requests shall be made using

the form provided in Attachment A and be accompanied by a cover letter and a map of the proposed amendment. Requests shall include an initial deposit as prescribed under the Commission's adopted fee schedule. The Executive Officer may require additional data and information to be included with the request. Requests by cities, towns, and special districts shall be made by resolution of application.

VII. REVIEW OF REQUEST FOR SPHERE OF INFLUENCE AMENDMENT

The Executive Officer shall review and determine within 30 days of receipt whether the request to amend an agency's SOI is complete. If a request is deemed incomplete, the Executive Officer shall immediately notify the applicant and identify the information needed to accept the request for filing.

VIII. CONSIDERATION OF REQUEST FOR SPHERE OF INFLUENCE AMENDMENT

Once a request is deemed complete, the Executive Officer will prepare a written report with a recommendation. The Executive Officer will present his or her report and recommendation at a public hearing for Commission consideration. The public hearing will be scheduled for the next meeting of the Commission for which adequate notice can be given. The Commission may approve, approve with conditions, or deny the request for an SOI amendment. The Commission's determination and any required findings will be set out in a resolution that specifies the area added to, or removed from, the affected agency's SOI. While the Commission encourages the participation and cooperation of the subject agencies, the determination of an SOI is a LAFCO responsibility and the Commission is the sole authority as to the sufficiency of the documentation and consistency with law and LAFCO policy.



City of St. Helena

*"We will conduct city affairs on behalf of our citizens
using an open and creative process."*

1480 Main Street
St. Helena, CA 94574
Phone: (707) 967-2792
Fax: (707) 963-7748

www.cityofstheleena.org

November 9, 2018

Brendon Freeman
Executive Officer
Napa Local Agency Formation Commission
1030 Seminary Street, Suite B
Napa, CA 94559

Re: Proposed LAFCO Policies Regarding Spheres of Influence and Municipal Service Reviews

Dear Brendon:

The City of St. Helena appreciates the opportunity to review the draft Policy on Spheres of Influence and the draft Policy on Municipal Service Reviews your office has provided.

We have carefully reviewed these documents and have a number of comments and suggestions we would like to submit for your review and consideration. Our notations are shown on the enclosed documents labeled

- Policy on Spheres of Influence
- Policy on Municipal Service Reviews
- General Policy Determinations

In preparing these comments, the City recognizes as stated on page 2 of 5 of the proposed policy, that the first Agricultural Preserve in the United States was created in 1968 by the Napa County Board of Supervisors. And furthermore that Measure P was passed by voters in 2008 and requires voter approval for any changes to re-designate unincorporated agricultural and open-space lands. And we understand further the Commission where appropriate will consider the Agricultural Preserve and Measure P in its decision making processes prior to taking formal actions relating to SOIs.

However, the City does not feel including this wording in the LAFCO policy on Spheres of Influence is necessary or appropriate. The Commission should take into account all adopted land use plans with no greater importance given to County-adopted plans than to City-adopted plans.

City of St. Helena • 1480 Main Street, St. Helena, CA 94574
Phone: (707) 967-2792 • Fax: (707) 963-7748 • Website: www.cityofstheleena.org

November 9, 2018
Page 2

City staff are further concerned with the following statement in the proposed LAFCO Policies. "Any local agency's SOI shall only be amended or updated by the Commission in collaboration with the County of Napa."

LAFCOs were created by the State of California in 1963 as independent agencies, operating pursuant and accountable to State law. LAFCO decisions are final and cannot be appealed to the Board of Supervisors or any other local governing body. Likewise, LAFCO's policies adopted by the Commission are not subject to concurrence by the County or other local public agencies such as cities and special districts. It is important to maintain the independence of these public agencies and the current draft policy documents proposed by LAFCO staff do not appear to do so. This independence is reflected by LAFCO Board membership, with equal numbers of elected county and city members, a public member chosen by these city and county members.

Separately, statement under **C. Environmental Review** identifies "In the event the Commission is the Lead Agency under CEQA, the affected agency shall prepare the appropriate environmental documents needed to satisfy the requirements of CEQA." The role of the "lead agency" is to prepare the environmental document and therefore this is a conflicting statement, inconsistent with State law.

The draft City of St. Helena proposed "Policy on Municipal Service Reviews" has the following paragraph on the first page.

Napa County has been at the forefront of preserving agriculture. The first Agricultural Preserve in the United States was created in 1968 by the Napa County Board of Supervisors. The Agricultural Preserve protects lands in the fertile valley and foothill areas of Napa County in which agriculture is and should continue to be the predominant land use. Measure P was passed by voters in 2008 and requires voter approval for any changes that would re-designate unincorporated agricultural and open-space lands.

This language is not a policy statement but rather a description about actions undertaken by Napa County; and therefore should not be included in the policy addressing the City of St. Helena and we request it be removed.

With regard to the "General Policy Determinations" the City is concerned with the statement under "Use of County General Plan Designations" that essentially LAFCO is deferring to the County to determine lands designated for agriculture and open-space. LAFCO recognizes that inconsistencies may occur between County and city plans but under the proposed language appears to "rely on the Napa County General Plan" rather than providing a balanced statement identifying if there is a conflict between the County plan and a City plan, it will obtain information from both parties and make an informed decision after hearing all of the evidence and reasoning.

As noted earlier, this policy as written tends to diminish the Commission's role as an independent decision making body with equal numbers of Commissioners from the Board of Supervisors and City Councilmembers.

Further, staff finds that the sentence in the following section titled "Location of Urban Development" makes greater sense by stating the Commission shall guide development away from designated

November 9, 2018
Page 3

agriculture and open space under urban development becomes an overriding consideration to the Commission. Further, this policy seems to encourage the extension and provision of City services to un-incorporated County lands. Staff questions the benefit and consistency of such a policy, given all of the other policy language proposing to encourage development within the boundaries of Cities.

Finally, staff finds the statement regarding annexation identified under "Timing of Urban Development" could be clarified. Instead of discouraging the annexation of undeveloped or underdeveloped lands to cities and districts that provide specific types of services, it might be better to simply discourage annexations to local agencies of undeveloped land. Also it seems to imply that annexing undeveloped land located in an unincorporated area is not a problem under this policy. This appears to be an inconsistency with the policy.

Thanks you for the opportunity to provide comments on the draft Napa County LAFCO Policy on Spheres of Influences. We are available to discuss this matter at your convenience and would hope to do so before the proposed policies are presented to the Commission for its consideration.

Sincerely,



Noah Housh, Director
Planning & Community Improvement Department
City of St. Helena

CC: Mark Prestwich, City Manager

November 9, 2018
Page 4

The City of St. Helena reviewed the August 6, 2018 draft policy distributed by the LAFCO staff and on November 9 submitted comments and recommended changes in this policy.

We have read the revised “Policy on Spheres of Influence” prepared February 4, 2019 and find it is considerably better than the first iteration.

Furthermore we appreciate the opportunity to provide the following comments. It is requested the Commission take these into account in adopting the final policy.

Independence of LAFCO

LAFCOs are separate from and independent of the County. For example their decisions are not appealable to the Board of Supervisors.

Membership on the Commission reflects an equal balance between City members and County members who jointly select the Public member.

The State Legislature wrote the statute so LAFCOs are not subservient to the County; it is important that this be kept in mind as LAFCO adopts policies.

Variety of Land Uses are Anticipated and Needed

Logical and orderly planning to meet the needs of the County and its communities requires a balance among permitted land uses. Over reliance on agricultural and open space uses can inhibit the ability of communities to provide a balance of uses including adequate housing needed to accommodate the local work force.

Government Code Section 56001, which begins the LAFCO law, states:

“The Legislature finds and declares that it is the policy of the state to encourage orderly growth and development which are essential to the social, fiscal, and economic well-being of the state.” (emphasis added)

“The Legislature recognizes that the logical formation and determination of local agency boundaries is an important factor in promoting orderly development and in balancing that development with sometimes competing state interests of discouraging urban sprawl, preserving open-space and prime agricultural lands, and efficiently extending government services. “

“The Legislature also recognizes that providing housing for persons and families of all incomes is an important factor in promoting orderly development.

“Therefore, the Legislature further finds and declares that this policy should be effected by the logical formation and modification of the boundaries of local agencies, with a preference granted to accommodating additional growth within, or through the expansion of, the boundaries of those local agencies which can best accommodate and provide necessary governmental services and housing for persons and families of all incomes in the most efficient manner feasible.”

These are important legislative policies and directives that need to be kept in mind when LAFCO considers modifications to city spheres of influence and boundaries.

The City is proposing the following specific wording changes in the latest draft LAFCO policy on Spheres of Influence

- III. OBJECTIVE - fourth bulleted paragraph. Delete the word “reorganization” before the word “studies.” The term “reorganization” has a specific meaning in the LAFCO statute.
- IV. DEFINITIONS – Paragraph B, insert “by the Commission” before the word “landowner” In Paragraph C, after the word “conducted ” insert the words “separately or”
- V. LOCAL CONSIDERATIONS

A. General Guidelines for Determining Spheres of Influence, Section 3) -

As we said in our November 9 letter, we feel the following paragraph has no place in LAFCO’s “Policy on Spheres of Influence”

Napa County has been at the forefront of preserving agriculture. The first Agricultural Preserve in the United States was created in 1968 by the Napa County Board of Supervisors. The Agricultural Preserve protects lands in the fertile valley and foothill areas of Napa County in which agriculture is and should continue to be the predominant land use. Measure P was passed by voters in 2008 and requires voter approval for any changes that would re-designate unincorporated agricultural and open-space lands.

This is not a policy statement but rather a description about actions that have been taken by Napa County and its voters. Furthermore, while voter approval may be required to change the County General Plan to re-designate certain unincorporated lands, such voter approval would not be required for cities to modify their general plans or for LAFCO to revise spheres of influence.

It is inappropriate to include this text in the policy on Spheres of Influence. The Commission should take into account and give equal consideration to County and City-adopted land use plans.

- General Guidelines for Determining Spheres of Influence, Section 6)

Government Code Section 56076 states.

"Sphere of influence" means a plan for the probable physical boundaries and service area of a local agency, as determined by the commission

There is no reference in this section, or to any other relevant sections, to spheres guiding annexations only within a five-year period. City General Plans typically have much longer time horizons into the future than just five years. Section 6) is confusing and should be deleted from the "Policy of Spheres of Influence."

Moreover, this policy is impractical since it is often not possible to know when individual landowners within the adopted Sphere of Influence will choose to pursue development approval for their land.

It is understood that in adopting or amending a City sphere of influence LAFCO will consider the time horizon of each adopted plan and each annexation will be considered based on its own merits and timing

- A. General Guidelines for Determining Spheres of Influence, Section 9) c)

The words "including policies" should be inserted after "city or town."

- VIII. CONSIDERATION OF REQUEST FOR
SPHERE OF INFLUENCE AMENDMENT

The proposed policy includes this sentence, “The Commission’s determination and any required findings will be set out in a resolution that specifies the area added to, or removed from, the affected agency’s SOI.” (Emphasis added)

The term “findings” should be carefully thought through before placing it in a recommended action or adopted resolution.

Litigation has shown that LAFCO was created and remains a quasi-legislative agency and does not need to make “findings” to justify its quasi-legislative decisions. Exceptions are related to specifics such as compliance with CEQA.

Making “findings” increases the potential for parties who are not satisfied with LAFCO’s decision to seek redress through litigation. The preferable term to use is “determination” rather than “finding.”

When an agency makes quasi-judicial decisions requiring findings it increases the ability of a court to “re-hear” the matter and reach a different decision.



City of St. Helena

*"We will conduct city affairs on behalf of our citizens
using an open and creative process."*

1480 Main Street
St. Helena, CA 94574
Phone: (707) 967-2792
Fax: (707) 963-7748

www.cityofstheleena.org

April 9, 2019

Brendon Freeman, Executive Officer
Local Agency Formation Commission of Napa County
1030 Seminary Street, Suite B
Napa, California 94559

Re: Draft Sphere of Influence Policy

Mr. Freeman,

Thank you for holding the open house informational presentation on the pending Napa County LAFCo Sphere of Influence (SOI) Policy Update and for the opportunity to comment on the draft Policy language. The City of St. Helena feels this update process is critical to the future success of all communities within Napa County and has the following comments on the policy update.

1. Section IV. Definitions

During the informational workshop, Mr. Freeman mentioned LAFCo intended to utilize definitions in the SOI policy from a number of different sources. It is recommended all definitions, including *Agriculture*, *Prime Farmland*, *Vacant Land* and *Study Area*, be first pulled from existing definitions in the Cortese-Knox-Hertzberg (CKH) Local Government Reorganization Act, and then from other sources in State law. LAFCo is a State agency, and as such, should seek consistency in defining terms by utilizing existing State provided definitions. If no such definitions are available, no single jurisdiction should be the source for referenced term definition.

For example, the State definition of Agriculture (AG) is based on lands "currently used" for agriculture while the Napa County definition of AG has been modified to include marketing events and activities designed to encourage winery visitation. This inconsistency with the State definition has led to "commercialization" of agriculturally designated properties, and points to the need for "impartial" definitions in keeping with the intent of the CKH Act and the goals of LAFCo itself.

For reasons identified above, which have supported intensification and non-agricultural uses on County designated Agricultural properties adjacent to the City, the preclusion of agriculture or open space land from being included in a municipality's SOI is problematic, particularly if other nearby parcels receive City services. Given these concerns, the 'Limited Exceptions' identified in Section V. A. 1. must be clearly defined to ensure a clear

City of St. Helena • 1480 Main Street, St. Helena, CA 94574
Phone: (707) 967-2792 • Fax: (707) 963-7748 • Website: www.cityofstheleena.org

April 5, 2019

Page 2

understanding of the intent of the policy and consistent application of its requirements. Specific examples of these limited exceptions which are supported by the City include:

- a. County lands zoned or developed for non-agricultural and open space purposes (i.e. logical extensions of municipalities); and
- b. Parcels which are currently served by municipal services, or capable of being readily served because basic infrastructure (water line for example) is in place (another logical extension); and
- c. Parcels subject to an outside services agreement, particularly when such agreements were triggered by County zoning approvals that intensified allowable uses and stipulated that City services be provided; and
- d. Lands needed to provide housing.

All choices made to determine a definition should be clearly explained and justified through the policy update process.

2. Agricultural Land Designation Consideration in SOI Updates

Draft SOI Policy V. A. 3) references Measure P and the County Agricultural preserve, and seems to grant more credence to County Agricultural properties than those located within cities. Incorporating this limited perspective into the draft SOI Policy is concerning to the City of St. Helena. St. Helena is home to world-renowned vineyard properties (of both local and statewide importance) many of which pre-date the adoption of the County Agricultural Preserve by decades. Further, the Agricultural land use designation is granted to over forty-percent of the City's land area, covering the greatest number of acres of any other land use within the City (approximately 1,500 acres). In addition, the City has an internal Urban Limit Line (ULL) which encourages in-fill development and preserves these existing agricultural properties.

LAFCo's stated mandate is the preservation of Agricultural and Open Space and as such, any adopted SOI policy which promotes the development of City designated Agricultural properties in favor of "preserving" County designated Agricultural parcels is unacceptable. City agricultural land outside of the ULL should be "on par" with any County designated Agricultural properties when considering SOI updates or modifications. This is further supported by the City's strict Agricultural land use definition, which is in line with the State definition of Agriculture, while the County definition seems to promote tourist oriented development within the "Agricultural Preserve", through a flexible definition of agriculture, often at the doorstep of the City.

April 5, 2019
Page 3

3. The Provision of Services

All LAFCos are governed by the CKH Local Government Reorganization Act. This Act specifically defines SOI as “*A plan for the probable physical boundaries and service area of a local agency.*” Given that the City of St. Helena provides water utility services to approximately 350 customers outside the City limits, provides police and fire services to large parts of unincorporated Napa County, serves many adjacent County residents with library and recreation services and essentially serves as the “home town” for many of these adjacent County residents, it is difficult to see how the current SOI is in keeping with this definition. The City requests that the Napa LAFCO’s updated SOI policy seek to bring the City’s SOI into conformance with the CKH SOI definition.

Proposed language in Section V. A. 4) of the draft SOI policy requires that a parcel able to receive City services be located within the SOI; however (as identified above) many unincorporated parcels currently receiving such services are not within the City’s SOI. This appears to be inconsistent with both the CKH definition, and existing facts on the ground. As such, it is recommended this SOI language, and other areas identified with strikethrough and or comments, be revised as indicated on the attached “red-line” of the draft SOI policy document.

Draft language in SOI Policy Section V. A. 8) currently emphasizes *capacity* of service and future needs with regards to an agency’s SOI. This emphasis does not seem to meet the intent and requirements of the CKH Act. This section should be modified to include services provided by an agency and enjoyed by residents, in the determination of an SOI, as identified by the CKH Act, which includes the existing service area of a local agency as definitive to an SOI.

Policy language in Section V. A. 9) should incorporate criteria related to urban services, rather than strictly limiting the determination to General Plan policies and land use. It is recommended that this policy be revised to:

- a. Emphasize that “present use” means “actual current use” - not just zoning designation.
- b. Identify lands lying on or close to City boundaries, which are designated or used for non-agricultural purposes, or are provided with City services, shall be considered appropriate for inclusion in a SOI.
- c. Emphasize that consistency with the Policy is more than the zoning designation; it is actual use.
- d. Incorporate a reference to the “vacant land” definition discussed above. Again, only lands included in the City’s ULL and not designated (and used) for agricultural purposes would be identified as available “vacant” development sites.

April 5, 2019
Page 4

Finally, the St. Helena City Council does not recommend utility service extensions be provided, or expanded, to properties not included in a City or Special District's Sphere of Influence. The current draft SOI policy language appears to be silent regarding this inconsistency with the CKH and should be updated to be more definitive.

4. Consideration of Vacant Land in an SOI Update

Draft SOI Policy V. A. 5) identifies that the amount of vacant land within an affected jurisdiction's (current) SOI will be considered as a component of an SOI Update; unfortunately "vacant land" is left undefined. This is concerning to the City given the City's commitment to agricultural land preservation and the adoption of our ULL. A definition of "vacant land" which does not include parcels outside of the City's established ULL or those zoned and used for agricultural purposes, is critical to the successful implementation of the SOI Update policy, and for the preservation of City designated agricultural lands. The availability of "in-fill" parcels under the control of a City should not preclude changes to an established SOI and/or the future annexation of properties which are deemed to be a logical extension of a City boundary or where City services are being provided to serve existing development and community needs (eg. Public Safety, Recreation, Library, etc.).

5. Look to the Future

The current SOI is antiquated and out of touch with contemporary land use practices, community expectations and established policy. It is atypical for a City's boundary and SOI to be co-terminus when significant services are provided by a city to unincorporated parcels on that City's boundary. However this is essentially the case for each of the up-valley communities governed by Napa County LAFCo. This SOI Update should look toward the future, and should therefore create and foster contemporary land use practices regarding how a SOI is determined.

Currently the draft SOI policy does not appear to anticipate providing solutions to health hazard impacts such as well contamination and/or septic system failure through the extension of utility services; however other LAFCO policies seem to support such extensions when warranted (which again is in conflict with the City's Municipal Code). The SOI Policy Update should anticipate that developed properties impacted by a contaminated well and/or a compromised septic system will likely seek to mitigate these impacts by requesting utility services from a City or Special District, and establish a process for determining whether the properties should be annexed or incorporated into a city's SOI as a component of such a connection.

Recently planning staff from all Napa County jurisdictions were presented with information from the Metropolitan Transportation Commission (MTC) identifying significant changes in the RHNA allocation and Housing Element certification process are likely, and that these changes will depart from past allocations and approvals. This

April 5, 2019
Page 5

uncertainty, coupled with the current pressures for housing, necessitates a flexible LAFCo policy framework to adapt to the changing policy landscape. Staff anticipates parcels adjacent to a City's boundary, where development has already occurred and where services are readily available, are likely to play a critical role in providing an effective response for both the cities and the County in meeting future housing mandates and related environmental considerations. It is recommended that the updated LAFCo SOI Policy consider this need for flexibility as it looks to the future regarding how city and the county lands interact.

Thank you again for the opportunity to review and comment on the draft Napa County LAFCo SOI Policy; it is much appreciated. Please take these comments into serious consideration.

Sincerely,

Mayor Geoff Ellsworth and the St Helena City Council

April 5, 2019
Page 6



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

Policy on Spheres of Influence

(Preliminary Draft Presented: August 6, 2018; Revised Draft Presented: *****)

I. BACKGROUND

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, beginning with California Government Code (G.C.) §56425, requires the Local Agency Formation Commission (LAFCO or “Commission”) to establish and maintain spheres of influence for all local agencies within its jurisdiction. A sphere of influence (SOI) is defined by statute as a “plan for the probable physical boundary and service area of a local government agency as determined by the commission” (G.C. §56076). Every determination made by LAFCO shall be consistent with the SOIs of the local agencies affected by that determination (G.C. §56375.5). The Commission encourages cities, towns, and the County of Napa (“County”) to meet and agree to SOI changes. The Commission shall give “great weight” to these agreements to the extent they are consistent with its policies (G.C. §56425(b) and (c)). Local agency SOIs are established and changed based on information in municipal service reviews, including adopted determinative statements and recommendations (G.C. §56430).

II. PURPOSE

The purpose of these policies is to guide the Commission in its consideration of SOI amendment requests as well as SOI reviews and updates initiated by LAFCO. This includes establishing consistency with respect to the Commission’s approach in the scheduling, preparation, and adoption of SOI reviews and updates.

III. OBJECTIVE

It is the intent of the Commission to determine appropriate SOIs that promote the orderly expansion of cities, towns, and special districts in a manner that ensures effective, efficient, and economic provision of essential public services, including public water, wastewater, fire protection and emergency response, and law enforcement. The Commission recognizes the importance of considering local conditions and circumstances in implementing these policies. An SOI is primarily a planning tool that will:

- Serve as a master plan for the future organization of local government within the County by providing long range guidelines for the efficient provision of services to the public;
- Discourage duplication of services by two or more local governmental agencies;
- Guide the Commission when considering individual proposals for changes of organization;

- Identify the need for specific reorganization studies, and provide the basis for recommendations to particular agencies for government reorganizations.

IV. DEFINITIONS

Recognizing that an SOI is a plan for the probable physical boundary and service area of a local government agency as determined by LAFCO, the Commission incorporates the following definitions:

- A. “SOI establishment” refers to the initial adoption of a city or special district SOI by the Commission.
- B. “SOI amendment” refers to a single change to an established SOI, typically involving one specific geographic area and initiated by a landowner, resident, or local agency.
- C. “SOI review” refers to a comprehensive review of an established SOI conducted as part of a municipal service review (MSR). Based on information collected in the SOI review component of an MSR, the Commission shall determine if an SOI update is needed.
- D. “SOI update” refers to a single change or multiple changes to an established SOI, typically initiated by the Commission and based on information collected in the SOI review.
- E. “Zero SOI” when determined by the Commission, indicates a local agency should be dissolved and its service area and service responsibilities assigned to one or more other local agencies.
- F. “Study area” refers to territory evaluated as part of an SOI update for possible addition to, or removal from, an established SOI. The study areas shall be identified by the Commission in consultation with all affected agencies.

V. LOCAL CONSIDERATIONS

A. General Guidelines for Determining Spheres of Influence

- 1) It shall be a basic policy of the Commission that the establishment, amendment, or update of a local agency’s SOI is intended to facilitate the orderly extension of public services for urban development, with limited exceptions. Land designated as agricultural or open-space shall not be approved for inclusion within any local agency’s SOI for purposes of urban development, with limited exceptions. For purposes of this section, the Commission will rely on the definitions of “agricultural lands”, “prime agricultural land”, and “open space” pursuant to G.C. §56016, §56064, and §56059, respectively.

- 2) The Commission encourages residents, landowners, and local agencies to submit requests for changes to SOIs to the LAFCO Executive Officer as part of the LAFCO-initiated MSR and SOI review process.
- 3) The first Agricultural Preserve in the United States was created in 1968 by the Napa County Board of Supervisors. The Agricultural Preserve protects lands in the fertile valley and foothill areas of Napa County in which agriculture is and should continue to be the predominant land use. Measure P was passed by voters in 2008 and requires voter approval for any changes that would re-designate unincorporated agricultural and open-space lands. The Commission will consider the Agricultural Preserve and Measure P in its decision making processes to the extent they apply, prior to taking formal actions relating to SOIs.
- 4) In the course of an SOI review for any local agency as part of an MSR, the Commission shall identify all existing outside services provided by the affected agency. For any services provided outside the affected agency's jurisdictional boundary but within its SOI, the Commission shall request the affected agency submit an annexation plan or justification for not annexing the territory that is receiving outside services.
- 5) In the course of reviewing a city or town's SOI, the Commission will consider the amount of vacant land within the affected city or town's SOI. The Commission discourages SOI amendment requests involving vacant or underdeveloped land that requires the extension of urban facilities, utilities, and services where infill development is more appropriate.
- 6) A local agency's SOI shall generally be used to guide annexations within a five-year planning period. Inclusion of land within an SOI shall not be construed to indicate automatic approval of an annexation proposal.
- 7) When an annexation is proposed outside a local agency's SOI, the Commission may consider both the proposed annexation and SOI amendment at the same meeting. The SOI amendment to include the affected territory, however, shall be considered and resolved prior to Commission action on the annexation.
- 8) A local agency's SOI should reflect existing and planned service capacities based on information collected by, or submitted to, the Commission. This includes information contained in current MSRs. The Commission shall consider the following municipal service criteria in determining SOIs:

Commented [NH1]: This references both an MSR and an SOI. What is the intent of referencing both in the SOI Policy?

Commented [NH2]: Please include a definition of "vacant land" in the SOI Policy

Policy on Spheres of Influence
Page 4 of 5

- a) The present capacity of public facilities and adequacy of public services provided by affected local agencies within the current jurisdiction, and the adopted plans of these local agencies to address any municipal service deficiency, including adopted capital improvement plans.
- b) The present and probable need for public facilities and services within the area proposed or recommended for inclusion within the SOI, and the plans for the delivery of services to the area.
- 9) The Commission shall consider, at a minimum, the following land use criteria in determining SOIs:
 - a) The present and planned land uses in the area, including lands designated for agriculture and open-space.
 - b) Consistency with the County General Plan and the general plan of any affected city or town.
 - e) Adopted general plan policies of the County and of any affected city or town that guide future development away from lands designated for agriculture or open-space.
 - d) Adopted policies of affected local agencies that promote infill development of existing vacant or underdeveloped land.
 - e) Amount of existing vacant or underdeveloped land located within any affected local agency's jurisdiction and current SOI.
 - f) Adopted urban growth boundaries by the affected land use authorities.

Commented [NH3]: This seems redundant given that Agriculture is referenced above

Commented [NH4]: Similarly this seems redundant given the policy language above and potentially not applicable if the area in question is geographically separated from the "vacant or under developed land" being used to decide an SOI boundary change

B. Scheduling Sphere of Influence Reviews and Updates

G.C. §56425(g) directs the Commission to update each SOI every five years, as necessary. Each year, the Commission shall adopt a Work Program with a schedule for initiating and completing MSRs and SOI reviews based on communication with local agencies. This includes appropriate timing with consideration of city, town, and County general plan updates. The Commission shall schedule SOI updates, as necessary, based on determinations contained in MSRs.

C. Environmental Review

SOI establishments, amendments, and updates will be subject to the review procedures defined in the California Environmental Quality Act (CEQA) and the Napa LAFCO CEQA Guidelines.

If an environmental assessment/analysis is prepared by an agency for a project associated with an SOI establishment, amendment, or update, and LAFCO is afforded the opportunity to evaluate and comment during the Lead Agency's environmental review process, then LAFCO can act as a Responsible Agency under CEQA for its environmental review process.

Commented [NH5]: This may not be consistent with State CEQA regulation regarding LAFCo and Responsible Agency definitions.

A complete set of the adopted environmental documents prepared for the project, a copy of the filed Notice of Determination/Notice of Exemption, and a copy of the Department of Fish and Wildlife fee receipt must be submitted as part of the application. Completion of the CEQA review process will be required prior to action by the Executive Officer or the Commission.

VI. FORM OF REQUEST FOR SPHERE OF INFLUENCE AMENDMENT

Any person or local agency may file a written request with the Executive Officer requesting amendments to an SOI pursuant to §56428(a). Requests shall be made using the form provided in Attachment A and be accompanied by a cover letter and a map of the proposed amendment. Requests shall include an initial deposit as prescribed under the Commission's adopted fee schedule. The Executive Officer may require additional data and information to be included with the request. Requests by cities, towns, and special districts shall be made by resolution of application.

VII. REVIEW OF REQUEST FOR SPHERE OF INFLUENCE AMENDMENT

The Executive Officer shall review and determine within 30 days of receipt whether the request to amend an agency's SOI is complete. If a request is deemed incomplete, the Executive Officer shall immediately notify the applicant and identify the information needed to accept the request for filing.

VIII. CONSIDERATION OF REQUEST FOR SPHERE OF INFLUENCE AMENDMENT

Once a request is deemed complete, the Executive Officer will prepare a written report with a recommendation. The Executive Officer will present his or her report and recommendation at a public hearing for Commission consideration. The public hearing will be scheduled for the next meeting of the Commission for which adequate notice can be given. The Commission may approve, approve with conditions, or deny the request for an SOI amendment. The Commission's determination and any required findings will be set out in a resolution that specifies the area added to, or removed from, the affected agency's SOI. While the Commission encourages the participation and cooperation of the subject agencies, the determination of an SOI is a LAFCO responsibility and the Commission is the sole authority as to the sufficiency of the documentation and consistency with law and LAFCO policy.



Report to the City Council
Council Meeting of April 9, 2019

Agenda Section: Old Business

Subject: Discussion and Direction Regarding 2019 Work Plan Staffing and Assignments

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 developed three-year broad organizational goals and 12-month strategic objectives to accomplish the goals. On January 31, 2019, the new City Council held a Special Meeting on Governance related topics as a prelude to formal goal setting. In addition to working on strengthening the effectiveness of the City Council/staff team, the Council discussed norms for working together, opportunities and challenges on the horizon, and the planned process for setting Council priorities.

On February 4, 2019, the City Council held a Priority Setting Workshop to reaffirm and/or identify broad three-year City organizational goals, establish priorities for the coming year, and discuss how the priorities fit with the organization's capacity. A summary of projects/tasks in motion along with carryover tasks from prior year goals was provided to the City Council in advance to facilitate the prioritization discussion.

On February 26, 2019, the City Council approved five updated three-year organization goals:

1. Improve and Maintain Safe and Reliable City Infrastructure with a Commitment to Environmental Stewardship and Public Health
2. Stabilize, Maintain, and Improve Access to Housing

3. Enhance Organizational Performance and Commit to Full Public Participation, Ongoing Communication, and Regional Collaboration
4. Ensure Long Term Economic Sustainability While Safeguarding St. Helena's Unique Culture and Quality of Life
5. Support Thriving Families and Enhance the Safety, Well-Being and Healthy Development of our Youth

Additionally, the City Council held a discussion of various 2019 work plan objectives/tasks to assist in the accomplishment of organizational goals.

The resulting goals and 2019 work plan matrix (attached) provides a summary of:

- Who is responsible for working on each task,
- A projected completion date for accountability purposes,
- A "status" column to facilitate periodic City Council review of progress; and
- A color coding prioritization framework to guide policy focus.

DISCUSSION

Staff has prepared a summary of suggested staffing and assignments for planned work plan tasks in the attached matrix. Several 2019 policy initiatives will benefit by assistance from a Council Member or two. These initiatives are identified in the "who" column. The "comments" column provides background on prior assignments and/or the status of initiatives. It is recommended the matrix be reviewed and discussed at a City Council meeting quarterly.

FISCAL IMPACT

Not applicable.

RECOMMENDED ACTION

It is recommended the City Council discuss, identify, and confirm 2019 Work Plan staffing and assignments for the planned policy initiatives.

ATTACHMENTS

[2019 Work Plan v7](#)

DRAFT 3-YEAR GOALS & 2019 WORK PLAN

LEGEND

GREEN	Work Plan Items Previously Approved/Directed by City Council and in Motion
BLUE	New Work Plan Items
YELLOW	Work Plan Items may not be completed in 2019 due to focus on GREEN and BLUE Work Plan priorities
RED	Work Plan Items that are important but are recommended for the 2020 Work Plan due to competing priorities

GOAL 1: Improve and Maintain Safe and Reliable City Infrastructure with a Commitment to Environmental Stewardship & Public Health

DUE DATE		WHO	WHAT	STATUS			COMMENTS
				Complete	On Schedule	Revised Date	
A.	August 31, 2019	City Manager (Lead) + Recreation & Library Stakeholders + Council Member(s)	Complete Evaluating Library, City Hall, and Conceptual Rec Facility				Vice Mayor Dohring and Council Member Koberstein were designated Council liaisons in 2018.
B.	September 20, 2019	City Engineer + Council Member(s)	Prepare Pratt/Main intersection realignment design and study, including review with Caltrans to reevaluate intersection				Study authorized by City Council in August 2018. Vice Mayor Dohring and Former Vice Mayor Peter White were designated Council liaisons in 2018.
C.	September 1, 2019	City Engineer	Initiate construction of the Upper York Creek Dam removal project				Water Board permit and US Army Corps permit secured in 2018.
D.	December 31, 2019	City Engineer	Complete initial draft of Integrated Utility Master Plan for review				Contract awarded by City Council on August 14, 2018.

E.	October 31, 2019	Finance Director + City Engineer (Lead) + Finance Director + City Manager + Council Member(s) + Black & Veatch	Complete engineering analysis to support consideration of modified water rate structure for improved rate equity among users and ratepayers (Ad Hoc Utility Rate Committee recommendation)				Contract awarded by City Council on August 14, 2018. Mayor Ellsworth and Vice Mayor Dohring were designated Council liaisons in 2018.
F.	October 31, 2019	City Engineer + Council Member(s)	Initiate public engagement process and complete design of Downtown Streetscape Project				Vice Mayor Dohring and Council Member Koberstein were designated Council liaisons in 2018.
G.	October 31, 2019	City Attorney + City Engineer + + Council Member(s)	Evaluate feasibility of modifications to existing agreements with large water users to establish firm caps in order to safeguard water supply				Mayor Ellsworth and Vice Mayor Dohring were designated Council liaisons in 2018.
H.	June 30, 2019	City Engineer	Complete Dam Inundation Mapping & Emergency Action Plan				
I.	April 30, 2019	City Engineer	Initiate design of Phase 1 Upgrades at Waste Water Treatment Plant				
J.	December 31, 2019	City Engineer (Lead) + Finance Director	Develop approved stormwater program to position City for use of Measure T Funds if emergency related				
K.	August 1, 2019	City Engineer + Napa County Flood Control District	Obtain permits for Dredging Sulphur Creek				
L.	TBD	Planning & Community Improvement Director (Lead) + Recreation Director + Mayor and Vice Mayor + Two Parks & Recreation Commissioners + Landscape Architect	Develop a community supported plan and funding strategy to renovate Lyman Park post submittal of SHAPE Committee recommendations				Meeting held March 15, 2018 to establish and brief members of the Steering Committee for this initiative. Council has postponed planning of improvements until a decision is made on regarding the current City Hall property.

M.	TBD	City Engineer (Lead)	Install wastewater meters for wineries and other users with unique characteristics to improve cost of service/fee nexus (Ad Hoc Utility Rate Committee recommendation)				
N.	TBD	City Engineer (Lead) + Finance Director	Assess baseline condition of sidewalks and develop approved program for long term maintenance and repair of City sidewalks				

Related CIP Planning/Projects

- Library Roof Replacement
- Complete Design of Paving Projects for 2018-2020
- Repaint Firehouse
- Complete Annual ADA Facilities/Curb Ramps Upgrades
- Complete 2019 Paving Projects
- Hunt Avenue Sidewalk Gap Closure Project
- Complete Guardrail Design on Silverado Trail
- Complete Tennis Court Lighting Upgrade and Resurface Project

GOAL 2: Stabilize, Maintain and Improve Access to Housing

DUE DATE		WHO	WHAT	STATUS			COMMENTS
				Complete	On Schedule	Revised Date	
A.	May 31, 2019	City Manager + Housing Consultant + Council Member(s)	Develop and implement Public Engagement Strategy for prioritization of Housing White Paper recommendations				Council Member Koberstein and Vice Mayor White were designated Council liaisons in 2018.
B.	October 15, 2019	Finance Director + Planning Director + Consultant	Update Housing Impact Fees for workforce housing and consider updates to inclusionary housing ordinance				.
C.	After adoption of General Plan	Planning Director + Planning Commission	Initiate Planning Commission review of White Paper regulatory options, housing element implementing actions, and existing residential district regulations that leads to recommended zoning ordinance text and map amendments to facilitate achievement of housing goals				
D.	December 31, 2019	Planning Director + Consultant + Housing Stakeholders + Planning Commission + Council Member(s)	Begin to quantify housing need and target goals across age and income segments of the community and identify public and private opportunities to address them				

GOAL 3: Enhance Organizational Performance and Commit to Full Public Participation, Ongoing Communication and Regional Collaboration

	DUE DATE	WHO	WHAT	STATUS			COMMENTS
				Complete	On Schedule	Revised Date	
A.	July 31, 2019	Planning Director	Complete City General Plan and present to City Council for Adoption				Council awarded EIR contract in 2018.
B.	August 31, 2019	Planning Director (Lead) + Council Member(s)	Draft and present citywide design guidelines to the City Council for adoption and provide recommended improvements to design review process				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. Vice Mayor Dohring and Council Member Koberstein were designated Council liaisons in 2018.
C.	August 1, 2019	HR/IT Director + Consulting Attorney	Complete update to Employee Handbook and present to the City Council recommended updates to City Policies				Council directed goal from 2018. Comprehensive update in draft form and will be distributed to bargaining units by March 2019. Document has not been updated since 2005.
D.	June 30, 2019	HR/IT Director	Prepare/present to the City Council an employee succession plan and/or strategy to help retain employees and minimize turnover costs				Council directed goal from 2018. Draft plan prepared for internal review by City Manager.
E.	June 15, 2019	City Manager + HR/IT Director	Complete Compensation and Classification Study				Required by MOU

F.	September 30, 2019	Planning Director (Lead) + Council Member(s)	Hold City Council Study Session to analyze options related to developing a robust Code Enforcement Program that is efficient, readily understandable, and predictable				Council authorized additional resources to assist with Code Enforcement.
G.	April 30, 2019	Police Chief (Lead) + City Manager	Develop shared services agreement with City of Calistoga for Police/Dispatch services				
H.	April 30, 2019	Finance Director (Lead) + City Engineer	Develop Leak Adjustment Policy for Commercial Businesses	X			
I.	April 30, 2019	City Clerk	Launch Laserfiche records portal on website				Council authorized digitizing records in 2018.
J.	April 30, 2019	Police Chief + SHUSD	Implement Proposition 56 Tobacco Cessation Grant to fund School Resource Officer				
K.	June 30, 2019	City Manager + Council Member(s) + LAFCO Executive Officer	Liaison with existing regional dialogue and/or identify options for a regional dialogue on approaches to housing, transportation, environmental impacts, water, etc.				Mayor Ellsworth served as liaison in 2018.
L.	December 31, 2019	Planning Director + City Engineer + City Manager	Participate in LAFCO Municipal Services Review				
M.	June 30, 2019	HR/IT Director	Implement online performance review software solution				
N.	December 31, 2019	City Engineer + Police Chief	Conduct a public workshop to solicit community feedback on the concept of a comprehensive approach to improving traffic and pedestrian safety				
O.	December 31, 2019	Planning Director	Review and document status and scale of three large existing non-conforming businesses within the community				
P.	December 31, 2019	Planning Director (Lead) + Council Member(s) + Member of Planning Commission	Introduce pre-application conferences for Planning Applicants				Vice Mayor Dohring and Council Member Koberstein were designated Council liaisons in 2018.
Q.	TBD	HR/IT Director	Re-skin City website				

GOAL 4: Ensure Long Term Economic Sustainability While Safeguarding St. Helena's Unique Culture & Quality of Life

	DUE DATE	WHO	WHAT	STATUS			COMMENTS
				Complete	On Schedule	Revised Date	
A.	December 31, 2019	Finance Director (Lead) + City Engineer + Planning Director + Recreation Director + Willdan	Complete and present for City Council adoption Impact Fee Study and cost allocation plan including inclusionary fees and updating housing fees				Preliminary City Council discussion held October 9, 2018.
B.	December 31, 2019	Finance Director (Lead) + Mayor Ellsworth	Present for City Council consideration a policy and procedure to receive charitable gifts and endowments on behalf of the City				
C.	September 30, 2019	Finance Director (Lead) + City Manager	Evaluate and present options to increase City revenue for City Council consideration				
D.	September 30, 2019	City Manager (Lead) + Council Member(s) + Chamber of Commerce	Intervene to assist in securing tenants for vacant buildings				Vice Mayor Dohring and Council Member Koberstein were designated Council liaisons in 2018.
E.	April 30, 2019	Planning Director	Develop Pop-Up Retail (Temporarily Uses) Permanent Ordinance				
F.	November 30, 2019	City Manager + Chamber of Commerce + Council Member(s)	Refresh branding and reputation of Downtown				
G.	July 31, 2019	City Manager + Consultant + Council Member(s)	Investigate feasibility and potential of Enhanced Infrastructure Financing District (EIFD) and recommended steps				

H.	August 31, 2019	City Manager + Recreation Director + Council Member(s) + Chamber of Commerce	Enhance community event programming in partnership with Chamber of Commerce				
I.	May 31, 2019	City Manager	Create online marketing portal for vacant commercial space and priority investments				
J.	September 30, 2019	Planning Director	Initiate Update to Zoning Ordinance (including consideration of cannabis)				
K.	September 30, 2019	City Manager + Council Member(s)	Evaluate options for Adams Street property				
L.	June 30, 2019	Planning Director + Council Member(s)	Develop and Recommend Downtown Façade and Tenant Improvement Program Policy Options for City Council				
M.	November 30, 2019	City Manager + Council Member(s)	Initiate conversation with existing hotels to discuss opportunities to grow/improve their business (e.g. hotel incentive program)				
N.	TBD	Planning Director	Develop and Recommend Parklet's Program and Policy				

GOAL 5: Support Thriving Families and Enhance the Safety, Well-Being and Healthy Development of Our Youth

	DUE DATE	WHO	WHAT	STATUS			COMMENTS
				Complete	On Schedule	Revised Date	
A.	April 30, 2019	City Clerk + Council Member(s)	Analyze Institute for Local Government resources and prepare options for consideration of establishing a Youth Commission				
B.	May 31, 2019	Recreation Director + Council Member(s)	Provide recommendations to enhance participation and engagement of youth and families in St. Helena				
C.	June 30, 2019	Consultant + Assistant to the City Manager + Council Member(s)	Prepare needs assessment of community youth issues/challenges, opportunities to connect with existing youth organizations/school-based efforts, and provide recommendations for actionable strategies to address issues/challenges				
D.	September 30, 2019	Planning Director	Update Zoning Standards for Daycare and Senior Housing (Residential) for compliance with State law and to improve access				

Other Topics/Items Discussed at Goal Setting Workshop and Retained at February 26, 2019 Council Meeting

- Hold City Financial Workshop
- City Vine Trail Connection
- Enhance walkability of intersections
- Accessible walking trails/open space

Cindy Tzaopoulos

From: Mary Stephenson <stepcomm@aol.com>
Sent: Friday, April 05, 2019 8:19 PM
To: Cindy Tzaopoulos
Cc: John Sales; Erica Roetman Sklar
Subject: Work plan to be submitted at next council meeting

Follow Up Flag: Follow up
Flag Status: Flagged

Cindy - can you please distribute this to the Council and appropriate staff?

Sorry for the late notice but I am traveling with limited email access. I am concerned about the four points for the Housing segment of your work plan. Unlike the other three plan sections it does not lay out a detailed, expedient plan to address this multi-faceted challenge. I think, working together, we could do more to flesh out the plan so the City could make more progress in dealing with this critical issue. Is it possible to postpone approval of this section of the plan so that further work can be done?

Mary Stephenson
Available by email only until 4/10

Sent from my iPhone



Report to the City Council
Council Meeting of April 9, 2019

Agenda Section: Old Business

Subject: Consideration of approval of a Resolution supporting the St. Helena Little League's Fundraising Efforts for Improvements at Crane Park.

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

At the March 12, 2019, City Council meeting, Jeff Blaum, President of the St. Helena Little League, made a presentation regarding the needs of the Little League fields and surrounding facilities (Attachment 1). The St. Helena Little League was chartered in 1961 and began playing games at Carpy Field. In 1970, the League moved to the baseball fields at Crane Park and began a 40+ year lease agreement with the City of St. Helena. Currently, the League provides instructional and competitive play for over 200 area children registered in its baseball and softball programs. The League is run entirely by volunteers from the community, including coaches, umpires, equipment and field maintenance with oversight from a 15-person Board of Directors.

Over the years, the facility and fields at Crane Park have been maintained by the League during the season and the City of St. Helena provides maintenance for the fields and uses them for youth soccer leagues in the off-season. Over the past few years the League has seen some serious deterioration in the field conditions, including a drainage problem which has taken its toll on the asphalt surrounding the grandstands. In addition to the normal wear-and-tear from year-round use, a good deal of the deterioration is attributable to poor drainage in the fields and a very active gopher population. It has also become apparent that the existing restroom facilities at Crane

Park, located by the Bocce Courts and Skate Park, are inadequate for the volume of players, parents, and fans who utilize the fields.

With that in mind, the League is proposing a renovation project for the fields to correct the drainage issue, replace the fencing, and construct a new building for the Snack Shack concession stand and restrooms.

DISCUSSION

The St. Helena Little League has contracted with Madrone Engineering to provide guidance on solving the drainage issue as well as provide engineering services for the Snack Shack building. Additionally, the League has received in-kind architectural work and received estimated construction costs. To pay for the repairs and construction, the League will be embarking on fundraising utilizing a "Donor Brickyard" which includes 558 bricks which are sold and will include an inscription for the individual donor. Additionally, it is anticipated there will be four "Bases" which will be reserved for donors who match the brick sale amounts. It is anticipated this fundraising effort, and in-kind donations/work, will cover 100% of the costs of this project.

The League is asking for the City to adopt a resolution supporting their fundraising efforts for this project.

FISCAL IMPACT

None.

RECOMMENDED ACTION

Staff recommends the City Council adopt a resolution supporting the St. Helena Little League Fundraising Efforts for Improvements at Crane Park.

ATTACHMENTS

[St. Helena Little League - Presentation](#)

[Attachment 2 - Resolution Little League](#)

CITY OF ST. HELENA

RESOLUTION No. 2019-

**Resolution Supporting the St. Helena Little League's
Fundraising Efforts for Improvements at Crane Park.**

RECITALS

- A. The St. Helena Little League was chartered in 1961 and began playing games at Carpy Field; and
- B. In 1970, the League moved to the baseball fields at Crane Park and began a 40+ year lease agreement with the City of St. Helena; and
- C. Over the years, the facility and fields at Crane Park has been maintained by the League during the season and the City provides maintenance for the fields and uses them for youth soccer leagues in the off-season; and
- D. Over the past few years, the League has seen some serious deterioration in the field conditions, including a drainage problem which has taken its toll on the asphalt surrounding the grandstands; and
- E. The League is proposing a renovation project for the fields to correct the drainage issues, replace the fence, and construct a new building for the Snack Shack concession stand and restrooms; and
- F. The League has started the process to acquire price estimates; and
- G. To pay for repairs and construction, the League will be embarking on fundraising efforts; and
- H. It is anticipated this fundraising effort, and in-kind donations/work, will cover 100% of the costs of this project; and
- I. The League is asking for the City to adopt a resolution supporting their fundraising efforts for this project.

RESOLUTION

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

1. Adoption of this resolution is not subject to CEQA; and

2. The City Council supports the fundraising efforts of the St. Helena Little League for improvements at Crane Park.

Approved at a Regular Meeting of the St. Helena City Council on April 9, 2019, by the following vote:

Mayor Ellsworth:	_____
Vice Mayor Dohring:	_____
Councilmember Koberstein:	_____
Councilmember Chouteau:	_____
Councilmember Knudsen:	_____

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzafopoulous, City Clerk



Report to the City Council
Council Meeting of April 9, 2019

Agenda Section: New Business

Subject: Consideration and Proposed Adoption of a Resolution Authorizing the City Manager to Execute a Professional Services Agreement with HydroScience Engineers, in an Amount Not-to-Exceed \$440,000 for Owner's Representative of the City of St. Helena Wastewater Treatment and Reclamation Plant Project to Perform Select Engineering Services, Facilitate the Procurement of a Design-Build Team, and to Ensure that the Design of the WWTRP Project Improvements are Constructed in a Manner and Cost that Meets the City of St. Helena's Needs and Budget in Response to San Francisco Bay Regional Water Quality Control Board Order R2-2016-004.

CEQA Determination: Project is exempt from the requirements 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, Section 15262 Acceptance of Feasibility and Planning Studies and Section 15306 Information Collection in that it is purely the recommendation to negotiate a contract and the acceptance of a feasibility study. Any and all future funding and/or construction activities resulting from this action will be separately reviewed for compliance with CEQA and a formal determination made.

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 City of St. Helena (City), in Napa County, owns and operates a Wastewater Treatment and Reclamation Plant (WWTRP) located at 1 Chaix Lane. The WWTRP and its discharge are permitted through the San Francisco Bay Regional Water Quality Control Board (SFBRWQCB). The City has a Water Reclamation Requirements (WRR) Order No. 87-090 to regulate effluent discharge to land and a recently updated National Pollutant Discharge Elimination System (NPDES) Permit Order No. R2-2016-0003 to regulate discharge to the Napa River. The 2016 NPDES permit contains more stringent effluent limits for biological oxygen demand (BOD) and total suspended solids (TSS), which the WWTRP anticipates it will have difficulty meeting based on historical testing. As a result, the SFBRWQCB issued a Cease and Desist Order (CDO) No. R2-2016-0004 to the City, which mandated the WWTRP to comply with the specified interim BOD and TSS effluent limits, and to perform a Feasibility Study to evaluate and/or identify modifications to the WWTRP that would meet the new effluent limits. The SFBRWQCB issued a Compliance Schedule on January 11, 2018, outlining a schedule for compliance with the CDO. The City entered into a Contract to have GHD prepare the Feasibility Study on May 9, 2016. The Feasibility Study was prepared by GHD and a Final Draft Feasibility Study was delivered to the SFBRWQCB on June 1, 2018, as required by the Compliance Schedule. The SFBRWQCB accepted the Feasibility Study in a letter dated July 31, 2018, and agrees with the City's approach to the Phase I WWTRP Improvements Project.

DISCUSSION

On September 11, 2018, staff presented to the City Council the Final Feasibility Study prepared by GHD in response to CDO No. R2-2016-0004. The Feasibility Study was developed to further evaluate various alternatives that would allow the WWTRP to meet the new BOD and TSS limits. The two alternatives evaluated for providing secondary treatment that would meet the new permit effluent limits were identified as: 1) constructed wetlands with an infiltration pond or 2) a trickling filter system with infiltration pond. In accordance with the Compliance Schedule dated January 11, 2018, the City must complete *Task 10 Submit a Draft Design* for the preferred alternative by April 1, 2019, and *Task 11 Submit the Final Design* for the preferred alternative that incorporates any necessary changes in response to Water Board staff comments by October 1, 2019. The SFBRWQCB is aware that City staff will be requesting an extension for *Task 10* and potentially *Task 11* pending the schedule provided by the recommended consultant and final design process.

In addition, on September 11, 2018, the City Council accepted the WWTRP Improvements Feasibility Study and Recommendations for the Phase I WWTRP Improvements and provided direction to staff to negotiate a contract with GHD for the design of Alternative 2: Trickling Filter with Bypass Flow and Settling Tank; Configuration 4, Tertiary Filtration, Infiltration Storage Pond, Disinfection System Upgrade, WWTRP Electrical System Upgrade, and Reclamation Field Improvements. Construction costs were presented in the preliminary phase at the feasibility level totaling \$14.1 million for all projects combined inclusive of the projects listed above as well as the Reclamation Field Improvements (S-53), Facilities Automation (S-62), New Well at WWTRP (S-66), and WWTRP Phase 2 Upgrades (S18-80).

On October 18, 2018, City staff received a Scope of Services and proposal for the City of St. Helena Phase I WWTRP Upgrade Design from GHD in the amount of \$1,329,671. Additionally, GHD submitted a proposal for the Environmental Federal Funding Assistance in the amount of \$48,002. These consulting services were in support of the City of St. Helena Phase I WWTRP Upgrade Design and costs were in addition to the amount of \$1,329,671.

Upon further evaluation of funding assistance and design costs associated Alternative 2 as described above, staff exercised due diligence and began researching additional alternatives other than design of Alternative 2: Trickling Filter with Bypass Flow and Settling Tank; Configuration 4, Tertiary Filtration, Infiltration Storage Pond, Disinfection System Upgrade, WWTRP Electrical System Upgrade, and Reclamation Field Improvements.

Staff found that in an effort to reduce costs other cities and municipalities had utilized a Design-build approach on similar projects of similar size and scope, where alternative technologies such as Sequencing Batch Reactor with Tertiary Filtration (SBR) or a Tertiary Membrane Bioreactor (MBR) were constructed in lieu of upgrading or retrofitting existing antiquated treatment technologies.

On November 8, 2018, City staff contacted the SFBWRQCB to determine if a Design-build project incorporating a SBR or a MBR with either ultraviolet disinfection or chlorine disinfection requires approval by the SFBWRQCB. The SFBWRQCB indicated it is at the City's discretion to determine how the City prefers to meet CDO and permit requirements.

On November 9, 2018, City staff contacted the United States Department of Agriculture (USDA) to determine if a Design-build project incorporating the alternative design options are eligible for USDA funding. The USDA State Engineer for Rural Development indicated USDA regulations do permit the use of Design-build provided the project adheres to all of the requirements contained in the California Public Contract Code Section 22164 which contains the procurement process that must be followed for selecting the Design-build contractor.

Staff contacted four Consulting Engineering firms, West Yost Associates, GHD Inc, HydroScience Engineers (HSe), and Bennett Engineering Services Inc., requesting a scope of services and proposal for *Owner's Representative to preform select engineering services, facilitate the procurement of a Design-build Team, and ensure that the WWTRP project improvements are constructed in a manner and costs that meets the City's needs and budget.* HydroScience Engineers and Bennett Engineering Services Inc. met with staff to discuss the project, proposed tasks related to the scope of services, and conduct WWTRP site visits. West Yost Associates and GHD Inc. declined to submit proposals and thus did not participate in further discussions.

Summary of Proposals.

HydroScience Engineers Proposal

Phase 1 Tasks 1-4: \$120,000

Optional Phase 2 Tasks 5-8: \$245,000

Phase 1 + Optional Phase 2 Total: **\$365,000**

Contingency: \$75,000 (~20% of \$365,000)

Phase 1 + Optional Phase 2 + Contingency
Total: **\$440,000**

Bennett Engineering Services Inc. Proposal

Phase 1 Tasks 1-4: \$180,200

Optional Phase 2 Tasks 5-8: \$116,368

Contingency: \$0

Phase 1 + Optional Phase 2 + Contingency
Total: **\$296,568**

Although HydroScience's proposal is \$68,432 more than Bennett for Phase 1 & 2 total, not including contingency. HydroScience proposal for Phase 1 is \$60,200 less. Phase 1 is the essential element of the scope as it is the Phase in which the treatment plant process alternative evaluation work is done and capital costs associated with an SBR or MBR are compared. After speaking with both consultants, evaluating level of confidence, and past work experience, City staff recommends executing a contract with HydroScience Engineers. This recommendation is based on: (1) prior work HydroScience has completed in similar size and scope, (2) their unique skills and knowledge of planning, design, and construction phase services for water, wastewater, and recycled water projects, and (3) prior work on related civil engineering projects.

Pursuant to St Helena Municipal Code Sections 3.04.320-340, professional services shall be procured through negotiated contract with firms who have demonstrated an adequate level of experience, competence, staffing, and other professional qualifications necessary for more than a satisfactory performance of the services required. Staff believes that HydroScience has demonstrated the level of experience,

competence, staffing, and other professional qualifications necessary for exceptional performance of the services required and described in the scope of work provided.

The timeline for the concept design completion and funding support is 4 months. The next phase, which includes permitting and developing the RFQ for bidders, and the actual selection of the design build team is estimated to be 8 months.

FISCAL IMPACT

Project S-52 WWTRP Phase 1 Upgrades design costs are within the budgeted amount in the adopted FY 2018/19 Capital Improvement Program.

RECOMMENDED ACTION

Staff recommends City Council adopt a resolution authorizing the City Manager to Execute a Professional Services Agreement with HydroScience Engineers, in an Amount Not-to-Exceed \$440,000 for Owner's Representative of the City of St. Helena Wastewater Treatment and Reclamation Plant Project to Perform Select Engineering Services, Facilitate the Procurement of a Design-Build Team, and to Ensure that the Design of the WWTRP Project Improvements are Constructed in a Manner and Cost that Meets the City of St. Helena's Needs and Budget in Response to San Francisco Bay Regional Water Quality Control Board Order R2-2016-004.

ATTACHMENTS

[Attachment 1: St. Helena CDO Schedule Update 01-11-18](#)

[Attachment 2: GHD Phase 1 Proposal Fee USDA Funding Proposal Fee](#)

[Attachment 3: CA Public Contract Code 22160-22169](#)

[Attachment 4: HydroScience Proposal SOQ](#)

[Attachment 5: Bennett Engineering Services Inc](#)

[Attachment 6: HSe PSA](#)

[Attachment 7_ HSe Resolution](#)

EDMUND G. BROWN JR.
GOVERNORMATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION**San Francisco Bay Regional Water Quality Control Board**

Sent by email
Confirmation of Receipt Requested

January 11, 2018
 CW-258386

City of St. Helena
 ATTN: Erica Ahmann Smithies
 1480 Main Street
 St. Helena, CA 94574

**Subject: St. Helena Wastewater Treatment and Reclamation Plant –
 Groundwater Investigation and Cease and Desist Order
 Revised Compliance Schedule**

Dear Ms. Ahmann Smithies:

We received the City's December 27, 2017, request to revise deadlines included in our September 15, 2017, letter to comply with Cease and Desist Order No. R2-2016-0004 (CDO) and the Water Board's Notice of Violation dated November 7, 2016. The City made this request because the Napa fires in October 2017 delayed the groundwater investigation. The City wishes to ensure there will be sufficient time to construct plant upgrades.

We agree that additional time to complete these tasks is appropriate. We will not initiate enforcement for the deadlines associated with CDO Table 3 or for failure to submit a complete Report of Waste Discharge as required by the November 7, 2016, Notice of Violation, as long as the City completes the following tasks according to the schedule below:

Task	Description	Due Date
1	Submit a Draft Groundwater Investigation/Fate and Transport Modeling report. The numerical model developed for the report must be capable of estimating the direction, speed, and volumetric flow of groundwater beneath and downgradient of the land application area. Additionally, the City shall characterize the impact of wastewater discharges on groundwater flow and levels. The City shall use the results of groundwater modeling work to determine the effect of wastewater discharges on groundwater. Based on these results, the City shall propose short-term strategies deemed necessary to minimize any impacts.	March 1, 2018
2	Submit the Final Groundwater Investigation/Fate and Transport Modeling report. This report shall incorporate any necessary changes in response to Water Board staff	June 1, 2018

DR. TERRY F. YOUNG, CHAIR | BRUCE H. WOLFE, EXECUTIVE OFFICER

1515 Clay St., Suite 1400, Oakland, CA 94612 | www.waterboards.ca.gov/sanfranciscobay



St. Helena Wastewater Treatment Plant

- 2 -

January 11, 2018

	comments. It shall also include as-built construction drawings of the newly installed monitoring wells, a map showing the well locations, and the water quality information described in Sections 5.2 and 5.3 of the City's August 31, 2017, <i>Monitoring Well Installation and Monitoring Network Workplan</i> .	
3	Submit a Revised Feasibility Study that incorporates the groundwater report information and any necessary changes in response to Water Board staff comments.	June 1, 2018
4	Submit a Draft Interim Wastewater Discharge Management Plan that describes how the City will manage treated wastewater to protect groundwater from nutrient impacts while the City constructs its new or modified treatment system.	June 1, 2018
5	Submit the Final Feasibility Study that incorporates any necessary changes in response to Water Board staff comments.	August 1, 2018
6	Submit a Monitoring Well Installation Completion Report that documents installation of the monitoring wells.	April 1, 2018
7	Submit the Final Wastewater Discharge Management Plan that incorporates any necessary changes in response to Water Board staff comments.	August 1, 2018
8	Submit a Draft Workplan for implementing the preferred alternative selected in the Final Feasibility Study. This report shall include plans for financing the preferred alternative.	August 1, 2018
9	Submit the Final Workplan for implementing the preferred alternative that incorporates any necessary changes in response to Water Board staff comments.	October 1, 2018
10	Submit a Draft Design for the preferred alternative.	April 1, 2019
11	Submit the Final Design for the preferred alternative that incorporates any necessary changes in response to Water Board staff comments.	October 1, 2019
12	Submit documentation of the completion of Final Workplan implementation and begin operation of the new or modified treatment system. (CDO Table 3, task f)	December 1, 2021
13	Submit a report evaluating the effectiveness of the new or modified treatment system and whether it is likely to meet the requirements of the NPDES permit. Identify and implement measures to ensure compliance. (CDO Table 3, task g)	September 1, 2022
14	Achieve full compliance with the 2016 Permit effluent limits listed in CDO Table 1. (CDO Table 3, task h)	March 1, 2023
15	Submit Quarterly Groundwater Monitoring Reports providing the groundwater monitoring results of the previous quarter for the parameters listed in Section 5.2 of the City's August 31, 2017, <i>Monitoring Well Installation and Monitoring Network Workplan</i> .	Every January 1, April 1, July 1, and October 1 each year, starting April 1, 2018

St. Helena Wastewater Treatment Plant

- 3 -

January 11, 2018

You may contact Vincent Christian at (510) 622-2336 or vchristian@waterboards.ca.gov if you have any questions.

Sincerely,

Bruce H. Wolfe
Executive Officer

cc:

Danyal Kasapligil
Dellavalle Laboratory, Inc.
1920 W. McKinley Avenue, Suite 110
Fresno, CA 93728

Danyal Kasapligil
502 Mace Blvd, Suite 2B
Davis, CA 95618

Bean Family Vineyards, LLC
Attention: Mr. James Bean
420 Palm Street
Palo Alto, CA 94301

Jack Neal & Son Vineyard Management
Attention: Mr. Mark Neal
360 La Fata Street
St. Helena, CA 94574

Copy (sent by email):

Becky Mitschele, U.S. EPA, Region 9, becky.mitschele@epamail.epa.gov>
SWRCB DWQ, NPDES_Wastewater@waterboards.ca.gov
Ken Greenberg, U.S. EPA Region 9, greenberg.Ken@epamail.epa.gov
Cris Carrigan, SWRCB Office of Enforcement, Cris.Carrigan@waterboards.ca.gov
Chris Malan, Cmalan1earth@gmail.com
Alex Culick, GHD Engineering, alex.culick@ghd.com
Kristine Corneillie, Larry Walker Associates, KristineC@lwa.com
Friends of the Napa River, info@fonr.org
Melissa Thorme, mthorme@DowneyBrand.com

Scope of Services for the City of St. Helena Phase I WWTRP Upgrade Design

Background

The City of St. Helena (City) owns and operates a Wastewater Treatment and Reclamation Plant (WWTRP). The WWTRP was constructed in 1967 and consists of a series of five ponds that provides secondary level treatment, followed by either direct discharge to the Napa River or irrigation disposal on City-owned land that is located adjacent to the WWTRP. The WWTRP utilizes Type I and Type 2 Advanced Integrated Pond Systems (AIPS) which include pond anaerobic digesters for waste contact and treatment (Pond 1A), followed by natural aerobic and facultative pond treatment processes (Pond 1B), algal production and maturation (Ponds 2 and 3), equalization (Pond 4), and storage (Pond 5). The final effluent is chlorinated and dechlorinated prior to disposal.

The WWTRP and its discharge are permitted through the San Francisco Bay Regional Water Quality Control Board (SFBRWQCB). The City has a Water Reclamation Requirements (WRR) Order No. 87-090 to regulate effluent discharge to land, and a recently updated National Pollutant Discharge Elimination System (NPDES) Permit Order No. R2-2016-0003 to regulate discharge to the Napa River. The 2016 NPDES permit contains more stringent effluent limits for biological oxygen demand (BOD) and total suspended solids (TSS), which the WWTRP anticipates that it would have difficulty meeting based on historical testing. As a result, the SFBRWQCB issued a Cease and Desist Order (CDO) No. R2-2016-0004 to the City, which mandated the WWTRP to comply with the specified interim BOD and TSS effluent limits, and to perform a Feasibility Study to evaluate and/or identify modifications to the WWTRP that would meet the new effluent limits. The Feasibility Study was prepared by GHD and a Final Draft Feasibility Study was delivered to the SFBRWQCB on June 1, 2018 as required by the Compliance Schedule. The SFBRWQCB accepted the Feasibility Study in a letter dated July 31, 2018 and agrees with the City's approach to the Phase I WWTRP Improvements Project which will include upgrades to the existing electrical system, upgrades to the existing disinfection system, modifications to the existing de-chlorination system, installation of a new trickling filter utilizing the PETRO Process, installation of a new tertiary filter, modifications to the irrigation spray fields with the installation of a new infiltration area.

Based on our discussions, recommendations from the Phase I WWTRP Improvements Project Feasibility Study and requirements as set forth by the SFBRWQCB the following is the scope of services to complete the design of the City of St. Helena WWTRP Phase I Upgrade Project:

Task 1 - Project Management

A work plan will be developed identifying all required tasks and project milestones. Staff assignments, contact information, scope of services, and detailed schedule breakdown will be developed under this task. The work plan communicates to all project team members the goals and objectives of the project, who is responsible, and when tasks start and stop.

GHD will have an internal kickoff meeting to communicate the project work plan, proposed design schedule, provide coordination, set field visit times/dates and coordinate the project schedule. The kickoff meeting will be attended by GHD's Project Manager, Project Engineer, and key project team members.

This task also includes internal team communication and documentation necessary to convey the requirements of the project to the team, internal project communication and management of disciplines and sub consultants throughout design and overall project management.

Task 2 - Basis of Design

The goal of this task is to establish the project design approach and develop a clear basis for the design of the recommendations for installation of the trickling filter and associated infrastructure for the PETRO process, upgrades to the disinfection system and installation of new double containment chlorine piping, modifications to the existing de-chlorination system including the potential to switch chemicals for de-chlorination, installation of a new tertiary filter and associated appurtenances, installation of a new infiltration area for disposal into the ground, upgrades to the overall electrical system including new MCC's for the WWTRP, new power supply for the new unit processes, SCADA system upgrades including functional connectivity and control for the Operators between the main control center and the headworks, trickling filter, new WWTRP pump stations for the new unit processes, disinfection system, tertiary system, chlorine contact basin and controls, irrigation pump station and a new water line to provide potable water along Chaix Lane to the WWTRP .

A site visit will be completed to meet with City of St Helena (City) staff to discuss the WWTRP operations, proposed system and unit processes, existing electrical system, establish the proposed control strategy and SCADA requirements, site constraints and configurations with other City systems and to discuss the proposed modifications. Following the site visit and meeting with the City, GHD will review the technical and process requirements, electrical and control requirements and develop a Basis of Design Technical Memorandum (TM) to address the various key aspects of the project. A schematic design will be completed and sketches prepared showing the proposed layout, mode of operation and will a narrative for each unit process that will establish the design criteria and describe the system and unit processes listed above.

The City will provide one set of consolidated review comments of the Basis of Design TM. Following review of the Basis of Design TM comments GHD's project team will have meet with the City to discuss comments on the draft Technical Memorandum and will revise and finalize the technical memorandum incorporating the City comments and final recommendations.

Deliverables:

- Basis of Design Technical Memorandum (One PDF electronic copy)

Task 3 - Geotechnical Engineering

The objective of our geotechnical investigation is to investigate, evaluate, and understand the geology and geotechnical engineering properties of the site to provide geotechnical recommendations for the Phase I WWTRP Upgrade project design.

The geotechnical investigation will be performed in the responsible charge of a licensed Geotechnical Engineer. Services include the following:

1. We will review available published geotechnical and geologic data applicable to the project.
2. All boring locations will be marked in white paint and registered with underground Service Alert. The borings would also be permitted through the Napa County Environmental Health Division.

An Encroachment Permit will be obtained through the City for the two borings adjacent to SR29. Traffic control and temporary lane closures will be performed in general accordance with the 2014 California MUTDC.

3. Exploration will include up to nine exploratory borings:
 - a. Two borings, one to 15 feet deep and one to 40 feet, are planned for the trickling filters, humus tanks and pump stations
 - b. One boring to 15 feet deep is planned for the disinfection and dechlorination system
 - c. Six borings are planned for the water main along Chaix Lane: Two to 30 feet deep at the SR29 trenchless crossing and five to 15 feet deep along Chaix Lane

Samples will be obtained continuously in the upper five feet and approximately every five feet thereafter with Standard Penetration Test and Modified California samplers, driven with a 140-pound hammer. Pavement sections will be measured and soils shall be field-classified in general accordance with ASTM D2488. The borings will be backfilled with cement grout and topped with cold asphalt patch. Cuttings will be disposed on on-site.

4. Site-specific infiltration testing will be performed with double ring infiltrometer testing in two locations. The tests will be performed per ASTM D3385 at a depth of approximately 3 feet below existing grades, which is the estimated infiltration depth. The City will excavate the test pits prior to arrival.

The double-ring infiltrometer method consists of driving two open cylinders, one inside the other, into the ground, partially filling the rings with water or other liquid, and then maintaining the liquid at a constant level. The volume of liquid added to the inner ring, to maintain the liquid level constant is the measure of the volume of liquid that infiltrates the soil. The volume infiltrated during timed intervals is converted to an incremental infiltration velocity, usually expressed in centimeter per hour or inch per hour and plotted versus elapsed time. The maximum-steady state or average incremental infiltration velocity, depending on the purpose/application of the test is equivalent to the infiltration rate.

5. GHD will perform laboratory tests of the type and number as required to obtain sufficient information to prepare the geotechnical report, which shall state the standards used for the laboratory tests. The laboratory testing will include, as appropriate:
 - a. Strength tests such as direct shear, unconfined compression
 - b. Index Tests such as sieve analysis, hydrometer, Atterberg limits, moisture content, and dry density
 - c. Corrosivity Tests, including sulfate, resistivity, chloride, pH, redox
 - d. R-value for pavement design
6. A design-level geotechnical investigation report will be prepared for the project. The report will include the following:
 - a. Description of physical properties and characteristics of the pavement section, subsurface soil, and groundwater
 - b. A plan showing the locations of borings and log of borings
 - c. Discussion of corrosivity of soils with respect to concrete and ferrous metals
 - d. A summary of all laboratory and field test data
 - e. Discussion of pertinent geotechnical factors (soil and groundwater) that could affect the design and construction of this project; and

- f. Conclusions and recommendations for the following:
 - i. Impacts of questionable soils (expansive, compressible, resistant), if encountered, and mitigation
 - ii. Soils corrosive to concrete and ferrous metals
 - iii. Earthwork including subgrade preparation, engineered fill, and temporary excavations
 - iv. Bedding, backfill, compaction, and moisture requirements for trench bedding and backfill
 - v. Flexible pipeline deflection parameters
 - vi. Bearing capacities for shallow foundations, including settlement estimates and passive resistance
 - vii. Lateral earth pressures for pump station walls
 - viii. Pavement section alternatives for Chaix Lane

A review of the geotechnical aspects of the civil and structural plans will be performed during design development.

ASSUMPTIONS AND CLARIFICATIONS

1. Access to the project site is provided to GHD for exploration; encroachment permits or rights of entry are provided to GHD.
2. The drill sites are accessible by a truck-mounted drill rig.
3. Work hours will be between 7 am and 5 pm.
4. Drill spoils will be placed on-site.
5. Wet weather may delay the schedule of field services.
6. The City will provide a backhoe and operator to excavate pits for testing
7. Any services not expressly contained in the scope of work are excluded; however, GHD can provide additional services, if requested, per a contract amendment.

Task 4 - CEQA Initial Study / Proposed Mitigated Negative Declaration

GHD will coordinate with the City to prepare an Initial Study/Proposed Mitigated Negative Declaration (IS/MND) for the project. GHD will prepare an Administrative Draft IS/MND for City review. The Administrative Draft will include a description of the project and analysis using the CEQA Appendix G environmental checklist.

The following technical studies will be completed to support the CEQA review for the project.

Cultural Resources Study: GHD will team with Tom Origer and Associates to conduct a Cultural Resources Study for the project. The evaluation will be conducted such that the results may be used to satisfy Section 106 requirements if federal funding is sought. This would include development of an Area of Potential Effect (APE) Map for the project. Origer and Associates will review records, maps, and documents on file at the Northwest California Information Center (NWIC), contact the Native American Heritage Commission for a review of the Sacred Lands File, and contact listed organizations and individuals regarding the archaeological sensitivity of the project area. Origer and Associates will then perform a field study consisting of an on-foot survey of the project area, and will prepare a Cultural Resources Study Report documenting the results.

It is assumed that the City will notify Native American Tribes pursuant to Assembly Bill 52, if applicable.

Biological Resources Assessment: GHD will team with Jane Valerius Environmental Consulting and Wildlife Research Associates to conduct a Biological Resources Assessment for the project. This will include reviewing the California Department of Fish and Wildlife's (CDFW's) California Natural Diversity Database for special status species occurrences within 5 miles of the site and contacting the U.S. Fish and Wildlife Service (USFWS) for a list of federally protected species within the same radius. A review of the California Native Plant Society (CNPS) on-line database for special status plants in the area will also be conducted. Following review of species lists, a reconnaissance-level survey of the project site will be conducted, including identification of any potential wetlands in the project area. Project impacts will be evaluated for their direct, indirect and/or cumulative impacts and specific recommendations for mitigation measures reflecting current regulatory standards will be provided in a summary report.

Mitigation measures will be developed to reduce environmental impacts to less than significant, where needed.

Upon receipt of City comments, GHD will update the IS/MND and submit a PDF formatted Screen Check Draft for City review prior to publication. Following City approval of the Screen Check Draft, GHD will publish and circulate the IS/MND for a 30-day public review period.

GHD will prepare the required CEQA notices for the project, including a Notice of Intent to Adopt a Mitigated Negative Declaration and Notice of Completion. GHD will coordinate publishing of the Notice of Intent in a local newspaper. GHD will transmit 15 CDs of the IS/MND to the State Clearinghouse for review by State agencies, and additional copies to relevant local agencies as needed. GHD will provide hardcopies for public review at a City office.

Following the 30-day public review period, GHD will prepare a draft mitigation monitoring program (MMP) for City review. The MMP will identify assignments of responsibility and timeframes for implementation of mitigation measures in the IS/MND. After receiving City comments, GHD will finalize the MMP for adoption.

GHD's CEQA Project Manager will be available to attend a public meeting for review and adoption of the CEQA document, assisting with the presentation, as needed. GHD will assist in preparing a staff report and resolution for adoption of the MND, as needed.

Following adoption of the MND and Project approval, GHD will prepare a Notice of Determination for the Project. GHD recommends that the Notice of Determination be filed at the County Clerk's office within 5 working days to shorten the statute of limitations for challenging the action under CEQA. It is assumed the City will pay the filing fee.

This proposal is based on the following assumptions:

- a. The City will provide payment for the local newspaper notice, and for the CDFW filing fee and County Clerk processing fee when filing the Notice of Determination.
- b. This proposal does not include a CEQA Response to Comments / Final MND. GHD can provide this service under amendment, if requested by the City.
- c. Meetings other than those indicated above are not required.
- d. Visual simulations are not required for the project.
- e. A Traffic Impact Study is not required for the project.

- f. Resource agency permitting is not required for the project.
- g. Changes to the project description and/or scope of work described in the proposal could result in potential changes to the proposed fee and schedule.

Task 5 - Surveying

An aerial map and topographic survey was completed for the WWTRP in 2017 and will be used as a basis for design. GHD will complete additional ground shots and elevations of existing structures below grade that will be required for design. In addition, GHD will conduct topographic surveys necessary for, and prepare a detailed topographic base map for the new force main alignment along Chaix Lane. Surveying will be completed along the alignment for the installation of approximately 5,000 feet of the new water main from west side of Highway 29 to the WWTRP to generate a basis for development of a plan and profile of the proposed new water main. Horizontal and vertical control will be established for the project and all mapping will be tied to the California Coordinates System, NAD 83, Zone II. Base mapping shall be prepared at a scale of 1"=20' (unless otherwise requested by the City), with one-foot contours and shall include all significant surface features. Topography will include all pertinent surface features within the limits of the survey.

At this point it is assumed that no permanent easements or temporary construction easements will be required. The preparation of easement documents, (legal descriptions and plats), are not included in the proposed scope of services, but can be provided, if required.

Task 6.0 – Engineering Design, Plans, Specifications

Construction Plans & Specifications

This task of the project includes preparation of the construction documents: plans, technical specifications for design levels of effort at 30%, 90% and Final (bid set). Opinion of probable construction cost will be completed at the 30% and 90% submittal stages.

Construction specifications shall be provided for all work undertaken in this project. A specification Table of Contents will be delivered at the 30% design stage. Draft specifications will be delivered at the 90% and 100% submittals. Plans and Specifications of the proposed improvements will be in conformance with the City of St. Helena Design Standards. We will utilize the City's boilerplate front-end contract documents and make Project-specific modifications as necessary and as allowable under City guidelines. Any proposed changes will be made using "tracked-changes."

The 30% design submittal will be developed based on the information developed in the Basis of Design TM. Documents will be prepared for the proposed improvements including civil, structural, mechanical and electrical design.

30% Plans & Specifications

GHD will prepare 30% plans using the information developed from the Basis of Design TM and site visits. The 30% plans will include the preliminary site, infrastructure and piping layout and will include civil, mechanical and structural design of the WWTRP Upgrades and System Modifications, disinfection system and new Chlorine Line, de-chlorination System, tertiary filtration system, infiltration disposal field, development of a bridging document for new irrigation in the existing irrigation field, electrical and controls for the unit processes including new electrical service, SCADA system and the new water line along

Chaix Lane and will serve as the basis for the development of the 90% submittal and design. A specification Table of Contents will also be developed. It is assumed that the City will distribute 30% plans and return one consolidated comment review package.

Plans will be prepared at a scale of 1"=20' (unless otherwise approved by the City) on 22"x34" sheets.

Deliverables:

- Check Set of 30% full-size (22"x34") Plans on bond (3 copies), a half size electronic PDF for 11 x 17, and Technical Specification Table of Contents (3 hard copies, electronic PDF).

90% Plans & Specifications

This phase of the project includes preparation of the 90% construction documents including Plans, Specifications and an Opinion of Probable Construction Cost. The 90% plans & specifications will be developed based on the City's review and comments of the 30% submittal. GHD will prepare an opinion of probable cost at the 90% design level. The 30% cost estimate and quantities will be developed and the bid schedule revised to maintain alignment with the technical specifications and matching the sequence and names of the items presented in the specifications. Unit prices will be verified for the various bid items. An appropriate construction contingency will be included.

Deliverables:

- 90% Plans, Specifications, and Probable Cost (One full size plan set and electronic copy of plans, one hard and one electronic copy of specification and probable cost)

Final Design (100%)/Bid Set

GHD will prepare a complete set of biddable contract documents and final engineer's opinion of probable construction costs. Revisions will be substantially based upon comments and recommendations provided by the City for the 90% submittal. The Final Plans & Specifications will be stamped and signed by professional engineers registered in the State of California.

Deliverables:

- Final Stamped/Signed full-size (22"x34") Plans (1 paper copy)
- Final Technical Specifications (2 paper copies)
- Final Opinion of Probable Construction Cost (2 paper copies)
- CD electronic copy of Final project Plans (AutoCAD & pdf)
- CD electronic copy of final project Technical Specifications (MS Word & pdf)

Deliverables:

- Addenda to the Bid Documents (1 half-size paper copy, 1 electronic copy (pdf) for up to two addenda)

Task 7 - Bid Phase Assistance

After acceptance of the Final Bid Documents by the City GHD will provide bid phase assistance to the City. GHD will assist the City in advertising the project for bid. GHD will provide the electronic plans and specifications to a local plan room for distribution to interested contractors. Costs for the plans & specifications will be based on actual cost and paid for directly by the Contractor to the plan room.

GHD's Project Manager and Project Engineer will attend a pre-bid conference scheduled by the City including an on-site "walk through" with prospective bidders, approximately two weeks prior to bid opening. GHD will assist the City in preparation of an agenda and minutes of the meeting and walk through.

GHD will assist the City with responding to questions during the bid period. It is assumed that questions will be received by and subsequent responses will be communicated through the City. Questions from prospective bidders directed to GHD will be re-directed to the City for proper documentation.

GHD will assist the City with preparing Addenda as appropriate to clarify, correct, or change the Bid Documents in response to questions and clarification requests received during the project's bid phase. It is assumed that the City will issue Addenda to prospective bidders. This scope item assumes the preparation of up to two (2) addenda.

Deliverables:

- Addenda to the Bid Documents (1 half-size paper copy, 1 electronic copy (pdf) for up to two addenda)

Schedule

Item	Anticipated Start Date/Work Period
Notice to Proceed	11/14/18
Basis of Design	11/14/18 – 12/21/18
Geotechnical Investigation, Site Survey	11/14/19 – 3/30/19
City Review of Basis of Design	12/26/18 – 1/11/19
30% Design Plans and Specifications	1/14/19 – 3/8/19
City Review of 30% Design	3/11/19 – 3/22/19
Submit 30% Design to RWQCB	4/1/19
CEQA – IS/MND	1/21/19 – 6/28/19
90% Design Plans and Specifications	4/8/19 – 7/31/19
City Review of 90% Design	8/1/19 – 8/23/19
100% Design	8/26/19 – 9/20/19 -
Final Review with City	9/23/19 – 9/30/19
Submit Final Design to RWQCB	10/1/19
Final Bid Set and Bid Phase	TBD

Assumptions:

- Additional services not specifically included in the described scope of work will be negotiated and provided on a time and materials basis.
- Budgets are based on an estimate of the work required. As the design progresses GHD reserves the right to shift budgets between phases depending on actual level of effort to complete each task.

Fee

See attached Fee Estimate for a summary and breakdown of estimated fees by task.

**City of St. Helena WWTRP Phase I Design
GHD Fee Estimate Summary - 10/18/18**

Task	Description	Fee
1	Project Management and Meetings	\$111,098
2	Basis of Design	\$94,594
3	Geotechnical Engineering	\$57,500
4	CEQA Initial Study/Mitigated Neg Dec	\$67,750
5	Surveying	\$21,960
6	Engineering Design, Plans and Specifications	\$953,496
	Direct Costs	\$6,038
	Total Design	\$1,312,435
7	Bid Phase Support	<u>\$17,236</u>
	Total	\$1,329,671

 City of St Helena WWTRP Phase I Project Fee Estimate 9/24/2018		Consumable	
		Costs	Total
TASK 1 - Project Management			
1.1 Internal Kick Off Meeting		\$196	\$5,826
1.2 Coordination Calls - assumed 1 hr x 40 mtgs		\$280	\$10,880
1.3 Schedules/ Project Admin/ Invoicing		\$336	\$11,816
1.4 Project Management and Coordination		\$2,156	\$82,576
TASK 1 - SUBTOTAL		\$2,968	\$111,098
TASK 2 - Basis of Design			
2.1 Preliminary PETRO Process Design		\$280	\$7,620
2.3 WWTRP Upgrades and System Modifications		\$840	\$21,700
2.4 Disinfection/Dechlorination/Chlorine Line		\$236	\$6,208
2.5 Tertiary Filtration		\$266	\$6,796
2.6 Infiltration Disposal		\$154	\$3,784
2.7 Electrical and Controls		\$294	\$8,304
2.8 Water Line along Chaix Lane		\$168	\$4,048
2.9 Initial Site Meeting		\$644	\$18,304
2.10 Technical Memorandum		\$700	\$17,830
TASK 2 - SUBTOTAL		\$3,584	\$94,594
TASK 3 - Geotechnical Engineering			
3.1 Geotechnical		\$0	\$57,500
TASK 3 - SUBTOTAL		\$0	\$57,500
TASK 4 - CEQA Initial Study/Mitigated Negative Declaration			
4.1 Admin Draft IS/MND		\$1,512	\$53,200
4.2 Screen Check Draft IS/MND		\$224	\$5,104
4.3 Public Review IS/MND		\$112	\$2,312
4.4 Notices		\$42	\$902
4.5 Mitigation Monitoring Plan/Staff Rpt/Public Meeting/NOD		\$252	\$6,232
TASK 4 - SUBTOTAL		\$2,142	\$67,750
TASK 5 - Surveying			
5.1 Site Survey		\$280	\$6,680
5.2 Water Line Survey		\$420	\$15,280
TASK 5 - SUBTOTAL		\$700	\$21,960
TASK 6 - Engineering Design, Plans and Specifications			
6.1 Preliminary Design (30%) (See Notes)		\$9,492	\$235,952
6.2 PreFinal (90%) Design, Calculations, and Specifications		\$18,872	\$462,332
6.3 Final Design (100%), Calculations, and Specifications		\$8,428	\$209,588
6.4 Bid Set Plans and Specifications		\$1,764	\$45,624
TASK 6 - SUBTOTAL		\$38,556	\$953,496
TASK 7 - Bid Phase Services			
7.1 Pre-Bid Conference		\$182	\$5,202
7.2 Respond to Bidder's Questions		\$210	\$6,410
7.3 Preparation of Addenda		\$224	\$5,624
TASK 7 - SUBTOTAL		\$616	\$17,236
Deliveries and Federal Express			\$575
Airfare/ Meals			\$3,450
Lodging			\$2,013
DIRECT COST - SUBTOTAL			\$6,038
Total Hours			
DESIGN TOTAL (including direct costs)			\$1,329,671

Notes: 1. The design services include design of the WWTRP Upgrades and System Modifications, Disinfection/Dechlorination System Design and design of a new Chlorine Line, Tertiary Filtration System, Infiltration Disposal Field, Development of a bridging document for new irrigation, Electrical and Controls for the unit processes including new Electrical Service, SCADA System and the new Water Line along Chaix Lane

2. Budgets presented are based on estimates of the work. As the design progresses dollars may be shifted between phases depending on actual level of effort to complete each task.

**CITY OF ST. HELENA PUBLIC WORKS
PROJECT WORK ORDER NO. _____**

PROJECT NAME: FEDERAL FUNDING ASSISTANCE FOR THE CITY OF ST. HELENA
WASTEWATER TREATMENT AND RECLAMATION PLANT (WWTRP) IMPROVEMENTS
PROJECT

CITY PROJECT MANAGER: ERICA AHMANN SMITHIES
CONSULTANT PROJECT MANAGER: ALEX CULICK

SCOPE OF SERVICE: See Consultant's Scope of Services/Proposal for Services and Fee
Schedule attached as Exhibit B-1.

START DATE: **October 30, 2018** COMPLETION DATE: **July 30, 2018**

NOT-TO-EXCEED AMOUNT FOR THIS PROJECT: \$48,002

TERMS AND CONDITIONS: This Project Work Order is issued and entered into as of the last date written below in accordance with the terms and conditions set forth in the "Master Professional Services Agreement" with GHD Inc., dated August 11, 2015, which is hereby incorporated and made part of this Project Work Order. In the event of a discrepancy or conflict between the terms and conditions of the Project work Order and the Master Agreement, the Master Agreement shall govern.

CITY OF ST. HELENA

By: _____
City Manager

Date: _____

GHD
2235 Mercury Way, Suite 150
Santa Rosa, CA. 95407

A California corporation (or name other state, or LLC, sole proprietor, etc.)

By: _____
Name: _____
Title: _____

Date: _____

APPROVED AS TO FORM:

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

Attachments: Exhibit B-1 - Scope and fee for services for this Project Work Order
 Exhibit B-2 - Project Fee

EXHIBIT B-1: Scope of Services

TASK 1.0 Project Management

GHD will coordinate with the City, USDA and involved agencies/stakeholders to promote timely flow of information for each task activity. The NEPA Project Manager and Project Engineer will attend three (3) teleconference meetings with City and USDA staff regarding project design and review. GHD will prepare a funding application and environmental review schedule using Microsoft Project or similar software, and will provide monthly progress reports.

TASK 2.0 Preliminary Engineering Report

GHD will modify the existing WWTRP Phase I Feasibility Study to be in the format required by the USDA for a Preliminary Engineering Report under the existing Feasibility Study contract and budget. The water line that will be installed along Chaix Lane will be added to the project description and technical requirements for the installation of the water line will be included.

The Crinella Pump Station work will be included in the funding application and Preliminary Engineering Report. GHD will include a description of the work being completed for the Crinella Pump Station, provide the required write up including a discussion of alternatives but will rely on the City to develop and provide the required information related to the modifications being completed to the pump station including estimated costs for construction. In addition there will be other City related operations information that will be required to be included in the application and it is assumed the City will provide and input the required information.

TASK 3.0 Funding Application Assistance

GHD will assist the City in providing the required technical information and required uploads related to the project into the RD Apply system used by USDA. It is assumed the City will provide and upload all required financial information into the system.

TASK 4.0 Draft Environmental Assessment

Based on discussions with USDA staff, the project will require development of a NEPA Environmental Assessment (EA) following USDA's RD Instruction 1970-C.

Preliminary Draft EA

GHD will prepare a Preliminary Draft EA for City and USDA review. The Preliminary Draft will include a written purpose and need, project description, discussion of reasonable alternatives, description of affected environment, and evaluation of environmental consequences in accordance with 7 CFR 1970, Rural Development's Environmental Policies and Procedures.

Consultation and Technical Studies

Consultation with appropriate environmental regulatory or natural resource agencies will be provided. The footprint of the trickling filter and the infiltration storage pond may be located on City owned lands that are currently used for spray disposal, and which are identified as farmlands of statewide importance by the National Resources Conservation Service (NRCS). GHD will consult with the local NRCS office to determine if a land evaluation and site assessment (LESA) is required for the project. If required, GHD will coordinate with the NRCS to rate, rank, and compare the site on the basis of its agricultural value using NRCS's Form AD-1006, Farmland Conversion Impact Rating form. GHD will also attend a site visit to review field conditions and to photodocument the site.

The EA will utilize technical studies to be completed under a separate contract for CEQA compliance, including a project-level biological resource and wetland evaluation, and a cultural resources study. The studies will be completed such that the results may be used to satisfy Federal consultation requirements, including consultation with USFWS and satisfying Section 106 cultural resource requirements. Mitigation action will be developed to reduce environmental impacts to less than significant, where needed.

Screen Check EA

Upon receipt of City and USDA comments, GHD will update the EA and submit a PDF formatted Screen Check Draft for review prior to publication. Following USDA approval of the Screen Check Draft, GHD will publish and circulate the EA for a 30-day public review period. GHD will provide three hardcopies and five CDs for USDA use.

Noticing and Circulation

GHD will prepare a required Notice of Availability (NOA) and draft mailing list for USDA review. Following approval, GHD will coordinate publishing of the NOA in a local newspaper. The publication frequency for the NOA will be 3 consecutive days if placed in a daily newspaper, or 2 consecutive weeks if placed in a weekly newspaper. Additional copies of the NOA will be mailed to relevant agencies.

TASK 5.0 Response to Comments, Mitigation Action Plan, & FONSI

Following the public review period, GHD will review any public or agency comments received on the EA and coordinate with the City and USDA to determine if a written response to public or agency comments.

Response to Comments

If required, GHD will provide written responses to comments, and will document any minor modifications that may be made to the text of the EA to clarify project details and/or impacts. It is assumed that no more than 30 individual comments would require responses. Each comment is counted towards the 30 comments, even if it is on a similar topic as other comments, because of the time required to identify, manage, and respond to each comment submitted. If more than 30 comments are received or the comments require substantial new research, a scope and budget amendment may be necessary.

Mitigation Action Plan

GHD will prepare a draft Mitigation Action Plan for RD review. The Mitigation Action Plan will identify the mitigation measures included in the EA.

Finding of No Significant Impact (FONSI)

If USDA determines that a FONSI is appropriate, then GHD will prepare a draft FONSI for review. The FONSI will include a summary of the supporting EA, a brief discussion of why there would be no significant impacts, any mitigation essential to finding that the impacts of the proposed action would not be significant, and space for a date and signature for the USDA approval official. Upon approval and signature, GHD will publish the FONSI in a newspaper of local circulation and will provide a publication affidavit for USDA files.

Deliverables

1. **Project Management**
 - a. Funding and NEPA review schedule
 - b. Monthly progress reports
2. **Preliminary Engineering Report**
 - a. Draft and Final PER
3. **Funding Application Assistant**
 - a. Draft and Final Funding Application
4. **Draft Environmental Assessment**
 - a. Preliminary Draft EA
 - b. Consultation Letters
 - c. Screen Check Draft EA (PDF)
 - d. Public Review EA (CDs, Hardcopies, PDF)
 - e. Notices: NOA, NOC
5. **Response to Comments, Mitigation Action Plan, & FONSI**
 - a. Draft and Final Response to Comments/Final EA (if required)
 - b. Mitigation Action Plan
 - c. Draft and Final FONSI
 - d. FONSI Publication Affidavit

Information to be provided by City

- a. Reasonable access to the site.
- b. Purpose and Need for project.
- c. Project related studies and reports related to the Chaix Lane water line and Crinella Pump Station Project.

General Assumptions/Exclusions

The described scope of work is based on the following assumptions:

- a. The EA will utilize the results of technical studies to be completed under a separate contract for CEQA review, including a project-level biological resource and wetland evaluation, and an archaeological resources study.
- b. Public informational meetings and formal public scoping meetings are not anticipated for the project and therefore are not included in this proposal.
- c. The EA will evaluate possible effects from the project and the no action alternative. Initial alternatives that were evaluated during the early planning and design phase of the project will be discussed, but will not be evaluated at a project-level of detail.
- d. The City will provide payment for the local newspaper notices.
- e. Meetings other than those indicated above are not required.
- f. Visual simulations are not required for the project.
- g. A Traffic Impact Study is not required for the project.
- h. Resource agency permitting is not required for the project.
- i. Changes to the project description and/or scope of work described in the proposal could result in potential changes to the proposed fee and schedule.

Fee

The fee for Tasks 1 through 5 is a time-and-materials fee not to exceed \$48,002 as shown in the following fee estimating table.

Services not included in this proposal can be provided on a time-and-materials basis by a negotiated fee.



EXHIBIT B-2 - PROJECT FEE

PROJECT NAME: City of St. Helena WWTRP Project - Federal Funding Assistance

Estimated by: Brian Bacciarini & Alex Culick

Date: 9/24/2018

Task Description	GHD												Total Fee
	Principal/ Project Manager	Staff Engineer Professional	Staff Engineer	Senior Environmental Planner	Junior Environmental Planner	CAD/Graphics	Licensed Surveyor	Survey Crew	Admin	HOURS	Indirect Costs	FEE	
	\$265.00	\$185.00	\$140.00	\$160.00	\$125.00	\$145.00	\$155.00	\$330.00	\$115.00				
Task 1.0 - Project Management													
Subtask 1.1 Project Management	8			8					6	22	\$132	\$4,222	\$4,222
Subtask 1.2 Teleconference Meetings (3)	6			6						12	\$72	\$2,622	\$2,622
Task 1 Subtotal Hours	14	0	0	14	0	0	0	0	6	34			
Task 1 Subtotal Fee	\$3,710	\$0	\$0	\$2,240	\$0	\$0	\$0	\$0	\$690		\$204	\$6,844	\$6,844
Task 2.0 - Preliminary Engineering Report													
Subtask 2.1 Draft PER (fee provided under separate task)										0	\$0	\$0	\$0
Task 2 Subtotal Hours	0	0	0	0	0	0	0	0	0	0			
Task 2 Subtotal Fee	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0		\$0	\$0	\$0
Task 3.0 - Funding Application Assistance													
Subtask 3.1 Funding Application Assistance		32								32	\$192	\$6,112	\$6,112
Task 3 Subtotal Hours	0	32	0	0	0	0	0	0	0	32			
Task 3 Subtotal Fee	\$0	\$5,920	\$0	\$0	\$0	\$0	\$0	\$0	\$0		\$192	\$6,112	\$6,112
Task 4.0 - Draft NEPA Environmental Assessment													
Subtask 4.1 Preliminary Draft EA				32	90	8			6	136	\$816	\$19,036	\$19,036
Subtask 4.2 Consultation and Technical Studies				8	12	4			4	28	\$168	\$3,988	\$3,988
Subtask 4.3 Screen Check Draft EA				8	8	2			2	20	\$120	\$2,920	\$2,920
Subtask 4.4 Public Review EA				6					2	8	\$48	\$1,238	\$1,238
Subtask 4.5 Notices and Circulation				4					6	10	\$60	\$1,390	\$1,390
Task 4 Subtotal Hours	0	0	0	58	110	14	0	0	20	202			
Task 4 Subtotal Fee	\$0	\$0	\$0	\$9,280	\$13,750	\$2,030	\$0	\$0	\$2,300		\$1,212	\$28,572	\$28,572
Task 5.0 - Response to Comments, Mitigation Action Plan, & FONSI													
Subtask 5.1 Response to Comments				10	12				4	26	\$156	\$3,716	\$3,716
Subtask 5.2 Mitigation Action Plan				4	4				2	10	\$60	\$1,430	\$1,430
Subtask 5.3 FONSI				8						8	\$48	\$1,328	\$1,328
Task 5 Subtotal Hours	0	0	0	22	16	0	0	0	6	44			
Task 5 Subtotal Fee	\$0	\$0	\$0	\$3,520	\$2,000	\$0	\$0	\$0	\$690		\$264	\$6,474	\$6,474
TOTAL HOURS ALL TASKS	14	32	0	94	126	14	0	0	32	312			
TOTAL FEE ALL TASKS	\$3,710	\$5,920	\$0	\$15,040	\$15,750	\$2,030	\$0	\$0	\$3,680		\$1,872	\$48,002	\$48,002


[Home](#)
[Bill Information](#)
[California Law](#)
[Publications](#)
[Other Resources](#)
[My Subscriptions](#)
[My Favorites](#)
Code: Section:


[Up^](#) [Add To My Favorites](#)

PUBLIC CONTRACT CODE - PCC

DIVISION 2. GENERAL PROVISIONS [1100 - 22355] (Division 2 enacted by Stats. 1981, Ch. 306.)

PART 3. CONTRACTING BY LOCAL AGENCIES [20100 - 22178] (Part 3 added by Stats. 1982, Ch. 465, Sec. 11.)

CHAPTER 4. Local Agency Design-Build Projects [22160 - 22169] (Chapter 4 added by Stats. 2014, Ch. 931, Sec. 14.)

22160. (a) The Legislature finds and declares that the design-build method of project delivery, using a best value procurement methodology, has been authorized for various agencies that have reported benefits from such projects including reduced project costs, expedited project completion, and design features that are not achievable through the traditional design-bid-build method.

(b) It is the intent of the Legislature that the following occur:

(1) This chapter provides general authorization for local agencies to use design-build for projects, excluding projects on the state highway system.

(2) This chapter shall not be deemed to provide a preference for the design-build method over other procurement methodologies.

(Added by Stats. 2014, Ch. 931, Sec. 14. (SB 785) Effective January 1, 2015. Repealed as of January 1, 2025, pursuant to Section 22169.)

22161. For purposes of this chapter, the following definitions apply:

(a) "Best value" means a value determined by evaluation of objective criteria that relate to price, features, functions, life-cycle costs, experience, and past performance. A best value determination may involve the selection of the lowest cost proposal meeting the interests of the local agency and meeting the objectives of the project, selection of the best proposal for a stipulated sum established by the procuring agency, or a tradeoff between price and other specified factors.

(b) "Construction subcontract" means each subcontract awarded by the design-build entity to a subcontractor that will perform work or labor or render service to the design-build entity in or about the construction of the work or improvement, or a subcontractor licensed by the State of California that, under subcontract to the design-build entity, specially fabricates and installs a portion of the work or improvement according to detailed drawings contained in the plans and specifications produced by the design-build team.

(c) "Design-build" means a project delivery process in which both the design and construction of a project are procured from a single entity.

(d) "Design-build entity" means a corporation, limited liability company, partnership, joint venture, or other legal entity that is able to provide appropriately licensed contracting, architectural, and engineering services as needed pursuant to a design-build contract.

(e) "Design-build team" means the design-build entity itself and the individuals and other entities identified by the design-build entity as members of its team. Members shall include the general contractor and, if utilized in the design of the project, all electrical, mechanical, and plumbing contractors.

(f) "Local agency" means the following:

(1) A city, county, or city and county.

(2) A special district that operates wastewater facilities, solid waste management facilities, water recycling facilities, or fire protection facilities.

(3) Any transit district, included transit district, municipal operator, included municipal operator, any consolidated agency, as described in Section 132353.1 of the Public Utilities Code, any joint powers authority formed to provide transit service, any county transportation commission created pursuant to Section 130050 of the Public Utilities Code, or any other local or regional agency, responsible for the construction of transit projects.

Codes Display Text

Page 2 of 5

(4) The San Diego Association of Governments, as referenced in the San Diego Regional Transportation Consolidation Act (Chapter 3 (commencing with Section 132350) of Division 12.7 of the Public Utilities Code).

(5) The Stanislaus Regional Water Authority.

(g) (1) Except as specified in subdivision (h), for a local agency defined in paragraph (1) of subdivision (f), "project" means the construction of a building or buildings and improvements directly related to the construction of a building or buildings, county sanitation wastewater treatment facilities, and park and recreational facilities, but does not include the construction of other infrastructure, including, but not limited to, streets and highways, public rail transit, or water resources facilities and infrastructure. For a local agency defined in paragraph (1) of subdivision (f) that operates wastewater facilities, solid waste management facilities, or water recycling facilities, "project" also means the construction of regional and local wastewater treatment facilities, regional and local solid waste facilities, or regional and local water recycling facilities.

(2) For a local agency defined in paragraph (2) of subdivision (f), "project" means the construction of regional and local wastewater treatment facilities, regional and local solid waste facilities, regional and local water recycling facilities, or fire protection facilities.

(3) Except as specified in subdivision (h), for a local agency defined in paragraph (3) of subdivision (f), "project" means a transit capital project that begins a project solicitation on or after January 1, 2015. A "project," as defined by this paragraph, that begins the solicitation process before January 1, 2015, is subject to Article 6.8 (commencing with Section 20209.5) of Chapter 1. "Project," as defined by this paragraph, does not include state highway construction or local street and road projects.

(4) For a local agency defined in paragraph (4) of subdivision (f), "project" has the same meaning as in paragraph (3), and shall also include development projects adjacent, or physically or functionally related, to transit facilities developed or jointly developed by the local agency.

(5) For a local agency defined in paragraph (5) of subdivision (f), "project" means the Stanislaus Regional Water Authority's Regional Surface Water Supply Project.

(h) In recognition of the additional transportation funds made available by the Road Repair and Accountability Act of 2017 (Chapter 5 of the Statutes of 2017), and to accelerate the delivery of transportation projects to the public, in addition to the authority provided in other subdivisions of this section, for a local agency defined in paragraph (1) or (3) of subdivision (f), for up to six projects to be selected by the Department of Transportation, a "project" also means construction or rehabilitation of local streets and roads, including, but not limited to, bridge replacement and railroad grade separations. Consistent with Provision 2 of Item 2660-110-0042 of Section 2.00 of the Budget Act of 2016, as amended by Chapter 7 of the Statutes of 2017, three projects shall be reserved for and selected by the Riverside County Transportation Commission, with the first priority for the projects listed in that budget item.

(Amended (as amended by Stats. 2017, Ch. 20, Sec. 8) by Stats. 2017, Ch. 391, Sec. 1. (SB 373) Effective January 1, 2018. Repealed as of January 1, 2025, pursuant to Section 22169.)

22162. (a) Except as provided in subdivision (b), and notwithstanding any other law, a local agency, with approval of its governing body, may procure design-build contracts for public works projects in excess of one million dollars (\$1,000,000), awarding the contract either the low bid or the best value, provided that this article shall not apply to any projects on the state highway system.

(b) When a local agency described in paragraph (3) of subdivision (f) of Section 22161 awards a contract for the acquisition and installation of technology applications or surveillance equipment designed to enhance safety, disaster preparedness, and homeland security efforts, there shall be no cost threshold and the contract may be awarded to the lowest responsible bidder or by using the best value method.

(c) The local agency shall develop guidelines for a standard organizational conflict-of-interest policy, consistent with applicable law, regarding the ability of a person or entity, that performs services for the local agency relating to the solicitation of a design-build project, to submit a proposal as a design-build entity, or to join a design-build team. This conflict-of-interest policy shall apply to each local agency entering into design-build contracts authorized under this chapter.

(Added by Stats. 2014, Ch. 931, Sec. 14. (SB 785) Effective January 1, 2015. Repealed as of January 1, 2025, pursuant to Section 22169.)

22162.5. Upon approval by its governing body, the Santa Clara Valley Water District may use the design-build contracting process described in this chapter to award a contract for the following projects:

- (a) Flood protection improvements.
- (b) Habitat restorations or enhancements.
- (c) Groundwater recharge or storage facilities.

Codes Display Text

Page 3 of 5

(d) Water treatment facilities.

(e) The retrofit, repair, or expansion of existing surface water storage facilities.

(Added by Stats. 2017, Ch. 821, Sec. 4. (AB 851) Effective January 1, 2018. Repealed as of January 1, 2025, pursuant to Section 22169.)

22164. The procurement process for the design-build projects shall progress as follows:

(a) (1) The local agency shall prepare a set of documents setting forth the scope and estimated price of the project. The documents may include, but need not be limited to, the size, type, and desired design character of the project, performance specifications covering the quality of materials, equipment, workmanship, preliminary plans or building layouts, or any other information deemed necessary to describe adequately the local agency's needs. The performance specifications and any plans shall be prepared by a design professional who is duly licensed and registered in California.

(2) The documents shall not include a design-build-operate contract for any project. The documents, however, may include operations during a training or transition period but shall not include long-term operations for any project.

(b) The local agency shall prepare and issue a request for qualifications in order to prequalify or short-list the design-build entities whose proposals shall be evaluated for final selection. The request for qualifications shall include, but need not be limited to, the following elements:

(1) Identification of the basic scope and needs of the project or contract, the expected cost range, the methodology that will be used by the local agency to evaluate proposals, the procedure for final selection of the design-build entity, and any other information deemed necessary by the local agency to inform interested parties of the contracting opportunity.

(2) Significant factors that the local agency reasonably expects to consider in evaluating qualifications, including technical design and construction expertise, acceptable safety record, and all other nonprice-related factors.

(3) A standard template request for statements of qualifications prepared by the local agency. In preparing the standard template, the local agency may consult with the construction industry, the building trades and surety industry, and other local agencies interested in using the authorization provided by this article. The template shall require the following information:

(A) If the design-build entity is a privately held corporation, limited liability company, partnership, or joint venture, a listing of all of the shareholders, partners, or members known at the time of statement of qualification submission who will perform work on the project.

(B) Evidence that the members of the design-build team have completed, or demonstrated the experience, competency, capability, and capacity to complete projects of similar size, scope, or complexity, and that proposed key personnel have sufficient experience and training to competently manage and complete the design and construction of the project, and a financial statement that ensures that the design-build entity has the capacity to complete the project.

(C) The licenses, registration, and credentials required to design and construct the project, including, but not limited to, information on the revocation or suspension of any license, credential, or registration.

(D) Evidence that establishes that the design-build entity has the capacity to obtain all required payment and performance bonding, liability insurance, and errors and omissions insurance.

(E) Information concerning workers' compensation experience history and a worker safety program.

(F) If the proposed design-build entity is a corporation, limited liability company, partnership, joint venture, or other legal entity, a copy of the organizational documents or agreement committing to form the organization.

(G) An acceptable safety record. A proposer's safety record shall be deemed acceptable if its experience modification rate for the most recent three-year period is an average of 1.00 or less, and its average total recordable injury or illness rate and average lost work rate for the most recent three-year period does not exceed the applicable statistical standards for its business category or if the proposer is a party to an alternative dispute resolution system as provided for in Section 3201.5 of the Labor Code.

(4) (A) The information required under this subdivision shall be certified under penalty of perjury by the design-build entity and its general partners or joint venture members.

(B) Information required under this subdivision that is not otherwise a public record under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code) shall not be open to public inspection.

(c) (1) A design-build entity shall not be prequalified or shortlisted unless the entity provides an enforceable commitment to the local agency that the entity and its subcontractors at every tier will use a skilled and trained

workforce to perform all work on the project or contract that falls within an apprenticeable occupation in the building and construction trades, in accordance with Chapter 2.9 (commencing with Section 2600) of Part 1.

(2) This subdivision shall not apply if any of the following requirements are met:

(A) The local agency has entered into a project labor agreement that will bind all contractors and subcontractors performing work on the project or contract to use a skilled and trained workforce, and the entity agrees to be bound by that project labor agreement.

(B) The project or contract is being performed under the extension or renewal of a project labor agreement that was entered into by the local agency prior to January 1, 2017.

(C) The entity has entered into a project labor agreement that will bind the entity and all its subcontractors at every tier performing the project or contract to use a skilled and trained workforce.

(3) For purposes of this subdivision, "project labor agreement" has the same meaning as in paragraph (1) of subdivision (b) of Section 2500.

(d) Based on the documents prepared as described in subdivision (a), the local agency shall prepare a request for proposals that invites prequalified or short-listed entities to submit competitive sealed proposals in the manner prescribed by the local agency. The request for proposals shall include, but need not be limited to, the following elements:

(1) Identification of the basic scope and needs of the project or contract, the estimated cost of the project, the methodology that will be used by the local agency to evaluate proposals, whether the contract will be awarded on the basis of low bid or best value, and any other information deemed necessary by the local agency to inform interested parties of the contracting opportunity.

(2) Significant factors that the local agency reasonably expects to consider in evaluating proposals, including, but not limited to, cost or price and all nonprice-related factors.

(3) The relative importance or the weight assigned to each of the factors identified in the request for proposals.

(4) Where a best value selection method is used, the local agency may reserve the right to request proposal revisions and hold discussions and negotiations with responsive proposers, in which case the local agency shall so specify in the request for proposals and shall publish separately or incorporate into the request for proposals applicable procedures to be observed by the local agency to ensure that any discussions or negotiations are conducted in good faith.

(e) For those projects utilizing low bid as the final selection method, the competitive bidding process shall result in lump-sum bids by the prequalified or short-listed design-build entities, and awards shall be made to the design-build entity that is the lowest responsible bidder.

(f) For those projects utilizing best value as a selection method, the design-build competition shall progress as follows:

(1) Competitive proposals shall be evaluated by using only the criteria and selection procedures specifically identified in the request for proposals. The following minimum factors, however, shall be weighted as deemed appropriate by the local agency:

(A) Price, unless a stipulated sum is specified.

(B) Technical design and construction expertise.

(C) Life-cycle costs over 15 or more years.

(2) Pursuant to subdivision (d), the local agency may hold discussions or negotiations with responsive proposers using the process articulated in the local agency's request for proposals.

(3) When the evaluation is complete, the responsive proposers shall be ranked based on a determination of value provided, provided that no more than three proposers are required to be ranked.

(4) The award of the contract shall be made to the responsible design-build entity whose proposal is determined by the local agency to have offered the best value to the public.

(5) Notwithstanding any other provision of this code, upon issuance of a contract award, the local agency shall publicly announce its award, identifying the design-build entity to which the award is made, along with a statement regarding the basis of the award.

(6) The statement regarding the local agency's contract award, described in paragraph (5), and the contract file shall provide sufficient information to satisfy an external audit.

(Amended by Stats. 2016, Ch. 774, Sec. 10. (SB 693) Effective January 1, 2017. Repealed as of January 1, 2025, pursuant to Section 22169.)

22165.

Codes Display Text

Page 5 of 5

(a) The design-build entity shall provide payment and performance bonds for the project in the form and in the amount required by the local agency, and issued by a California admitted surety. The amount of the payment bond shall not be less than the amount of the performance bond.

(b) The design-build contract shall require errors and omissions insurance coverage for the design elements of the project.

(c) The local agency shall develop a standard form of payment and performance bond for its design-build projects.

(Added by Stats. 2014, Ch. 931, Sec. 14. (SB 785) Effective January 1, 2015. Repealed as of January 1, 2025, pursuant to Section 22169.)

22166. (a) The local agency, in each design-build request for proposals, may identify specific types of subcontractors that must be included in the design-build entity statement of qualifications and proposal. All construction subcontractors that are identified in the proposal shall be afforded all the protections of Chapter 4 (commencing with Section 4100) of Part 1.

(b) Following award of the design-build contract, the design-build entity shall proceed as follows in awarding construction subcontracts with a value exceeding one-half of 1 percent of the contract price allocable to construction work:

(1) Provide public notice of availability of work to be subcontracted in accordance with the publication requirements applicable to the competitive bidding process of the local agency, including a fixed date and time on which qualifications statements, bids, or proposals will be due.

(2) Establish reasonable qualification criteria and standards.

(3) Award the subcontract either on a best value basis or to the lowest responsible bidder. The process may include prequalification or short-listing. The foregoing process does not apply to construction subcontractors listed in the original proposal. Subcontractors awarded construction subcontracts under this subdivision shall be afforded all the protections of Chapter 4 (commencing with Section 4100) of Part 1.

(Added by Stats. 2014, Ch. 931, Sec. 14. (SB 785) Effective January 1, 2015. Repealed as of January 1, 2025, pursuant to Section 22169.)

22167. (a) If the local agency elects to award a project pursuant to this article, retention proceeds withheld by the local agency from the design-build entity shall not exceed 5 percent if a performance and payment bond, issued by an admitted surety insurer, is required in the solicitation of bids.

(b) In a contract between the design-build entity and a subcontractor, and in a contract between a subcontractor and any subcontractor thereunder, the percentage of the retention proceeds withheld may not exceed the percentage specified in the contract between the local agency and the design-build entity. If the design-build entity provides written notice to any subcontractor that is not a member of the design-build entity, prior to or at the time the bid is requested, that a bond may be required and the subcontractor subsequently is unable or refuses to furnish a bond to the design-build entity, then the design-build entity may withhold retention proceeds in excess of the percentage specified in the contract between the local agency and the design-build entity from any payment made by the design-build entity to the subcontractor.

(Added by Stats. 2014, Ch. 931, Sec. 14. (SB 785) Effective January 1, 2015. Repealed as of January 1, 2025, pursuant to Section 22169.)

22168. Nothing in this article affects, expands, alters, or limits any rights or remedies otherwise available at law.

(Added by Stats. 2014, Ch. 931, Sec. 14. (SB 785) Effective January 1, 2015. Repealed as of January 1, 2025, pursuant to Section 22169.)

22169. This chapter shall remain in effect only until January 1, 2025, and as of that date is repealed.

(Added by Stats. 2014, Ch. 931, Sec. 14. (SB 785) Effective January 1, 2015. Repealed as of January 1, 2025, by its own provisions. Note: Repeal affects Chapter 4, commencing with Section 22160.)



HydroScience Engineers, Inc.
741 Allston Way
Berkeley, CA 94710
T: 510.540.7100
F: 510.540.7106

January 25, 2019

Felix Hernandez
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Subject: Proposal to Provide Owner's Representative Services

Dear Felix:

We are pleased to present this proposal to provide Owner's Representative Services for the City of St. Helena (City) Wastewater Treatment and Reclamation Plant (WWTRP) Project. This proposal contains our understanding of the Project; scope of work; and proposed team, budget, and schedule for this initial project definition and procurement phase.

Project Understanding

The San Francisco Bay Regional Water Quality Control Board (RWQCB) issued NPDES Permit No. CA 00038016 (Order No. R2-2016-2016-0003) and Cease and Desist Order (CDO) No. R2-2016-0004 to the City in 2016. Included in the Waste Discharge Requirements (WDRs) are new effluent limitations and a time schedule order (TSO) for compliance with the permit, including requirements for completing a feasibility study, design, and construction of a new or modified treatment system that complies with the new effluent limitations.

The City completed the Feasibility Study in 2017 which included a review and recommended options to upgrade the existing pond system at the WWTRP. That study recommended plant improvements for a proprietary PETRO process, which combines ponds, trickling filters, a settling tank, tertiary filtration, electrical upgrades, infiltration pond, and upgrades to the existing chlorine disinfection system. The City estimates that the total construction cost of this project would be approximately \$14.1M, and that procurement would be handled through a Design-Bid-Build procurement method.

Following completion of the 2017 Feasibility Study, the City is looking to evaluate and implement an alternate method of wastewater treatment that would be more robust in meeting future effluent limitations, and would be modular in its design so that the City would have the ability to cost-effectively expand the system to meet anticipated buildout flows. Thus the City is pursuing implementation of a treatment process to meet current NPDES permitted capacity of 0.5 MGD and new discharge limitations, with the flexibility to cost-effectively expand to the buildout capacity of 0.65 MGD. The existing pond systems could continue to be utilized, in part, for equalization and emergency storage.

To date, the City requested one extension of the TSO due to the 2017 fires, and is considering requesting another TSO modification to allow for Design-Build (DB) implementation. The potential TSO modification is not intended to delay of the construction of the treatment system and compliance with the new effluent limitations, but would modify the interim TSO dates to

www.hydroscience.com

January 25, 2019
 Felix Hernandez
 Proposal to Provide Owner's Representative Services

facilitate consideration of alternate treatment processes and a DB procurement method in lieu of design-bid-build.

The City is seeking an Owner's Representative to perform select engineering services, facilitate the procurement of a DB team, and ensure that the WWTRP project improvements are constructed in a manner and cost that meets the City's needs and budget. This proposal will provide the City with the first two phases of Owner's Representative services to help define the project; acquire consultants to help with funding and permitting; preparing procurement documents; and managing the procurement of the DB contractor.

The initial phase is expected to include the following tasks:

- **Task 1 – Develop WWTRP Conceptual Design Development Report.** It is expected that a new tertiary treatment process comprised of either a sequencing batch reactor (SBR) or membrane bioreactor (MBR) treatment process will be considered and will include upgrades to the headworks, disinfection system, and connectivity to the existing plant. The new plant will be sized to meet the current flows and loads and be expandable to accommodate current General Plan buildout conditions. Cost estimates will be developed to reflect the new project requirements.
- **Task 2 – Funding Support.** Based on the capital cost estimates, the City will need to determine the amount of funding that will be required from external agencies (e.g. United States Department of Agriculture [USDA]), and how repayment of the loan would impact wastewater rates.
- **Task 3 – Permitting Support.** This task will include support for the RWQCB permitting process, including support for compliance with the CDO TSO. Preparation of a Report of Waste Discharge (ROWD) would be deferred until a future phase.
- **Task 4 – Phase 1 Project Management and Coordination.** As the Owner's Representative, we will keep the City informed on this first phase and meet with staff, Council, and other stakeholders as appropriate to facilitate communications, reporting, and approvals.

Once the City has confirmed their capital planning for the new WWTRP project, work on the second phase can proceed. The second phase will include additional permitting support in the form of ongoing support for compliance with the CDO TSO, preparation of a ROWD, and a number of new additional tasks to facilitate selection of a DB contractor team, including the following.

- **Task 5 – ROWD and Permit Application.** A ROWD is required to support replacement of the existing permit with a new permit that includes information on new and modified facilities; and updated flow, storage, and disposal conditions. The Owner's Representative will prepare a ROWD and permit application for the purpose of complying with the CDO and obtaining a permit for the operation of the new facility.
- **Task 6 – CEQA Compliance Procurement and Oversight.** CEQA compliance will be necessary to facilitate the selection of a DB contractor. The Owner's Representative will facilitate the procurement and management of a CEQA consultant once the Project is defined and agreed upon by the City.
- **Task 7 – Direction and Management of the Bridging Documents.** The Owner's Representative will prepare the bridging documents for the DB project team and manage the procurement of a DB contractor to provide these services.

January 25, 2019
 Felix Hernandez
 Proposal to Provide Owner's Representative Services

- **Task 8 – Phase 2 Project Management and Coordination.** As the Owner's Representative, we will keep the City informed on this second phase and meet with staff, Council, and other stakeholders as appropriate to facilitate communications, reporting, and approvals.

The second phase of engineering services would be executed upon written authorization from the City. The third phase of engineering services would be executed as part of a separate authorization from the City. This scope of work contains the engineering services associated with the first and second phase of the project, and is further detailed below.

Scope of Work

The scope of work for the first phase of the project is divided into four tasks, as detailed below.

Task 1 – Develop WWTRP Conceptual Design Development Report

The purpose of this task is to evaluate and develop a new alternative for the WWTRP. The two alternatives to be evaluated include a new headworks, followed by either SBR with tertiary filtration or a MBR, then disinfection with either ultraviolet (UV) or chlorine. The new treatment process will be capable of treating 0.5 MGD (expandable to 0.65 MGD), comply with the effluent water quality requirements in the existing NPDES permit and anticipated future NPDES permit requirements, and utilize existing plant features to reduce costs and increase plant reliability, as appropriate. It is assumed that all effluent produced by the new WWTRP will be a suitable water quality to be discharged seasonally to a surface water, used for spray field land disposal, or for construction water purposes.

HydroScience shall conduct a Conceptual Design Workshop with City staff to discuss the previously developed design decisions and criteria, review conceptual layouts for the new site, and confirm the treatment options to be evaluated. This meeting will be intended to capture any other changes the City would like to incorporate into the revised design documents in addition to the aforementioned changes to the treatment process.

Based upon the decisions made in the Conceptual Design Workshop noted above, HydroScience shall prepare a treatment plant process alternative evaluation from the headworks through discharge, with a particular focus on comparing the SBR and MBR capital costs. The alternatives analysis will include both cost and non-economic factors.

It is expected that the conceptual design will include the location of each unit process footprint, quantify building heights, identify utility connections, and address how the new WWTRP will interface with the existing plant. Any required permits or permit compliance items will also be identified including a schedule of compliance, and identification of the lead entity in obtaining permits.

A Draft Conceptual Design Development Report will be prepared that describes the alternatives evaluated and the details of the recommended project. Comments on the Conceptual Design Development Report from the City will be incorporated into a final report. The final version of the Conceptual Design Development Report will be included and/or referenced with the DB Request for Proposals (DB RFP) and updated to incorporate any changes to the project identified in the subsequent tasks noted above.

January 25, 2019
 Felix Hernandez
 Proposal to Provide Owner's Representative Services

It is expected that the Conceptual Design Development Report will be presented to the City Council for concurrence. HydroScience will prepare a presentation and be available to speak or respond to questions, as directed by the City.

HydroScience shall develop a preliminary schedule showing the major milestones from design validation through selection of the DB entity, development of the Guaranteed Maximum Price, construction, commissioning, and post construction activities. The schedule will be developed in Microsoft Project.

An allowance of \$75,000 has been established for this task.

Deliverables:

- Conceptual Design Workshop – agenda, materials, and minutes – all in PDF format
- Conceptual Design Report – draft and final – PDF format.
- Preliminary Project Schedule – PDF format

Task 2 – Funding Support

HydroScience will provide as-needed assistance to the City to ensure compliance with financing requirements administered by the USDA. Services may include monthly reporting, bidding requirements, assisting the City in addressing and producing documents to respond to USDA staff requests and comments, and coordinating document reviews by USDA staff.

Based on the proposed project schedule, loan terms, and interest rates, HydroScience will work with the City to analyze how implementation of the project will be projected to impact sewer rates. HydroScience will either work with the City to perform the services or procure an experienced consultant to complete this on the City's behalf. It is assumed that the consultant will be contracted under a separate authorization.

An allowance of \$14,000 has been established for this task.

Task 3 – Permitting Support

There are two elements of the RWQCB permitting support: the first is to provide support for CDO compliance, and the second is preparation of the ROWD and permit application. This initial phase of work includes support for CDO compliance only.

Compliance support for CDO No. R2-2016-0004: HydroScience will provide support to the City in order to comply with the existing CDO and the revised TSO dated January 11, 2018. It is our understanding that the remaining tasks for the CDO included in this initial phase are as follows:

- Submit a Draft and Final Interim Wastewater Discharge Management Plan
- Submit a Draft and Final Workplan for implementation of the preferred alternative

Future Project phases will include the following submittals to the State:

January 25, 2019
 Felix Hernandez
 Proposal to Provide Owner's Representative Services

- Submit a Draft and Final Design for the preferred alternative
- Submit documentation confirming the implementation of the Final Workplan and operation of the treatment system
- Submit a report evaluating the effectiveness of the new treatment system to meet discharge limits

It is expected the Draft and Final Conceptual Design Report developed in Task 2 will serve as the Workplan for the purpose of CDO compliance. It is unknown whether the RWQCB will require resubmittal of the draft and final Feasibility Study as the current Study does not evaluate the SBR and MBR treatment alternatives. We are assuming that the initial effort will coordinate the initial phase bullets identified above. Additionally, we will provide communication support to the City in requesting modifications to the internal TSO deadlines, as needed.

An allowance of \$25,000 has been established for this task.

Task 4 – Phase 1 Project Management and Coordination

HydroScience will perform project management and administrative tasks as required to implement the project. These services will start with a Project kick-off meeting, and then continue through with in-person monthly meetings and bi-weekly conference calls with the City Project Manager. Meetings will be used to keep the City informed of HydroScience's performance, budget status, scope changes, and to resolve issues as they arise.

As necessary, or as directed by the City, HydroScience shall attend meetings with other stakeholders, including but not limited to City Hall (Legal or City Manager) or City Council meetings when the project is on the agenda. HydroScience shall work with City staff to prepare presentation materials when necessary, including but not limited to: PowerPoint slides, printed materials, and/or mounted graphics.

HydroScience's Project Manager will attend the kickoff and monthly meetings in person. Additional team members may attend the meetings in person or on the phone. All bi-weekly conference calls will be via teleconference.

Assumptions:

- Kickoff meeting: One (1) meeting, 4-hour duration
- Monthly meetings: Four (4) meetings, 1-hour duration
- Bi-weekly conference calls: Four (4) conference calls, 30 minute duration

An allowance of \$6,000 has been established for this task. It is assumed that these services will be provided for up to four months.

Deliverables:

- Meeting agenda and minutes (PDF format)
- Presentation materials (PPT or PDF format)

January 25, 2019
 Felix Hernandez
 Proposal to Provide Owner's Representative Services

Phase 2 Work

Once the City has confirmed their capital planning for the new WWTRP project, the next steps associated with Phase 2 can proceed. Phase 2 will include additional permitting support in the form of ongoing support for compliance with the CDO TSO, preparation of a ROWD, and a number of new additional tasks to facilitate selection of a DB contractor team, as follows below. HydroScience may proceed with these tasks upon written authorization from the City.

Task 5 - ROWD and Permit Application

HydroScience will prepare a ROWD and permit application for the purpose of renewing the existing WDRs. The ROWD will support a complete replacement of the existing permit with a new permit that contains updated information on the new and modified facilities and an updated water balance reflecting proposed flow, storage, and disposal conditions.

Meetings

- One preparation meeting onsite with City
- One meeting at the Water Board to discuss the Tentative Draft WDR issued by the Water Board

Deliverables

- Internal Draft ROWD
- Final ROWD issued to the Water Board

Assumptions

- The City will collect and provide water quality data, historical flow data, operations and monitoring data, and other requested data in support of ROWD development.
- Any water characterization (sampling and lab analysis) required will be performed by others.
- An anti-degradation analysis will not be required

An allocation of \$55,000 has been established for this task.

Task 6 – CEQA Compliance Procurement and Oversight

The City released a new draft of the General Plan update and the accompanying Environmental Impact Report (EIR) in October 2018. The public comment period closed on January 2, 2019. Once the City has collected the comments and responded to them, the General Plan and final EIR will be submitted to the Planning Commission and City Council for public hearings. The Council's final decision is tentatively scheduled for late winter/early spring 2019.

Per the draft EIR, "Subsequent CEQA review at the project level may be required to determine whether significant environmental effects would result from the construction of water distribution lines, wastewater collection system components, storm drainage conveyance pipes, and any onsite storage or pumping facilities on development sites, or other utilities improvements. Once specific projects are proposed, project-level environmental review will occur when proposed development plans are prepared."

Once the details of the revised WWTRP project are known, a project-level environmental review will be required. If the improvement work does not result in potentially significant impacts, the

January 25, 2019
 Felix Hernandez
 Proposal to Provide Owner's Representative Services

City could expect a finding of Negative Declaration or a Mitigated Negative Declaration.

HydroScience will facilitate the procurement and management of a consultant to complete the necessary CEQA documentation. It is assumed that the consultant will be contracted under a separate authorization.

An allowance of \$25,000 has been established for this task.

Task 7 – Direction and Management of the Bridging Documents

For this task, HydroScience shall direct and develop the necessary DB Proposal procurement documents. It is expected that the Procurement will be a two-step process comprised of a Request for Qualifications (RFQ) and Bridging Documents/RFP. Activities to be considered as part of this task include the following:

Prepare Request for Qualifications: As part of this task, HydroScience shall assist in the development of the necessary RFQ procurement documents. The RFQ will be based on industry standard documents and best practices, and include criteria such as:

- Contractor/Engineer experience with the DB delivery method
- History of meeting costs and schedule
- Client references
- Proposed key personnel and team members
- Financial and bonding information
- Quality and safety
- Claims and litigation

HydroScience shall also prepare a draft DB Agreement based on a Design-Build Institute of America agreement or an Engineers Joint Contract Document Committee agreement. This Agreement will include details specific to the Project, and will be developed in consultation with City legal staff. A draft copy of the Agreement will be presented to the City for review and comment. The City is responsible for obtaining any necessary legal, insurance, or tax advice that it deems necessary.

HydroScience shall prepare for and conduct a workshop to review City comments to the draft RFQ package and draft DB Agreement. Review of the draft Agreement as led by the City will also be performed during the workshop. Topics to be discussed in the meeting include:

- Terms and conditions review to evaluate risk that will ultimately be translated into the procurement document
- Form of draft contract and risk language to be discussed and strategy developed
- Review of draft technical documents to be included
- Identification of legal forms, affidavits and other requirements
- Finalize evaluation and scoring determination for qualifications process

From the workshop, the RFQ documents shall be updated and finalized to make them suitable for distribution.

January 25, 2019
 Felix Hernandez
 Proposal to Provide Owner's Representative Services

RFQ Procurement: Under this task, HydroScience shall work with the City to distribute, advertise, and serve as the Owner's Representative for the prequalification of prospective DB teams. The City shall distribute the RFQ on their website, and HydroScience will help advertise the project on lead services, builders' exchanges, or elsewhere as appropriate.

The RFQ Procurement process will include a meeting with prospective bidders for the RFQ. Items to be prepared and/or presented include the following:

- Sign in sheet
- Agenda
- Introductions
- Review of the Project
- Review of the Qualification Package including schedule and prequalification criteria
- HydroScience will lead a visit to the Project site and point out design elements and features, as appropriate.
- HydroScience shall draft responses to questions from prospective proposers and prepare addenda that provide supplementary details, clarifications, and/or revise the drawings and specifications, as needed and directed by the City. It's assumed up to two addenda will be issued.

At the conclusion of the prequalification process, statements of qualification (SOQs) from prospective bidders will be received. HydroScience shall assist the City in reviewing the SOQ documents including qualifications, guarantees, and bonds and insurance certificates. HydroScience shall provide a written summary on our findings and conduct a review meeting with the City to finalize the top three qualified Teams.

Deliverables:

- RFQ Package (PDF)
- Meeting agenda, presentation materials, and meeting minutes (PPT, PDF)
- Sign-in-Sheet (PDF)
- RFQ Addenda (up to two – PDF)

Prepare Bridging Documents/Request for Proposals: HydroScience will prepare a combination of performance and design specifications. The drawings and specifications together with other legal documents make up the bridging contract documents, which also serve as the form of the DB RFP. The DB RFP will be used to select the DB Team from the previously pre-qualified Teams. Information in the DB RFP will include:

- Background and objectives
- Procurement process and scope of services
- Process for innovative options offered by the proposers
- Draft contract including insurance and bonding
- Requirements for sole-sourcing, pre-selection or pre-qualifying suppliers
- Evaluation criteria
- Technical performance criteria

HydroScience shall prepare for and conduct a workshop to review the City's comments to the draft RFP. This meeting will be attended by key members of the HydroScience Team. Topics

January 25, 2019
Felix Hernandez
Proposal to Provide Owner's Representative Services

to be discussed in the meeting include:

- Terms and conditions review to evaluate risk that will ultimately be translated into the procurement document
- Form of draft contract and risk language to be discussed and strategy developed
- Review of draft technical documents to be included
- Identification of legal forms, affidavits and other requirements
- Finalize evaluation and scoring determination for qualifications process for both technical and pricing components

From the workshop the documents shall be updated to incorporate City comments and finalized. The Bridging Documents/RFP will be distributed to the prequalified DB Teams.

Proposal Process: Under this task, HydroScience shall work with the City to distribute, advertise, and serve as the Owner's Representative for the selection of prospective DB Teams. HydroScience shall distribute the Bridging Documents/RFP to the prequalified bidders. HydroScience shall prepare for and attend the RFP Pre-Proposal Meeting. Items to be prepared and/or presented include the following:

- Sign in Sheet
- Agenda
- Introductions
- Review of the Project
- Review of the Bridging Documents/RFP package including schedule and prequalification criteria
- HydroScience will lead a visit to the Project site and point out design elements and features, as appropriate.
- HydroScience shall draft responses to questions from prospective proposers and prepare addenda that provide supplementary details, clarifications, and/or revise the drawings and specifications, as needed and directed by the City. It is assumed up to two addenda may be issued.

HydroScience shall assist the City in reviewing the proposal documents including any changes to the terms and conditions, legal forms, affidavits, pricing, and other requirements. We will provide a written summary on our findings and conduct a review meeting with the City to finalize the top DB Team. This review will also include a discussion regarding any changes proposed by the DB Team to the proposal agreement.

Deliverables:

- Bridging Documents/RFP Package (PDF)
- Meeting Agenda and Presentation Materials (PDF)
- Sign in Sheet (PDF)
- RFP Addenda (up to two – PDF)

An allocation of \$150,000 has been established for this task.

January 25, 2019
 Felix Hernandez
 Proposal to Provide Owner's Representative Services

Task 8 – Phase 2 Project Management and Coordination

HydroScience will perform project management and administrative tasks as required to implement Tasks 5 thru 7. These services will start upon written authorization of Phase 2 from the City. HydroScience will hold in-person monthly meetings and bi-weekly conference calls with the City Project Manager. Meetings will be used to keep the City informed of HydroScience's performance, budget status, scope changes, and to resolve issues as they arise.

As necessary, or as directed by the City, HydroScience shall attend meetings with other stakeholders, including but not limited to regulatory agencies, City Hall (Legal or City Manager) or City Council meetings when the project is on the agenda. HydroScience shall work with City staff to prepare presentation materials when necessary, including but not limited to: PowerPoint slides, printed materials, and/or mounted graphics.

HydroScience's Project Manager will attend the monthly meetings in person. Additional team members may attend the meetings in person or on the phone. All bi-weekly conference calls will be via teleconference.

Assumptions:

- Monthly meetings: Eight (8) meetings, 1-hour duration
- Bi-weekly conference calls: Eight (8) conference calls, 30 minute duration

An allowance of \$15,000 has been established for this task. It is assumed that these services will be provided for up to eight months.

Deliverables:

- Meeting agenda and minutes (PDF format)
- Presentation materials (PPT or PDF format)

Phase 3 Work – Future

Following selection of a DB contractor, a third phase of engineering services will be required that are expected to include management of the DB contractor, construction management, continued permitting support, and other tasks, as needed. This scope of work will be fully developed as part of a subsequent authorization. We expect that the timing of this authorization will coincide with selection of the DB Team and at the time a contract is brought to Council for selection of the DB Team that a companion contract will also be brought to Council for additional Owner's Representative services. The intent will be to match the project requirements and the terms of the contract with the DB Team.

Proposed Team, Schedule, and Budget

Our proposed team will include Curtis Lam as your Project Manager and Rhodora Biagtan as your Project Engineer. They will oversee HydroScience efforts to prepare the Conceptual Design Development Report, support and analyze funding options, and coordinate compliance with the CDO and the RWQCB. Curtis and Rhodora will be your primary day-to-day contacts, and we expect that they will continue to serve as your primary contacts through the subsequent project phases.

January 25, 2019
 Felix Hernandez
 Proposal to Provide Owner's Representative Services

We expect that the first phase of work will require approximately four months to complete and the second phase will require approximately eight months to complete. The Conceptual Design Development Report will be prepared and submitted within eight weeks of issuance of notice to proceed. We expect that a meeting with City staff will occur approximately three weeks after submittal of the Draft Report. HydroScience will then provide as-needed support for subsequent project coordination work with other City staff and/or Council at the specific direction of the City.

A summary of our expected budget by task is as follows:

Phase 1 Effort – Base Services

Task 1 – Develop WWTRP Conceptual Design Development Report	\$75,000
Task 2 – Funding Support	\$14,000
Task 3 – Permitting Support	\$25,000
Task 4 – Phase 1 Project Management and Coordination	\$6,000
Phase 1 Subtotal:	\$120,000

Phase 2 Effort – Optional Services

Task 5 – ROWD and Permit Application	\$55,000
Task 6 – CEQA Compliance Oversight and Procurement	\$25,000
Task 7 – Preparation of Bridging Documents	\$150,000
Task 8 – Phase 2 Project Management and Coordination	\$15,000
Phase 2 Subtotal:	\$245,000

Contingency: **\$75,000**

Phase 1 and 2 Total **\$440,000**

A contingency was included to account for unanticipated work that may be required, and to provide the City with the flexibility to proceed with additional required tasks in an efficient manner. Similar to the Phase 2 effort, no work would be performed on the budget allocated in the Contingency without specific City approval.

All work will be performed in accordance with the professional services agreement between the City and HydroScience. Services will be invoiced on a time and materials basis in accordance with standard billing rate schedule in effect when services are rendered. A copy of the HydroScience 2019 standard billing rate schedule is attached.

We appreciate the opportunity to provide services to the City on this important project. Should you have any questions, please contact me at (510) 540-7100 x12 or clam@hydroscience.com.

Sincerely yours,

HYDROSCIENCE ENGINEERS



Curtis Lam
 Principal

HYDROSCIENCE ENGINEERS, INC.

Standard Schedule of Billing Rates

Effective January 1, 2019 through December 31, 2019

Labor Classification	2019 Hourly Rate
Principal	\$240
Engineer IX	\$230
Engineer VIII	\$220
Engineer VII	\$210
Engineer VI	\$200
Engineer V	\$190
Engineer IV	\$180
Engineer III	\$170
Engineer II	\$160
Engineer I	\$145
Engineering Aide	\$80
Construction Professional VI	\$160
Construction Professional V	\$150
Construction Professional IV	\$140
Construction Professional III	\$130
Construction Professional II	\$120
Construction Professional I	\$110
CAD Manager	\$120
CAD Designer I	\$100
Marketing Professional	\$90
Administrative II	\$80
Administrative	\$65

Hourly billing rates include postage and telephone charges that are normal to the work authorized. Other direct costs for travel, reproduction, mail service, outside services, etc. will be invoiced at 110 percent of the actual cost.

Introduction

About HydroScience

HydroScience Engineers, Inc. (HydroScience) provides planning, design, permitting, and construction management services for water, wastewater, stormwater, and recycled water projects. With offices in Sacramento, Berkeley, Concord, San Jose, and Carlsbad, we understand and address the complex water-related needs of California.

HydroScience was founded in 1997 in Sacramento, California. HydroScience is a closely-held California Corporation and is managed by five principals. Our client base is diverse and includes many California-based water and wastewater districts and agencies, municipalities, and other local governments.

Our professional staff includes licensed civil, environmental, mechanical, and electrical and instrumentation engineers as well as funding and permitting specialists, hydraulic modelers, construction managers, and full-time drafting and administrative professionals. Together, the HydroScience team combines diverse skills to accomplish one focused task: *providing strategic water and wastewater solutions*.

Our clients are key members of our project teams. HydroScience principals and senior project managers play active roles on projects, ensuring that clients always interact with our most experienced engineers. Several of our senior managers are also Certified Water Treatment and Distribution operators. This enables them to apply an operator's perspective to design projects, measurably improving their overall usability and maintenance. We routinely involve our construction managers in design reviews to help identify and avoid potential design and construction issues early on. This strategic teaming approach enables us to provide our clients with high-quality projects on time and within budget.

Experience Overview

As a firm that focuses on water- and wastewater-related projects, HydroScience offers a breadth of experience in—and commitment to—this industry that is often unmatched by larger, general civil engineering firms.

Our wastewater projects have included the planning, evaluation, design, upgrade, or rehabilitation of wastewater treatment plants, sewer lift stations and pump stations, and sewer pipelines and collection systems in both traditional open-cut and trenchless methods. HydroScience is also experienced

CORE SERVICES

PLANNING

- Feasibility Studies
- Facilities Planning
- Master Planning
- Financial Planning
- Market Assessments
- Permitting
- Loan/Grant Funding
- Hydraulic Modeling
- Pilot Testing
- Watershed Analysis
- Water Quality Monitoring
- Regulatory Compliance
- Urban Water Management

DESIGN

- Water, Wastewater, and Recycled Water Systems
- Preliminary Design
- Final Design
- Design-Bid-Build
- Design-Build
- Value Engineering and Peer Reviews
- Treatment and Infrastructure
- Rehabilitation

CONSTRUCTION

- Constructability Review
- Bid Analysis
- Cost Estimating
- Construction Management
- Construction Inspection
- Resident Engineering



in wastewater system master planning and feasibility analysis, sanitary sewer system hydraulic modeling, condition assessment and alternatives analysis, and we have provided extensive regulatory compliance support for both small and large wastewater systems.

Our water projects have included the design, upgrade, or rehabilitation of water treatment plants, wells, tanks, pump stations, and conveyance systems. HydroScience is also experienced in water master planning and feasibility analysis, water system hydraulic modeling, condition assessment and alternatives analysis.

We supplement our core service offerings with site design, hardscape and softscape improvements ranging from roadways to public and private site development. We also have experience with pavement inspections and rehabilitation/improvement projects.

Key Team Organization

Key team members within our firm and their areas of expertise are displayed in the organization chart below. As mentioned above, HydroScience is supported by a full staff of in-house resources. Resumes for anyone listed in the organization chart, as well as additional HydroScience staff can be provided upon request.



Comprehensive services

With our experienced planners, engineers, and construction professionals, HydroScience can address our clients' water and wastewater-related needs from concept through completion.

HydroScience has five California offices, including our headquarters in Sacramento. All of our offices work closely together to support every project.

PRINCIPALS

Sim Blake, PE	Water
Bill Slenter, PE	Wastewater
Curtis Lam, PE	Recycled Water / Master Planning
Mary Hoang, PE	Water Quality and Regulatory
Cindy Preuss, PE	Sewer Rehabilitation and Trenchless Technologies



CHIEF ENGINEER

Mike Jensen, PE	Wastewater Collection & Treatment
-----------------	-----------------------------------



SENIOR PROJECT STAFF

Eric Petrel, PE	Water Distribution and Wastewater Conveyance
Ligaya Kohagura, PE	Water and Wastewater Treatment
Mike Marandi, PE	Electrical Design and Instrumentation and Controls
Jud Warren, PE	Water and Wastewater Infrastructure
Leonard Osborne, PE	Infrastructure Development / Civil Site Design

WATER

Water Treatment and Conveyance

HydroScience has extensive experience in planning and designing water treatment and conveyance facilities. We design groundwater treatment plants that treat for iron, manganese, and arsenic, and some have included reverse osmosis for TDS removal. We design surface water treatment plants with dual-stage pressure filters and ultrafiltration membrane technology.

HydroScience has designed numerous water pumping stations, water storage tanks, complex wells, and water distribution and transmission pipelines, including new facilities and rehabilitations/upgrades. HydroScience is also experienced in water system master planning, hydraulic modeling, and feasibility analysis, and we have provided extensive regulatory compliance support for both small and large water systems.

Water Quality

HydroScience has substantial experience in water quality services. From water quality monitoring plans to as-needed regulatory support services, our staff have served public and private agencies throughout California to help them resolve water quality issues.

Principal Engineer **Mary Hoang, P.E.**, served as the Chair of the Santa Clara Valley Water District's Water Quality Retailers Subcommittee for ten years. She chairs the ACWA Lead and Copper Rule work group and was the Director of Water Quality for San Jose Water Company and the Operations Manager for City of San Jose's Municipal Water System and South Bay Water Recycling Program. She has a strong understanding of the regulatory environment and has found ways to help clients provide a more economical, efficient, and effective way to meet regulatory requirements.

WATER

- Facilities Planning
- Master Planning
- Watershed Analysis
- Hydraulic Modeling
- Pilot Testing
- Water Distribution Systems
- Wells
- Groundwater Treatment
- Water Quality Monitoring Plans
- Consumer Confidence Reports
- Urban Water Management Plans
- Regulatory Support Services
- UCMR Reporting
- DDW Compliance Reporting
- Emergency Response Plans
- Emergency Operations Plans
- Public Health Goals Report
- Ground Water Rule - Triggered Source Water Monitoring Plans
- NPDES Compliance Support
- Water Quality Training and Sampling
- Storage Facilities
- Operations and Maintenance Plans
- Nitrification Prevention and Control Plans
- Lead and Copper Rule





Folsom Willow Hill Pipeline Rehabilitation

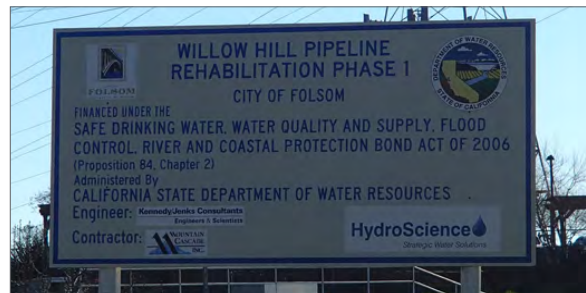
City of Folsom • Sacramento County, CA

PROJECT OVERVIEW

- Design and engineering services during construction for the rehabilitation and replacement of 20,585 LF of 30- to 48-inch water mains
- Project will eliminate an estimated one million gallons per day in losses from leakage

HydroScience provided planning, design and engineering services during construction for this pipeline rehabilitation project. The existing pipeline was constructed in segments over the last 40 years and was in various stages of deterioration, with an estimated 1 MGD in losses from leakage. Project improvements targeted rehabilitation and replacement of approximately 20,585 LF of existing 30-inch, 42-inch, and 48-inch diameter RCP and CCP water mains. HydroScience initiated the project design by first assessing rehabilitation options, planning for ultimate conversion of the raw water line to potable water. Realignment out of backyard easements, opportunities for sliplining inside the existing raw water mains, and lessening traffic impacts during construction were priority considerations in planning the ultimate improvement strategies. The final design included replacement, realignment, and rehabilitation using sliplining in private properties, a public park, at a siphon crossing of a creek, and within public right-of-ways and other private easements.

Phase 1 of the project was constructed in 2015 and was awarded the 2015 American Society of Civil Engineers (ASCE) Utility Project of the Year. Phase 2, including three open cut sections totaling 2,400 LF and 10,000 LF of sliplining, is currently under construction. HydroScience is currently providing CM and specialty construction inspection services for this project.





Sunnyvale Water Line Replacements

City of Sunnyvale • Santa Clara County, CA

HydroScience provided design services for the replacement of 15,610 LF of 6- thru 10-inch distribution main and the rehabilitation of 19,850 LF of 24- and 30-inch transmission mains. The pipeline replacement design included new details for pipeline bedding, trenches, water meter services, utility conflict locations, and interties with the existing system. The project included coordination for the replacement of 405 meter boxes, as well as with the Fire Department to identify additional hydrants needing relocation and sizing in conformance with the City's fire code.

HydroScience also evaluated options for the rehabilitation of 24- and 30-inch transmission mains. As part of this evaluation, HydroScience completed a fatal flaw analysis using the City's hydraulic model, and used the results to determine if fusible PVC or HDPE could be used for rehabilitation via sliplining. While both materials were deemed appropriate and would allow additional competitive construction bidding, the City approved the design for PVC. At the request of the City, HydroScience prepared separate contract documents for PVC sliplining of the water transmission main. However, because the City had no information on the existing pipeline condition to support the need for rehabilitation, HydroScience recommended the City consider inspecting the existing pipeline prior to initiating construction to confirm an actual need for rehabilitation.

Construction funding for both the replacement and rehabilitation portions of the project was limited to the proceeds from a water bond. As a result, the project plans and bid schedule were set up to facilitate the addition of various project components to the base bid amount to achieve full expenditure of the bond proceeds. The project was designed on a fast track basis, five months from the start of design to bidding, to conform to the City's funding schedule. The construction of the rehabilitation alignments have been put on hold by the City pending the findings of the condition assessments on the transmission mains.

PROJECT OVERVIEW

- Design services for the replacement of 15,610 LF of 6- to 10-inch distribution mains
- Evaluated options for rehabilitation of 19,850 LF of 24- and 30-inch transmission mains
- 13 of the 18 replacement alignments have been constructed with subsequent phases planned



Raynor and Ortega Well Connections to Transmission Mains

City of Sunnyvale • Santa Clara County, CA

PROJECT OVERVIEW

- Planning and design services for 3,700 LF of 10- and 12-inch water pipelines to connect two large groundwater wells to transmission mains
- Worked with the Santa Clara Valley Water District to secure encroachment permits
- Project was completed on an aggressive five month schedule

HydroScience prepared plans and specifications to install approximately 3,700 LF of 10- and 12-inch water pipelines to connect two of the largest groundwater wells to transmission mains for the City of Sunnyvale. The project is located at the Ortega Well site at Ortega Park and the Raynor Well site at Raynor Park. The intent was to increase system reliability and operational flexibility.

HydroScience first developed a Project Management Plan which defined the formal procedures for communication between the Engineer, the City, and the Project Team. The PMP also defined the procedures for maintaining the budget and schedule. During the planning stage, HydroScience identified an alternative alignment that reduced overall project cost. In developing design, HydroScience conducted a hydraulic analysis of the transmission main connections to ensure there was adequate pressure available at the wells to pressurize the transmission mains. Two schematic models were developed to conduct the analysis.

One of the challenges along the Ortega alignment included a creek crossing of the Sunnyvale East Channel. The channel enters a 72-inch CMP culvert which runs under the width of the roadway and is located within the Santa Clara Valley Water District (SCVWD) right-of-way. During the planning and design of the project, HydroScience worked with the SCVWD on behalf of the City to secure an encroachment permit. Working proactively with the SCVWD assured that the permit would be issued prior to project advertisement and bidding.

Design services for both connections included design of the pipelines, pressure-reducing control valves with pressure transmitters, butterfly valves, isolation valves, fire hydrants, as well as the electrical and SCADA system. The project was completed on a very aggressive five month schedule as part of the City's job stimulus plan as well as an attempt to secure stimulus funding from the Clean Water State Revolving Fund.



Wright Avenue Water Plant Reconstruction

City of Sunnyvale • Santa Clara County, CA

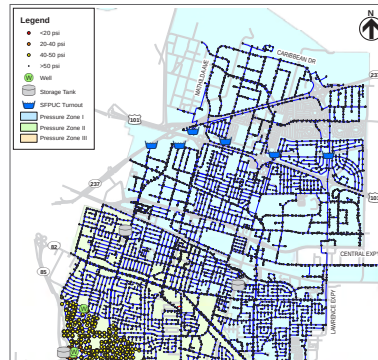
HydroScience designed this project as part of the City's ongoing Water Plant Upgrade and Equipment Replacement Program to ensure the protection and delivery of high quality water to its users. HydroScience prepared plans and specifications to replace the four existing and aged pumps with new variable frequency drive (VFD) controlled pumps with a total production capacity of over 5 MGD. At the center of the design was a plan to replace the entire outdated electrical system in coordination with pump replacements in a phased manner while the facility continued to operate.

HydroScience's unique design approach balanced construction cost with long term O&M reliability, flexibility, and simplicity. HydroScience proposed replacement of an existing natural gas powered backup pump with a fifth electric pump and a new portable generator located outside the building. This increased pumping flexibility, increased standby pumping capability, allowed for rotation between pumps, and eliminated the need to modify the existing building to meet NFPA code requirements. HydroScience's design also allowed the many smaller City-initiated electrical upgrades to be re-routed and consolidated at the new plant-wide PLC system. HydroScience developed a balanced structural repair and upgrade approach to the building and determined that minor wall reinforcement banding and roof replacement would address structural needs without interrupting water service.

Other HydroScience tasks on this project included: paving and erosion protection, CEQA Categorical Exemption documentation, Pacific Gas & Electric "Savings by Design and Existing Service -Relocate/Change Service" applications, Bay Area Air Quality Management District permit assistance, and City Building Department approvals.

PROJECT OVERVIEW

- Planning and design for replacement of four existing pumps with new VFD controlled pumps with a production capacity over 5 MGD
- Design allowed the smaller City-initiated electrical upgrades to be consolidated at the new plant-wide PLC system
- Design/construction approach allowed plant to remain on-line throughout construction



Potable Water System Comprehensive Preliminary Design Study

City of Sunnyvale • Santa Clara County, CA

PROJECT OVERVIEW

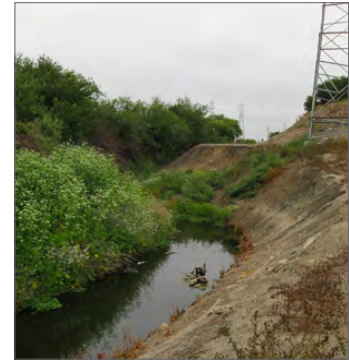
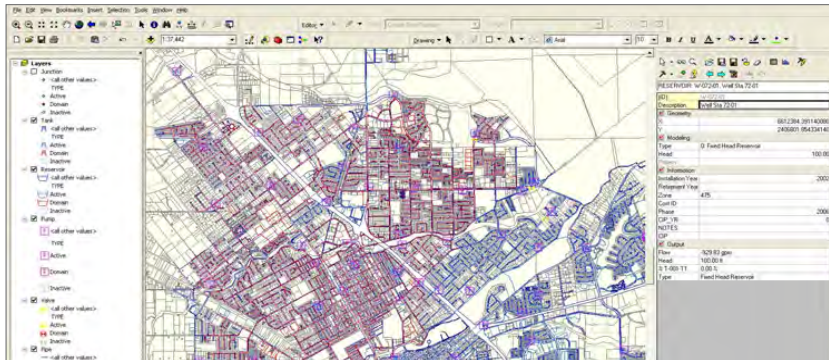
- Updated the City's existing hydraulic model to reflect current water demands
- Held training class to introduce City staff to the features of the updated model for demand changes and plans for supply outages/maintenance
- Assessed City's infrastructure and reviewed existing CIP to prioritize upcoming projects

HydroScience was retained to evaluate the conditions of the City's existing potable water system assets. As part of this effort, the City's existing hydraulic model was updated to reflect current water demands and modified to include recent capital projects.

Prior to HydroScience updating the hydraulic model, the model contained existing water demands that were parcel-specific, and future demands were significantly above those outlined in Sunnyvale's Urban Water Management Plan, making it an ineffective planning tool. One significant feature of the model upgrade was to create new water demand factors by land use zoning type, based on the previous five years of water meter records. The hydraulic model demands were linked to parcel zoning through the GIS database, making future updates to water demands much easier.

After upgrading, the model was calibrated and a training class was held with City staff to introduce them to features of the model, particularly with regard to modeling changes in demands, planning for water supply outages/planned maintenance, and assessment of criticality of system components to the overall operation of the potable water system. This criticality function can then be used to establish priority and/or standard operating procedures for shutdowns and maintenance of facilities.

As part of this effort, an assessment of the City's infrastructure was performed and the City's existing CIP was reviewed and compared to the assessment results. The study allowed the City to identify and prioritize upcoming CIP projects so the CIP budget could be better managed while maintaining the highest possible level of service for customers.



Triggered Source Water Monitoring Plan for Groundwater Rule Compliance California Water Service Company • Various California Locations

HydroScience prepared a Triggered Source Water Monitoring Plan (TSWMP) template to be used by California Water Service Company for over 70 of its smaller water supply systems. The TSWMPs are intended to comply with the Federal Groundwater Rule which requires triggered source monitoring of all groundwater wells in the system within 24-hours of a total coliform-positive sample (Total Coliform Rule (TCR) (40CFR 141.21)). The TSWMPs were designed to provide all information required to reduce the amount of groundwater source samples needed by demonstrating the sources that contribute to each TCR sample site. HydroScience included system descriptions, operations, regulations, laboratory information, monitoring schedules, sample station maps, SOPs, and source contributing identification into the TSWMPs.

PROJECT OVERVIEW

- Prepared TSWMP template for use in over 70 Cal Water supply systems
- Hydraulic modeling performed in larger complex systems to analyze/identify source contribution to each TCR compliance site

For the larger, more complex systems, HydroScience used hydraulic modeling to analyze and identify source contribution to each TCR compliance site. This provided the most comprehensive and conservative analysis while reducing the amount of groundwater samples Cal Water would have to collect in the event of a TCR-positive compliance result. Analysis was conducted for two demand scenarios, maximum and minimum days, and consisted of a three-phase approach:

- **Source Trace/Multi-Trace Analysis.** Identifies the groundwater sources contributing to each of the TCR compliance sites and the approximate percent contribution from each source during different demand scenarios for the system.
- **Event-Trace Analysis.** Used to confirm the multi-trace analysis with higher accuracy, and identify a node (sample station) and a specific time increment to run the trace algorithm. This algorithm precisely identifies each source that contributes water and the percentage of water contributed by that source. Event tracing was run for every hour over the 24-hour simulation period.
- **Contamination Analysis.** Identifies the extent of potential contamination from a single groundwater source over a 24-hour period. In the event of a TCR-positive, Cal Water operators can reliably test each of the potential sources without testing every source in the system.



Lincoln Oaks Tank and Booster Station

California American Water Company • Sacramento County, CA

PROJECT OVERVIEW

- Remodeled well-driven system and designed new 1.5 MG storage tank, 2,500 gpm booster station, and 10,000 LF of new water mains
- Updated the system's hydraulic model to identify system needs
- Led public outreach effort involving the CPUC, local water retailers, and residents to build consensus for the project and implementation

The Lincoln Oaks potable water distribution system, which includes 26 well sites and one storage facility, struggled from limited fire flow capacity and system reliability. HydroScience provided planning, hydraulic modeling, and preliminary design for the potable water distribution system to identify the improvements necessary to upgrade system performance and meet peak hour and fire flow demands. Project design elements provided by HydroScience include civil, mechanical, site planning, demolition, grading, paving, electrical, instrumentation and controls, structural, landscaping, and stormwater

To calibrate the model, HydroScience first updated all of the system demands by reviewing water use records, identifying land uses in the distribution system, evaluating pump curves, and performing fire flow testing. Calibrating the model identified the need for additional storage and pumping capacity in the southern portion of the system. HydroScience remodeled the largely well-driven system to determine operation with a storage tank versus supplying the system directly with groundwater. This evaluation was used to determine the size and configuration of the storage tank and pump station. HydroScience proceeded with the design of a new 1.5 MG water storage tank and 2,500 gpm booster station with new electrical service, standby power, SCADA, site work, and stormwater handling. To maximize the benefits of the storage tank, HydroScience recommended the installation of approximately 10,000 LF of new water mains.

Neighboring homes and businesses helped drive key project design issues, including the proposed tank height and type, the location of the pump station within a building, the type of pumps, aesthetic features of the building and site, and landscape treatments for visual screening. HydroScience then led a multi-faceted public outreach effort involving the CPUC, local water retailers, local residents, and targeted community outreach to build consensus for the project and facilitate implementation. These outreach efforts helped to address potential project concerns before they became problematic, and helped to keep the project on schedule.



Cache Creek Water Treatment Facilities, Phases 1 and 2

Yocha Dehe Wintun Nation • Yolo County, CA

HydroScience was retained to provide feasibility analysis, master planning and design services for the Cache Creek Casino Resort's water supply and treatment facilities. In order to address strict WDR discharge limitations for total dissolved solids (TDS) from the wastewater plant (which is aggravated by closed-loop water recycling), HydroScience recommended a strategy to implement water supply TDS and hardness reduction for the existing groundwater supply, and a seasonal surface water treatment plant fed from a new diversion at Cache Creek.

For Phase 1, HydroScience designed a 650,000 gpd TDS reduction facility using electro-dialysis reversal (EDR) technology, with vibratory reverse osmosis (VSEP) technology for brine concentration, and reverse osmosis treatment for the production of ultra-pure water for use in a fuel cell generation plant. The TDS reduction facility is designed to remove arsenic, sodium, boron, chlorides, and total dissolved solids to a non-detectable effluent limit from the resort's groundwater production wells.

HydroScience's construction manager and on-site inspector oversaw all aspects of the construction process including coordinating contractor staff, operations personnel, manufacturer's representatives, and start-up. The project was constructed with major equipment pre-purchase contracts which required special attention to construction schedule and coordination.

For Phase 2, HydroScience designed a 650,000 gpd surface water treatment plant per Surface Water Treatment Rule requirements. Since surface water can only be drawn from Cache Creek for seven months per calendar year, HydroScience selected as the treatment technology Kruger ceramic microfiltration membranes, which can be stored dry for the five months in which the plant is non-operational. Once the water is treated, it is processed through the WDTF to remove salts, and solids handling will be achieved onsite with remaining rejected water sent to the WWTP.

PROJECT OVERVIEW

- Designed and provided construction management for TDS reduction facility for production of pure water for use in fuel generation plant
- Designed 650,000 gpd surface WTP using MBR treatment technology



Livingston Water Well Treatment Projects

City of Livingston • Merced County, CA

PROJECT OVERVIEW

- Provided design services for two water production wells
- Kishi Estates well included arsenic treatment plant with a target capacity of 1,300 gpm
- Sun Valley Estates well was designed with a target capacity of 1,500 gpm

HydroScience was contracted to perform complete design and construction engineering services for two new municipal water production wells and one well treatment plant within the City of Livingston.

The first well (above, right) was within the City's new Kishi Estates subdivision, and included an arsenic treatment plant. The new well had a target capacity of 1,300 gpm, and services included:

- Preparation of drilling specifications and bidding procurement documents, field oversight of drilling operations, and final engineering for screen placement and gravel pack. Electronic and geophysical logs were reviewed for the purpose of final design and contaminant avoidance. Constituents of concern consisted of arsenic, TCP 1,2,3, vanadium, and other heavy metals. Contaminant avoidance was successful for all constituents except arsenic.
- A feasibility study and 35% predesign was performed for an arsenic removal plant to serve the well. Treatment options including coagulation/filtration, ion exchange and adsorptive media were evaluated, and adsorptive media was selected as the optimal treatment technology based on life cycle costs and operational concerns.
- A final design package was prepared for the well mechanical and electrical, a three cell pressure contactor system, backwash tank, emergency generator, and site improvements. The well, electrical and emergency generator were housed in a building structure.

The second well was designed for the Sun Valley Estates subdivision with a target capacity of 1,500 gpm. Services included the preparation of drilling specifications and bidding procurement documents, field oversight of drilling operations, and final engineering for screen placement and gravel pack. Electronic and geophysical logs were reviewed for the purpose of final design and contaminant avoidance.



Delano Water Wells 21, 22, 24, and 26 Arsenic Treatment Projects

City of Delano • Kern County, CA

The City of Delano, provides municipal water service to customers by means of 11 groundwater wells. Nine of the wells exceeded the State and Federal arsenic MCL. HydroScience was retained to evaluate four of these wells and identify feasible solutions for compliance, prepare a preliminary design report to develop the most feasible solution, and prepare a final designs and bid sets for construction.

The evaluation considered coagulation/filtration and adsorptive media treatment alternatives. While adsorptive media has several capital cost advantages, elevated levels of vanadium and silica were identified that would negatively impact media life. Coagulation and direct filtration was ultimately recommended as the best option and was selected for implementation. HydroScience prepared plans and specifications of a four-cell pressure filter system for both sites, and wellhead and electrical improvements. HydroScience also prepared CDPH-required Operations Plans for the well projects, which are required as a condition of the permit. HydroScience also provided engineering services during construction. The project was funded by a drinking water SRF Loan using ARRA funds. HydroScience assisted the City in complying with program requirements and structured the bid documents in accordance with the program. Specific services for the project included the following:

Wells 21 and 24

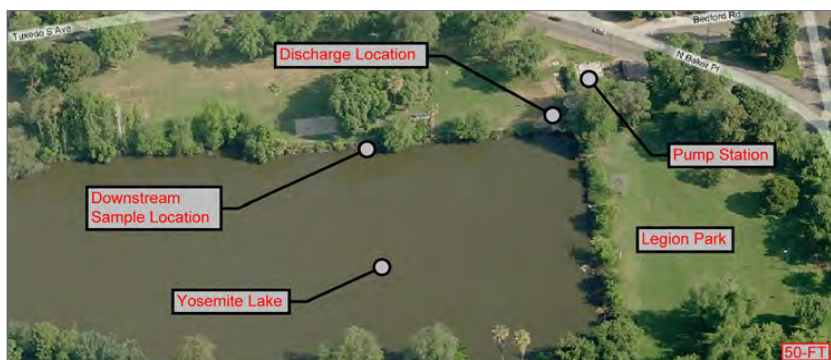
- System-wide feasibility evaluation for selected wells identified for treatment to identify the appropriate treatment technology.
- Comprehensive predesign for two of the wells (21 and 24) and the preparation of a predesign report.

Wells 22 and 26

- Technical support for a well zone sampling and water quality profiling program for contaminant minimization (zone sampling services were provided by others).
- Comprehensive predesign for wellhead piping modifications, mechanical equipment, electrical system replacement, operations buildings and pressure filtration systems for wells 22 and 26.

PROJECT OVERVIEW

- Evaluated four wells to identify and design feasible solutions for State and Federal arsenic MCL compliance
- Prepared CDPH-required Operations Plans to secure permits



Cal Water Permitting Projects (Various)

California Water Service Company • Santa Clara County, CA

PROJECT OVERVIEW

- Provided NPDES permitting support services for multiple potable water systems throughout California
- Services included Reasonable Potential Analysis, sample collection training, filing of Notice of Intent to Discharge, and completion of Low Threat Discharge Permit

HydroScience was retained by California Water Service Company to provide NPDES permitting support services for multiple potable water distribution systems throughout California. To date, HydroScience has supported Cal Water permitting efforts in the Stockton, Salinas, and San Mateo districts. Mary Hoang led the permitting efforts for each of these projects, which are described below in further detail.

Stockton District – Low Threat NPDES Permit Enrollment for Groundwater Well Discharges. The City of Stockton (City) and San Joaquin County (County) are joint permit holders of a Phase I Municipal Separate Storm Sewer System (MS4) permit with the Central Valley Regional Water Quality Control Board (CVRWQCB). Normally, under the MS4 permit (Order No. R5-2007-0173), Cal Water was allowed to discharge from the District groundwater wells to the storm sewer as part of the operation and maintenance of the water supply system. However, the City and County elected to prohibit Cal Water from discharging from the groundwater wells to the storm sewer system. As a result, Cal Water pursued enrollment under Order No. R5-2008-0081, Waste Discharge Requirements for Dewatering and Other Low Threat Discharges to Surface Waters (Low Threat Permit).

The CVRWQCB indicated that Cal Water, being a water service provider, is exempt from sampling for and meeting the criteria listed in Appendix B of the Low Threat Permit, per Section 5.3 of the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries in California (SIP). In addition, they outlined the following requirements for Cal Water as part of the application process:

- Provide most recent water quality data for each groundwater well;
- Identify any known contamination of the groundwater wells;
- Identify receiving water bodies and cross-check with 303(D) List of Water Quality Limited Segments to identify constituents of concern;
- Sample for each constituent of concern for each respective groundwater well upstream, downstream, and the effluent (at point of discharge);

- Use the most stringent detection limits as identified in Appendix B of the Low Threat Permit;
- Prepare Pollution Prevention and Monitoring and Reporting Plan;
- Complete Notice of Intent (NOI) (Application for enrollment)

Cal Water Retained HydroScience Engineers to complete the various reports and documentation and facilitate the negotiation with the CVRWQCB. HydroScience prepared the Pollution Prevention and Monitoring and Reporting Plan, which outlined the proposed and reduced monitoring plan for implementation by the District. As a result of HydroScience and Cal Water negotiations with the CVRWQCB, the Stockton District was able to implement a less restrictive monitoring program than was initially required under the Low Threat Permit and the Joint MS4 Permit. The District was able to successfully obtain coverage under the Low Threat Permit for the District Groundwater Well Discharges, and the Permit coverage also afforded the District additional liability protection in that they were directly reporting to the CVRWQCB rather than under the umbrella of the Joint MS4 permit.

Salinas District – Reasonable Potential Analysis. HydroScience completed a Reasonable Potential Analysis demonstrating no impairment to existing receiving water beneficial uses for potential overflow discharges from a new potable water storage tank under construction. This addressed concerns with a disinfection by-product that exceeded California Toxics Rule criteria and enabled the RWQCB to approve Cal Water’s enrollment under the Central Coast Low Threat Permit.



HydroScience prepared a Reasonable Potential Analysis for discharge to the Salinas Reclamation Ditch. Result of the analysis indicated that there was no reasonable potential for the discharge to cause or contribute to an excursion above the water quality objectives in the receiving water.

Bayshore District – Polhemus Creek Evaluation. HydroScience was retained by California Water Service Company to provide support services in response to an Administrative Civil Liability Complaint (ACL) by the Regional Water Quality Control Board (RWQCB). Cal Water received the ACL as a result of potable water overflow from a distribution storage tank. The overflow drained into the storm collection system that eventually discharged into Polhemus Creek. HydroScience prepared a technical memorandum (TM) outlining the stage (water level) vs streamflow characteristics for the lower section of Polhemus Creek in San Mateo, CA. Cal Water had received the ACL based in part on reported evidence from a third party of an increase in stage that conflicted with Cal Water’s information about the overflow event.

To complete this analysis and prepare the TM, HydroScience evaluated all available data from Cal Water to estimate the rate of overflow from their potable water tank. Several potential complicating factors, like variations in creek bed geometry, were identified and handled conservatively in order to prepare an analysis that would be both accurate and defensible. The TM also presented a sensitivity analysis showing the potential impact on the estimated streamflow of any changes in the stream’s characteristics that might have occurred since the event. This analysis was used in support of Cal Water’s negotiations with RWQCB – Region 2.



Thunder Valley Water Treatment Facilities and Wastewater Treatment Plant

United Auburn Indian Community • Placer County, CA

PROJECT OVERVIEW

- Planning, design, and construction management services for water and wastewater facilities and their subsequent expansions at the Thunder Valley Casino Resort
- Water facility design and expansion included domestic water wells, four VFD-driven pumps, and a 1 MG potable water storage tank
- Design included a 350,000 gpd MBR WWTP, which was later upgraded to 700,000

HydroScience provided planning, permitting, design, and construction management services for the water and wastewater facilities on this fast-paced project in, and subsequently planned and designed a major expansion of these facilities to coincide with the addition of a new hotel. On both projects, HydroScience evaluated wastewater generation, treatment requirements, anticipated effluent discharge regulations, and recycled water demands and sized and specified a treatment facility to meet the project needs. HydroScience worked closely with the Central Valley Regional Water Quality Control Board (RWQCB) to secure an NPDES discharge permit and the subsequent amendment for discharge to Waters of the State (off-reservation). The facility discharges to an impaired local stream which was ephemeral at the time of construction and ultimately flows to the American River. Securing the permit was highly challenging but ultimately successful.

The initial project included a 350,000 gpd immersed membrane bioreactor (MBR). The plant treats all wastewater to the strictest Title 22 standards for on-site reuse. Other wastewater facilities include a triplex sewage lift station, a fine screen headworks system with soil filter air scrubber, a UV disinfection system, aerobic and anoxic biological treatment, biosolids storage basins, a sodium hypochlorite recycled water disinfection system, a 250,000 gallon recycled water storage tank, and two recycled water pump stations. An operations building houses the chemical handling facilities, motor control center, blower room, lab room, maintenance shop, break room, and operator shower facilities. Construction of the project was completed in eight months (two months ahead of schedule) and \$600,000 under budget. HydroScience also designed the domestic water wells, city water connection, on-site storage tank, chemical dosage, and potable water delivery pump station.

The expansion increased the WWTP to a 4-train facility treating 700,000 gpd and improved the influent storage, aeration blowers, and solids handling facilities to increase flexibility and redundancy and reduce energy costs.

HydroScience Engineers, Inc.



Water and Wastewater Master Plans

City of Williams • Colusa County, CA

HydroScience developed a Water Master Plan and a Wastewater Collection System Master Plan for the City of Williams to ensure continuing service to their growing population.

For the Water Master Plan, HydroScience developed and calibrated a hydraulic model of the potable water system, including the City's groundwater production wells, storage reservoirs, and distribution system. HydroScience's hydraulic model identified hydraulic capacity deficiencies in the water system under average day, peak hour, maximum day, and fire flow demand scenarios.

For the Collection System Master Plan, HydroScience developed a new hydraulic model of the City's collection system, and performed flow monitoring to calibrate the model for both wet and dry weather flow conditions. RDII was also estimated on a basin by basin to help identify target basins for CCTV, smoke testing, rehabilitation, and replacement.

HydroScience's primary goal was to help the City maximize its eligibility for potential funding sources by completing the Master Plans on an aggressive schedule. Both Master Plans were developed as working documents that present existing and buildout infrastructure needs and serve as the basis for preliminary funding applications as well as CIPs. HydroScience developed water and wastewater collection system GIS infrastructure databases as well as more detailed capital improvement, phasing, and funding plans.

PROJECT OVERVIEW

- Developed and calibrated new hydraulic models for the City's potable water and sanitary sewer systems
- Helped maximize the City's eligibility for potential funding sources by completing plans on an aggressive schedule



South East Hills Water Line

Pittsburg • Contra Costa County, CA

PROJECT OVERVIEW

- Design services for 8,700 LF of new 16- and 18-inch water main
- Identifying the optimal alignment around complex utilities

HydroScience is providing design services for 8,700 LF of new 16- and 18-inch water main along Buchanan Road as a part of the Southeast Hills Water Main Project. This project will relieve stress on existing infrastructure that is already operating beyond design capacity as well as provide the backbone for future City growth.

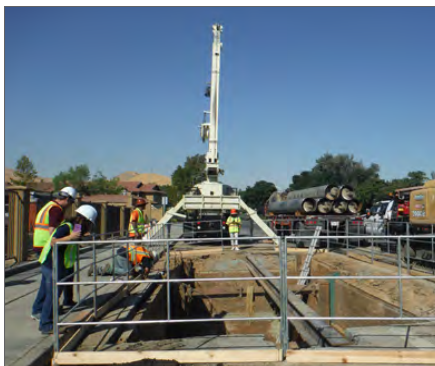
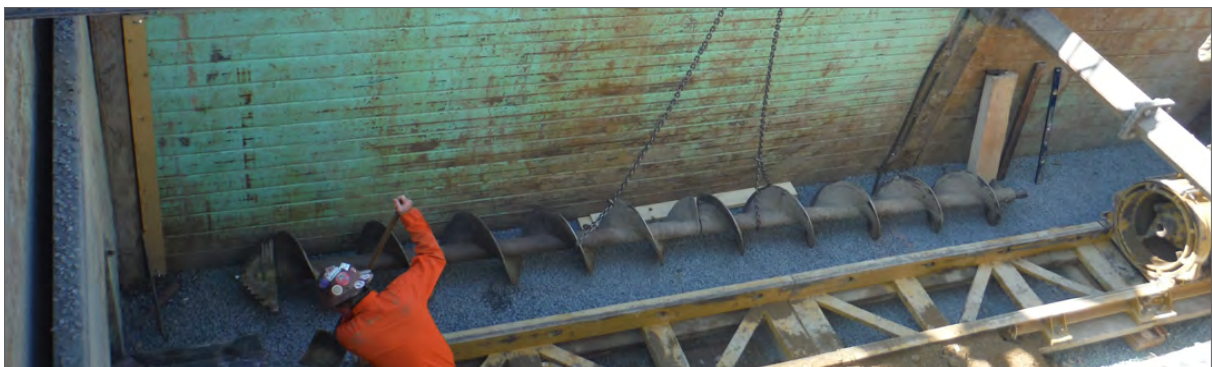
With the project stretching from Railroad Avenue to Ventura Drive along a heavily trafficked portion of Buchanan Road, minimizing traffic impacts was a key consideration during the design development phase. Multiple alignments and methods were considered for fast and efficient construction before the final combination of open trench, jack and bore, and limited night work for critical portions was selected. This combination serves to keep the impacts to the public as low as possible.

Another critical challenge for this project during the design phase was identifying the optimal alignment for the new water main. Buchanan Road has a large number of utilities in the roadway dating back over 50 years of multiple repairs, replacements, installations, abandonments and removal. These included multiple parallel water mains, sewer mains, and dry utilities as well as large diameter perpendicular storm drains. HydroScience performed an extensive investigation into the buried utilities, including cross checking of record drawings against each other and against utility system maps, identification of surface features, and ground penetrating radar. This research was compiled into a drawing set and used as the basis for selecting the optimal alignment and construction method. Additionally, HydroScience built advance potholing into the contract documents at locations where utility information was suspect and could impact the proposed water main alignment. Early identification of conflicts before physical construction commencement would allow the HydroScience design team to make any necessary adjustments to the proposed alignment without impeding the construction schedule.

In addition to the 8,700 LF of pipeline, the total project scope includes jack and bore installations at the Railroad Avenue intersection and at a storm drainage culvert crossing, multiple connection points to parallel and crossing water mains, fire hydrants, isolation valves and combination air valves.

In order to effectively meet the project goals, maintaining open communication with the City was of primary importance. In addition to project meetings and regular updates, HydroScience also worked closely with the City in developing the design. This was done in several ways including preparing a preliminary design report which outlined the guiding criteria for the project and soliciting City input on the project parameters. HydroScience also assisted the City in evaluating the trade-offs between the different pipe materials in terms of potential corrosion issues, strength, ease of installation construction costs and lifecycle considerations. HydroScience also detailed the expected traffic control methods and mitigating measures at each stage of design for discussion and City input.

The project had a large bidder pool with favorable overall bids, with the engineer's estimate right in the middle of the spread. HydroScience provided engineering services during construction for the project, with Record Drawings anticipated to be completed by April 2017.





Selected Additional HydroScience Water Projects

	Pump Station	Pipelines	Storage Tank	Planning	Design	Hydraulic Analysis	Operations QA/QC	Outage Planning	Utility Coordination	Construction Mgmt.
PROJECT	SERVICES AND COMPONENTS									
CSA 11 Tank and Well Project San Mateo County, CA	•	•	•		•	•		•	•	
Cement Hill Water Supply Project Nevada Irrigation District, Nevada County, CA	•	•	•	•	•	•	•	•	•	•
Thunder Valley Water Treatment Facilities and Expansion United Auburn Indian Community, Placer County, CA	•	•	•	•	•		•			•
Barrick Goldstrike Water Treatment Plant Auburn Contractors, Elko County, Nevada	•	•	•	•	•		•			•
Carneros Inn Water and Wastewater Facilities and Expansion Carneros Inn and Carville Sierra, Napa County, CA		•		•	•	•	•			•
American Canyon Water Treatment Plant City of American Canyon, Napa County, CA	•	•	•	•	•		•	•	•	
Spyglass and Merion Potable Water Pipeline City of San Bruno, San Mateo County, CA		•		•	•				•	
Eastridge Water Booster Station City of Fairfield / Hofmann Land Development, Solano County, CA	•	•		•	•		•		•	
American Canyon Water Tank and Transmission Pipeline City of American Canyon, Napa County, CA	•	•	•	•	•	•		•	•	
Auburn Water Treatment Plant Raw Water Supply Line Placer County Water Agency, Placer County, CA		•		•	•	•	•	•	•	
Boardman Canal Relocation at Pacific Heights, Phase 1 & 2 Placer County Water Agency, Placer County, CA		•		•	•	•		•	•	
Gold Run Pipeline Improvement Project, Phase 1 & 1b Placer County Water Agency, Placer County, CA		•		•	•	•		•	•	
Washington Ave Water Main Replacement City of Sunnyvale, Santa Clara County, CA		•			•	•		•	•	
Secret Town Pipeline Replacement Placer County Water Agency, Placer County, CA		•			•	•		•	•	
Isleton 5th Street Well Citizens Utilities Company, Sacramento County, CA	•	•		•	•			•	•	•
TCP 1,2,3 Removal Project City of Livingston, Merced County	•	•		•	•		•	•	•	•
Thunder Valley Water Distribution System United Auburn Indian Community, Placer County, CA	•	•	•	•	•	•	•			•
Sierra Vista Potable Water Booster Station Mackay and Soms / City of Roseville, Placer County, CA	•	•	•	•		•			•	
Miller Knox Saltwater Pump Station East Bay Regional Park District, Contra Costa County, CA	•			•	•	•			•	
Seven Hills Water Booster Station Seven Hills School, Nevada County, CA	•			•		•				
Bayview Pumping Station Southern California Water Services Company, San Luis Obispo County, CA	•			•	•			•	•	
Pineview Booster Station Southern California Water Services Company, San Luis Obispo County, CA	•	•		•	•			•	•	
Foster City Water System Improvements and Valve Replacements City of Foster City/EMID, San Mateo County, CA				•	•			•		•

WASTEWATER

Wastewater Treatment

HydroScience plans and designs wastewater treatment plants and plant upgrades for private and municipal clients throughout California. Many of our plants use immersed membrane bioreactors (MBR), a technology HydroScience pioneered in California. HydroScience has a strong record of designing and implementing MBRs in California, including obtaining the first NPDES permit for an MBR in California and designing the first MBR in California approved for Title 22 water reuse.

Collection Systems

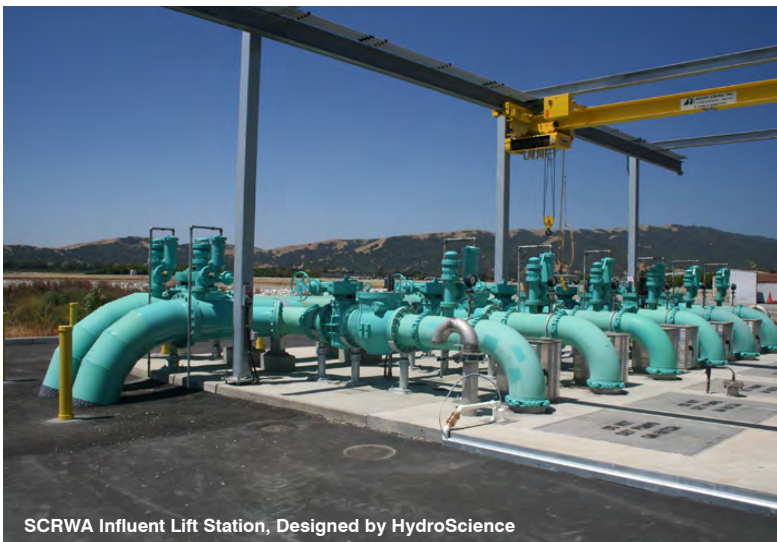
We have significant expertise in sewer master planning, hydraulic modeling, and design of collection systems and lift stations. These projects range in size from small gravity sewers to large trunk main and pressure force main systems and pump stations.

Our projects include system evaluation (condition assessment, alternatives analyses, and feasibility studies), sewer pipeline rehabilitation, reconstruction, and new construction, as well as design of new lift stations and major lift station rehabilitation projects. We work closely with our clients to detail these designs in ways that maximize long-term operations and maintenance benefit.

WASTEWATER

- Wastewater Master Planning
- Gravity & Pressure Systems
- Condition Assessment
- Alternatives Analyses
- Pipeline Rehabilitation and Replacement
- Lift Station Upgrades and Rehabilitation
- Treatment Plants

Cindy Preuss, one of HydroScience's principals and senior project managers, served on the Board of Directors for the North American Society for Trenchless Technology and brings technical expertise for evaluating rehabilitation and replacement methods for sewer systems. We often leverage these trenchless alternatives to save our clients time and money.





Phase 1 Wastewater Treatment Plant Rehabilitation and Replacement

City of Davis • Yolo County, CA

PROJECT OVERVIEW

- Design and construction support services for rehabilitation, replacement, and upgrades to multiple areas of the plant, including influent pumps, channels, and grit dewatering facility
- Coordinated closely with WWTP staff through workshops to prioritize and optimize scope of improvements

HydroScience provided design and construction support services for the City of Davis WWTP Rehabilitation and Replacement Project. This project is the first of a two-phased effort to improve plant performance, reliability, and effluent quality in support of an anticipated new stricter NPDES Discharge Permit.

City staff had developed a wish list of desired plant improvements which became the starting point for our effort. HydroScience fully recognized the advantages of leveraging institutionalized knowledge only available from long-term WWTP staff. Our project team worked closely with this staff through a series of site visits and detailed workshops to prioritize and optimize the scope of improvements, balancing project cost with long-term performance objectives. A Preliminary Design Report was developed to document final decisions under close coordination with City project management, engineering, operations, and maintenance staff while working within the constraints of the established City budget for the project.

Improvements included rehabilitation, replacement, or upgrade of influent pumps, bar screens, aerated grit tanks, primary clarifiers, and digesters to prepare these facilities to serve the secondary and tertiary facilities planned for the next phase of improvements over the next 25 years. HydroScience further updated the facility's SCADA system to enhance monitoring and control of the treatment process. The following summarizes some of the key upgrades that we designed in close coordination with WWTP staff:

Influent Pumping. Replace aged and oversized 4,800 gpm dry pit solids-handling influent pumps with modern, efficient, and optimally-sized immersible screw impeller pumps. Reconfigure suction piping and incorporate dedicated isolation valves to reduce dry pit flood risk. Replace outdated and obsolete variable frequency drives (VFDs) in existing MCC with new units, through an innovative,

HydroScience Engineers, Inc.

in-kind replacement approach that minimized facility interruption. The upgraded facility operates at increased efficiencies throughout an improved flow turndown range while also minimizing the incidence of clogging.

Influent Channel Hydraulics and Bar Screen Improvements. Reconfigure existing oversized influent channels to improve scour velocities, reduce odors and corrosion, repair existing degraded concrete, and facilitate installation of two new parallel bar screens. The design approach involved lightweight concrete fill and new concrete dams and dividing walls to achieve the optimal channel dimensions while allowing construction to occur in a phased manner at this operating facility. Screen discharge chutes and screening collection were reconfigured and optimized to minimize transport paths and improve reliability and maintainability of the system.

Grit and Primary Clarifier Improvements. Completely rebuild the grit dewatering facility to address significant corrosion. At primary clarifiers, modify influent gates, scum collectors, and clarifier mechanisms to address corrosion and performance issues, and rehabilitate partially failed tank coatings.

Innovative approaches were developed to maintain treatment capacity while minimizing costly bypass facilities. Drawing upon staff experience and knowledge, HydroScience clearly defined contractor limitations and operational responsibilities to minimize risk to permit compliance while providing adequate contractor flexibility to propose innovative and cost-effective means and methods.



HydroScience replaced the existing pumps (above) with newly designed pumps (below) with reconfigured suction piping and new VFDs that provides improved performance, reliability, and safety.





SCRWA Wastewater Capacity Expansion Project

South County Regional Wastewater Authority • Santa Clara County, CA

PROJECT OVERVIEW

- Condition assessment, planning, design, and construction management services provided for \$85M multi-project wastewater capacity upgrade
- Projects included design of a new influent pump station, 36-inch force main, third clarifier, replacement of the outdated SCADA system, and various additional maintenance projects

As part of a contract to design SCRWA's \$85M Wastewater Capacity Expansion Project, HydroScience completed multiple upgrade projects throughout the facility, including:

Influent pump station and force main. HydroScience designed a 40 MGD influent pump station including two 1/2-inch spacing deep well screens ahead of the split wet well pump station to ensure reliable operations. The screens are contained in a new structure for odor and vector containment. To reduce construction costs, new electrical equipment was housed in an unused portion of the existing pump station building and the existing backup generator system was utilized in its current location to backup power supplies.

HydroScience also designed a 36-inch force main parallel to their existing pipeline to provide redundancy and expand pumping capacity for the newly upgraded pump station. HydroScience's innovative design allowed for connection of the force main without interruptions of wastewater flows and eliminated the need for costly temporary pumping facilities during construction. A pressure rated fiberglass reinforced motor pipe was selected to provide the maximum service life in the highly corrosive soils at the plant, while not exceeding the limited construction budget or creating long term maintenance issues.

Secondary clarifier. The plant's two existing 130 foot concrete tanks were susceptible to corrosion and required regular maintenance. High groundwater at the plant also made equipment repair and maintenance difficult and risky, and susceptible to a "float" condition when emptied for maintenance. HydroScience evaluated the existing clarifiers, provided recommendations, and designed a third clarifier to both handle the peak flows as well as provide redundancy for this critical process.

HydroScience Engineers, Inc.

Maintenance projects. Upgrades included new anoxic zones for denitrification, additional aeration capacity in the oxidation ditch, expansion of the solids handling facility, and a new two-acre maintenance building. To maximize the utility of the existing oxidation ditch tankage, HydroScience designed a fine bubble diffuser oxygen delivery system to replace the current surface aeration system. This system will dramatically lower electrical costs associated with aeration.

HydroScience further provided design services to replace an outdated and congested SCADA communication network.





San Jose-Santa Clara Regional Wastewater Facility Master Agreement

City of San Jose • Santa Clara County, CA

PROJECT OVERVIEW

- On-Call planning, evaluation, design, and construction support services
- Completed evaluations and studies include assessment of HVAC, cooling systems, and two recycled water pumping stations
- Designed replacement of central plant No. 3 water pumps to improve turndown by up to 14,000 gpm

HydroScience is providing on-call planning, evaluation, detailed design, and construction support services under a multi-year Master Services Agreement (MSA) with the City of San Jose. The Regional Wastewater Facility (RWF) is a 167 MGD secondary and tertiary wastewater treatment plant serving 1.4 million residents and businesses across 8 cities in Santa Clara County. It is the largest advanced wastewater treatment facility in the western United States. It discharges advanced tertiary treated effluent to the sensitive southern end of the San Francisco Bay and also delivers 14 MGD of recycled water to customers in the South Bay. HydroScience is working directly with RWF Operations and Maintenance (O&M) staff to plan, design, and implement urgent improvements on an on-call basis throughout the facility.

HydroScience completed a design of replacement of the existing No. 3 water pumps which is a major upgrade to an existing aging facility that provides critical plant utility water to the entire facility. The pumps are in a below-grade equipment gallery with challenging access and space issues. The most suitable replacement pumps have a vertical discharge as opposed to the existing horizontal discharge pumps, necessitating reconfiguration of the 20-30 inch discharge piping in a tight space. An energy saving assessment conducted by HydroScience identified an opportunity to improve the turndown of this 700 – 14,000 gpm facility through the addition of a third low flow pump. Construction was completed in December 2016. The new pumping system is reliably meeting flow and pressure requirements while saving the City thousands of dollars in power cost each year.

The following summarizes other projects which HydroScience is completing or has completed under this MSA:

HydroScience Engineers, Inc.

- Condition assessment and evaluation of an outfall channel bridge that includes critical effluent monitoring instrumentation, and nearby gates and outlet structures (completed)
- Condition assessment and evaluation of the control gates and surrounding earthen levees at Pond A-18 (former salt pond, currently a tidal marsh) (completed)
- Emergency design and environmental clearance for Pond A-18 gates and levees (in progress)
- Condition assessment and subsequent design of HVAC improvements at two remote recycled water pump stations (evaluation completed, design in progress)
- Condition assessment and subsequent design of fume hood and ductwork improvements at the plant laboratory (evaluation completed, design in progress)
- Condition assessment of deteriorating earthen berms and a concrete inlet structure at a large emergency overflow basin (in progress)
- Design of replacement walkway bridges over a primary clarifier effluent channel (in progress)
- Evaluation and design of bird control measures at the primary clarifiers (in progress)
- Design of thermal mass flow meters for three points of demand in the treatment plant (completed)
- Design of a replacement outdoor lighting system for the nitrification clarifiers facility which will improve operator safety. (under construction)



General Statement of Qualifications 27



Belmont Citywide Lift Station Assessments

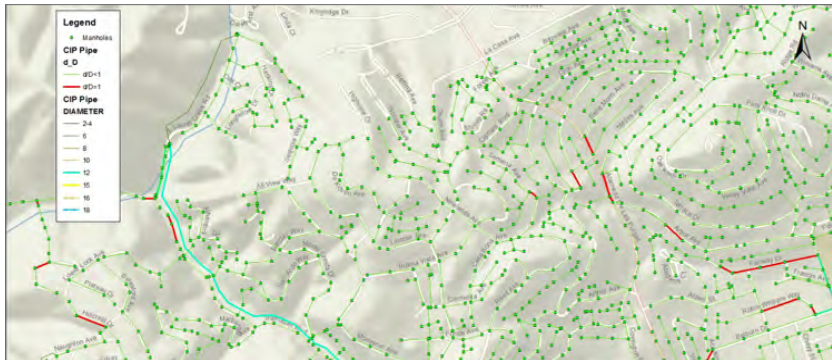
City of Belmont • San Mateo County, CA

PROJECT OVERVIEW

- A priority list of improvements was prepared to assist the City in expediting projects for the most critical needs.

HydroScience is providing on-call general engineering services for sanitary sewer, water, and storm drain improvements. This project under the on-call agreement consisted of an assessment and inventory of the structural, mechanical and electrical components of the City's eleven sewage lift stations. Results from inventory and assessment were tabularized in a report and then used as the basis of proposed recommended improvements. These recommendations included planning-level cost estimates for development by the City Staff into a Capital Improvement Program (CIP). HydroScience then reviewed all existing as-builts and then conducted extensive field investigations, which included on-site interviews with O&M Staff regarding the equipment and condition, structural evaluation of each lift station, and electrical evaluation of each station. The final report provided site by site assessments and recommendations regarding the pump condition and access, piping, valves, wet well / dry pit condition and access, electrical equipment condition, instrumentation, safety, security, and lighting, as well as recommendations for each station improvements, replacement and standardization. A priority list of improvements was prepared to assist the City in expediting projects for the most critical needs.

HydroScience Engineers, Inc.



Ralston Avenue

City of Belmont • San Mateo County, CA

The City of Belmont has experienced surcharging in several sewer manholes in Ralston Avenue. Through capacity studies and sewer modeling, the City has identified the need for further assessment of their system between the approximate limits of Alameda de las Pulgas and El Camino Real in order to construct the needed improvements to correct the issues. HydroScience provided engineering services to help the City assess the issues, slate segments and facilities for improvement, and prepare design documents to execute these improvements. HydroScience is also preparing contract documents and providing bid and engineering services during construction.

The first step was updating the City's collection system hydraulic model, as well as performing condition assessments of the sewers and manholes within the project limits. Given the advanced legwork needed in assessing the capacity and condition of the system in order to identify distinct candidates for improvement, the pre-design tasks were phased such that survey would be performed following candidate slating (and only on those particular candidates), and potholing investigations would be performed once a more refined project is developed.

HydroScience prepared a list of sewer mains and manholes recommended for improvement in this project. The findings were documented in a Predesign Report Memorandum that identified the required improvements, capital cost estimate, and implementation schedule. The memorandum listed the sewer segments and manholes targeted for improvement under this contract, with recommendations for their repair, replacement, or rehabilitation, with consideration for trenchless options where possible. Within the 9,200 LF of sewers and 46 manholes reviewed as part of this project, a total of 37 manholes will be replaced, modified or improved, and a total of 3,700 LF of sewer is to be replaced via open cut removal and replacement, open cut point repairs, or pipe reaming. The estimate of probable construction costs is anticipated currently at approximately \$2.2M.

PROJECT OVERVIEW

- Verification of the City's flow model as well as condition assessment of the sewers and manholes
- 9,200 LF of sewers and 46 manholes are included in the project limits



South of Highland Ave Sewer Relief Trunk

City of Morgan Hill • Santa Clara County, CA

PROJECT OVERVIEW

- Providing planning and design services for a sewer trunk that includes construction of a 30-inch diameter sewer trunk that extends nearly seven miles
- Proactively working with the City, Santa Clara County, neighboring cities, other utility owners, and Caltrans to address the project stakeholders' encroachment permit and design requirement

Since May 2016, HydroScience has been providing planning and design services for the remaining segment which is to be designed and constructed in two phases. This final segment includes construction of a 36-inch diameter relief sewer trunk that extends nearly seven miles. Although a majority of the sewer trunk construction within roadways will be installed using traditional open-cut methods, micro-tunneling methods will be used to cross under the Union Pacific Railroad train tracks, Highway 101, other Caltrans right-of-ways, and a concrete flood control channel.

Based on HydroScience's recent experiences on various pipeline projects, we have been proactively working with the City, Santa Clara County, City of Gilroy, other utility owners, and Caltrans to address the project stakeholders' encroachment permit and design requirements. A comprehensive pre-design effort will also help expedite the anticipated design and construction schedules so that the first phase of the project, encompassing 3.4 miles, can be designed by August 2017 and constructed by December 2018.



Phase 2 WWTP Secondary and Tertiary Improvements

City of Davis • Yolo County, CA

HydroScience provided process design, coordination, and commissioning assistance as part of a design-build (DB) team for the construction of secondary and tertiary wastewater treatment improvements at the City of Davis Wastewater Treatment Plant (WWTP). The peak treatment capacity will be 18 MGD after this upgrade. This \$70M comprehensive upgrade of this existing WWTP will modernize the facility and bring it into compliance with current discharge regulations. Having recently served as the lead engineer on the City's Phase 1 Rehabilitation and Replacement (R&R) project, which upgraded the influent pumping, headworks, grit handling, and primary clarification unit processes, HydroScience contributed a deep working knowledge of existing plant systems and O&M requirements to the DB team.

During the DB team selection process, HydroScience worked in close coordination with the other DB team members to develop a preliminary design suitable for DB pricing and presentation in a DB proposal, which was subsequently optimized in a team effort with the City, their Owner's Representative, and outside expert peer reviewers. The resulting project definition was then executed in the detailed design phase. The project includes design and construction of activated sludge secondary treatment facilities (biological nutrient removal and clarification), tertiary disc filters, chlorine disinfection, post-aeration, effluent pumping, flood control facilities, and a new administration building. Construction on the upgrades is nearing completion with startup currently underway and scheduled to be completed in fall of 2017.

HydroScience's core areas of responsibility on this project include the chlorine contact basin, chemical mixers, chlorine residual monitors, utility water systems, effluent reaeration system, field instrumentation, leading roles on commissioning and process transitioning, and support for plant tie-ins and owner coordination. Additionally, HydroScience is preparing the Operations and Maintenance manual for the entire project. The objective of the project is to cost-effectively design and construct a reliable WWTP upgrade that will meet upcoming regulations and be flexible for future regulations while remaining operator-friendly, operationally efficient, and environmentally sustainable.

PROJECT OVERVIEW

- Providing process design, coordination, and commissioning assistance as part of design-build team
- Contributing deep working knowledge of existing plant due to recent work on the plant's Rehabilitation and Replacement project
- Core responsibilities included chlorine contact basin, utility water systems, effluent reaeration system, and leading roles on commissioning and coordination



American Canyon Wastewater Treatment Plant

City of American Canyon • Napa County, CA

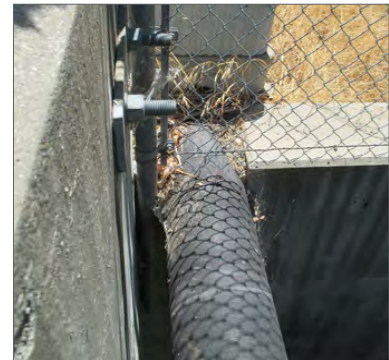
PROJECT OVERVIEW

- Planning, design, permitting, and construction services for 2.5 MGD MBR WWTP
- Plant was the largest MBR system in the U.S. at the time of start-up, and was the first MBR system to meet California's Title 22 standards for water reuse

With a population expected to double by 2025, the City of American Canyon needed a new wastewater treatment plant to handle increasing flows of domestic and industrial wastewater in the coming years. Hoping to reclaim much of this water for irrigation, the City also needed recycled water that could meet California's stringent Title 22 standards for water reuse. Yet even if the City's domestic wastewater could be treated to this degree, the high concentration of total dissolved solids (TDS) in industrial wastewater would make it unsuitable for irrigation. This water would have to be discharged; a significant problem since the best outlet, the Napa River, had been designated by the Environmental Protection Agency as an impaired waterway.

To approach these problems, HydroScience designed a 2.5 MGD wastewater treatment plant featuring an immersed membrane bioreactor (MBR) system. This system uses three MBRs to treat domestic wastewater to Title 22 standards for irrigation, while using a fourth MBR to treat industrial wastewater in a segregated process train. To discharge this high-TDS water, HydroScience designed a constructed wetlands tributary to the Napa River, providing an outlet for discharging higher TDS effluent year-round and for discharging domestic effluent during the rainy winter months. HydroScience worked closely with the Regional Water Quality Control Board to obtain a discharge permit, making this facility the first new plant approved for discharge to the Napa River in 25 years and the only facility approved for year-round discharge.

To support the MBR system, the treatment plant contains dual covered headworks with a soil filter foul air scrubber, dual disinfection systems with both UV disinfection and chlorination, a chemical handling and storage facility, a blower and electrical building, a 5 MG emergency storage pond, two biosolids storage basins, and a two-story operations building. In addition to planning and designing this \$12.9 million facility, HydroScience provided construction management services and its associated company, HydroScience Operations, assisted with startup.



Penn Valley Dual Sewer Force Main

Nevada County Sanitation District No. 1 • Nevada County, CA

This project began in response to a cease and desist order associated with an over-capacity WWTP. In order to comply with the order, the County secured two grants to cover some of the project costs associated with transferring flows from the over-capacity plant to a different plant with sufficient capacity.

Working closely with Nevada County Sanitation District, HydroScience completed the design, which included analysis and development of build-out projections; modeling of the County's sanitary sewer system within the service area for existing current, existing modified, and future conditions (including several step pumps and modified air release valves); and review of opportunities for a new lift station (location and sizing).

The project included the planning and design of a new lift station and two parallel 6-inch sanitary sewer force mains from the Penn Valley community to the Lake Wildwood WWTP. The 23,900 LF force main terminates at an existing manhole to receive energy dissipation improvements as part of the project design. Planning of the project included review of environmentally sensitive areas against physical location of the force mains; maintaining access to businesses; future buildout conditions; boundary surveys/conditions relative to construction footprint; and overall cost. Design included suspension of the two 6-inch force mains on an existing bridge structure, one bore-and-jack installation at the State Highway 20 intersection, and one HDD installation beneath several large-diameter stormwater cross-culverts. Close coordination with Caltrans, the District, and the structural, survey, and geotechnical subconsultants was necessary to keep the project on schedule and ensure integrity of the ultimate design. Creative bid structuring allowed for bid alternates depending upon the available funds held by the District against the current bidding climate. This project is currently in construction with ESDC underway.

PROJECT OVERVIEW

- Design of a new lift station and two parallel 6-inch sanitary sewer force mains.
- Includes trenchless installations.



Sanitary Sewer Lift Station Improvements, Phase 5

City of Foster City • San Mateo County, CA

PROJECT OVERVIEW

- Planning, design, and construction management services for rehabilitation of nine lift stations and relocation of a tenth
- HydroScience staff also managed design of Phases 1-4 projects, and have planned and designed improvements to 33 of the City's 50 stations

The City of Foster City Sanitary Sewer Lift Station Improvements, Phase 5 project involves the rehabilitation of nine wastewater lift stations and the relocation of a tenth. These projects included reconnaissance, planning, design and construction management for wastewater lift station wet well rehabilitation, pump and piping replacement, construction of nearby and off-site buried force main, and other improvements. Project components included:

- Removing and replacing failing wet well coatings with new polyurethane two-part coating to protect concrete surfaces from sulfide attack;
- Replacing pumps and corroded piping with corrosion-resistant materials;
- Development of flow control, bypass and linestopping requirements to prevent spillage and ensure that sewers in the work area operated continuously;
- Developing and installing standardized pump control panels;
- Replacing aging standby generators, automatic transfer switches, and the SCADA system; and
- Relocation of PG&E meters.

HydroScience staff also managed the design for the City of Foster City – Phases 1-4 projects. Following completion of Phase 5, HydroScience staff will have planned and designed improvements to 33 of the City's 50 lift stations with a range in capacity from 120 to 2,400 gpm.



Olympic Pump Station and Force Main

City of San Bruno • San Mateo County, CA

HydroScience was retained to evaluate and design upgrades to a 50-year old lift station and force main for the City of San Bruno. The Olympic Pump Station is located in a quiet residential neighborhood on an extremely small lot. Design goals included new dual wet well, 200 gpm submersible pumps, an upstream wastewater grinder, updated code-compliant electrical equipment, including arc-flash compliant motor control centers, quiet generator, and a modern SCADA system. Special consideration was given to the architectural look of the facility so that it blends well with the surrounding neighborhood.

The existing force main was deteriorating and located within the private front yards along much of the route. HydroScience designed a replacement to this 2,600 LF force main. HydroScience retained specialized subcontractors that mapped out existing underground utilities using ground penetrating radar and electronic detection. This information, along with traditional surveying and engineering analysis, formed the basis for developing pipeline design and construction recommendations presented in a separate Sewer Force Main Basis of Design Report. Based on feedback from the City, HydroScience prepared full contract documents for the new pump station and open trench construction of the new force main within the City right of way. Special consideration was required to plan construction sequencing of the new pump station on this small site while maintaining operation of the existing system.

HydroScience assisted the City in project bidding and provided engineering services during construction. The City now has a new pump station and a pipeline at an acceptable depth, thereby eliminating current concerns with pipe failure and providing easier access outside private properties.

PROJECT OVERVIEW

- Design, evaluation, and engineering services during construction for upgrades to a 50-year old pump station and 2,600 LF of replacement forcemain
- Consideration was given to architectural look of facility, which is located in residential neighborhood



City of Hollister Domestic Wastewater Treatment Facility

City of Hollister • San Benito County, CA

PROJECT OVERVIEW

- Planning, design, and engineering services during construction for 5.0 MGD MRB WWTP
- Developed long-term wastewater management plan that addressed City's current and long-term needs

HydroScience worked closely with the City of Hollister over an eight-year period through multiple project phases to implement \$120M of improvements to its wastewater treatment facilities. HydroScience provided planning, preliminary design, final design, and construction support services for both retrofit and improvement of existing facilities and implementation of new tertiary treatment facilities. All construction work was performed at the existing treatment plant site while the facility continued to operate, and all retrofit work and tie-ins were closely managed to avoid risks of outage or permit violation.

The first phase consisted of fast-track interim improvements to the existing aerated pond treatment plant. This included design and construction of a new 8 MGD influent lift station to replace the existing lift station and ultimately become part of the future tertiary treatment plant. The lift station consists of a new sewer manhole, influent grinder, concrete wet wells, self-priming sewage pumps, standby power, flow metering, and a soil filter for odor control. This \$3.1M project was designed, bid, constructed, and successfully started-up in less than eight months (one month ahead of schedule and well below 5% non-discretionary change orders). All long lead equipment, including the electrical gear, grinder, and pumps, was pre-purchased through a competitive RFP process to facilitate the schedule. RFPs included detailed specifications with sufficient minimum requirements to restrict proposals to the most appropriate equipment alternatives while allowing for competitive pricing.

The next phase involved implementation of the tertiary treatment plant itself. HydroScience evaluated multiple options to meet new stringent RWQCB discharge requirements and Title 22 requirements and presented recommendations in a master plan document. Immersed membrane bioreactor (MBR) technology was selected, and HydroScience proceeded to design and support the construction of a 5 MGD MBR that included grit removal, screens, biological nutrient removal

HydroScience Engineers, Inc.

(BNR), membrane filtration, chlorine disinfection, operations building with laboratory, septage receiving, utility building, and backup power facilities. The design effort included prepurchase of membrane equipment through a competitive RFP process, and subsequent detailed design around the selected membrane product.



1 Mixed liquor pumping station **2** Membrane filtration with bridge crane system **3** Washer compactors **4** Overview of MBR aeration basins **5** Influent pump station **6** Plant water pump station **7** Operations and maintenance building **8** Influent screens **9** Construction management and operations staff inspecting a pump **10** Local control panel operator interface



El Dorado Irrigation District Lift Station Improvements Projects

El Dorado Irrigation District • El Dorado County, CA

PROJECT OVERVIEW

- Evaluation and design for three sewer lift stations and provided construction services for two of the stations
- Worked with EID O&M staff to find solutions balancing available construction budgets and long term value
- Currently providing similar services for four additional lift stations

HydroScience has been working with the El Dorado Irrigation District since 2010 providing facility evaluations, predesigns, and designs for the rehabilitation/replacement of multiple sanitary sewer lift station projects. Each project involves significant rehabilitation and replacement elements on space-restricted properties with sensitive neighbors, and all facilities needed to be kept in reliable operation while improvements were completed. Complex and often competing objectives were balanced through creative approaches developed in close collaboration with EID engineering, operations and maintenance staff. The collaborative process included working through an O&M wish list of improvements to arrive at optimized solutions that balanced available construction budget with long-term value. The design approach was targeted to long term reliability and safety, including such features as lanyard anchors and guard rail sockets. Construction on two of these stations was completed, and HydroScience supported the bidding and construction phases. Descriptions for the two completed stations are below:

Business Park 1. Facility improvements included the installation of a new cast-in-place concrete wet well with two new constant speed, 70 hp submersible pumps. The lift station also included a separate emergency storage tank, standby generator, diesel fuel tank, new SCADA system and new motor control center building. A vacuum connection was also installed inside the new wet well in order to allow the operators to empty the wet well completely with the use of a vac truck. The existing pump station had to remain in operation during construction of the new facilities. The project team coordinated with the contractor to coordinate a bypass sequence in order to keep the shutdowns to a minimum.

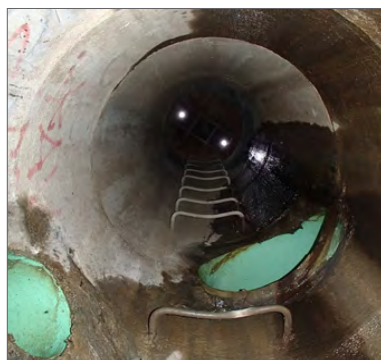
Timberline Lift Station. Facility improvements included rehabilitation of the existing FRP wet well, installation of a new concrete lid, and relocation of the pump discharge lines and valves from an existing valve vault to above ground. Temporary pumps were set up to bypass incoming wet well flow to a downstream sewer manhole. The

HydroScience Engineers, Inc.

lift station included two new constant speed, 60 HP submersible pumps, standby generator, diesel fuel tank, new SCADA system, and odor control system. A new CMU wall and entry gate was designed to blend in with the existing residences.

HydroScience also prepared four separate facility evaluations, predesigns, and designs for the rehabilitation/replacement of four sewer lift stations for EID. Each project involved significant rehabilitation and replacement elements on space-restricted properties with sensitive neighbors. All lift stations include new submersible pumps ranging up to 70 hp and standby generators in sound enclosures. The projects utilize standard design features which HydroScience developed for the District on prior projects. Complex and often competing objectives were balanced through creative approaches developed in close collaboration with EID engineering, operations and maintenance staff.





Sanitary Sewer and Storm Water Projects

University of California at Berkeley • Alameda County, CA

PROJECT OVERVIEW

- Design, bid period services, and engineering services during construction for multiple sewer and storm drain rehabilitation projects on an on-call basis
- Used CCTV investigation to assess pipeline condition for multiple projects

HydroScience has provided design services for multiple sanitary sewer and storm drain improvement projects (Hilgard Hall Storm Drain Improvements, Big Inch Sewer Pipeline Rehab, Stephens Hall Sewer Pipeline Rehab, Le Conte Hall Sewer Pipeline Rehab, and Dwinelle Hall Sewer Improvement) on the UC Berkeley campus. These individual projects include small (6-inch), medium (12-18-inch) and large (72-inch) pipeline rehabilitation, repair, and/or replacement earmarked as priority projects with the campus Capital Projects Department. HydroScience's engineering services included conceptual design and/or alternatives analysis development, bid document preparation, and bid and construction support services.

These projects are small in size but not complexity given the unique constraints associated with buried infrastructure on a college campus. Challenges include work around high-use and often aged buildings, shallow utilities, proximity to Strawberry Creek, flow bypass constraints, and construction schedule relative to campus activities. HydroScience conducted thorough investigations for each project, which included one or more of the following: pipeline cleaning and dewatering, CCTV analysis, pipeline/manhole condition assessment, hydraulic analysis, utility locating, potholing, and geotechnical analysis. Investigation findings were utilized for preparation of feasibility studies, alternatives analyses, and/or conceptual design reports serving as the basis for design development upon review and approval with the University. HydroScience has seen all but one of the five projects through to successful construction completion. The Le Conte Hall project was pulled from the Capital Projects slating due to lack of funding; this project was designed to the 50% level prior to being pulled. These projects include both gravity and force mains, and ranged from traditional open cut construction to trenchless (point repairs and CIPP lining).

HydroScience Engineers, Inc.



Sanitary Sewer Inspection and Citywide Sewer Rehabilitation Projects

City of Pittsburg • Contra Costa County, CA

HydroScience is providing evaluation and design services to replace and upgrade several sewer lines, rehabilitate aging manholes and install new manholes to improve maintenance access. This project is managed by Eric Petrel, who has been providing on-going sewer inspection and rehabilitation services to the City since 2004. The City owns and operates about 100 miles of sanitary sewer. Most of the collection system was constructed the years immediately following World War II, when the City underwent a period of rapid growth, and collection system is reaching the end of its design life. In addition, many sewers were constructed by developers with inadequate cover, inadequate slope and in backyard easements that have been difficult to access.

In 2004, the City undertook a serious effort to inspect its collection system and to correct the structural and hydraulic deficiencies. That effort began with a closed-circuit television (CCTV) inspection and condition assessment of 120,000 feet of sewer to identify the worst areas of the system and prioritize the City's capital improvement projects. Following this, the City designed the most urgent projects in three separate bid packages consistent with its capital improvements budget. Since that time, Eric Petrel served as project manager for the condition assessment and for design of all three of those projects (totaling 22,000 LF of sewer replacement/ rehabilitation, manhole installation and manhole rehabilitation) while employed at another firm. He is now serving as project manager for this, the City's fourth project, with HydroScience.

The current phase of the project includes several sewer segments totaling approximately 9,800 LF and includes a major relocation of shallow, flat sewers serving a residential neighborhood to improve sewer flow velocities and abandonment of backyard sewer easements. It also includes a new crossing of the BNSF Railway, which will be placed inside a new 24-inch steel casing installed using the pilot tube guided auger boring method. HydroScience is assisting the City in obtaining necessary permitting for the new railway crossing and an Underground Classification from the CalOSHA Mining and Tunneling unit for installation of the steel casing.

PROJECT OVERVIEW

- Current phase includes sanitary sewer segments totaling 9,800 LF and required obtaining necessary permitting
- Project Manager Eric Petrel has been working with the City since 2004 and has overseen the design of over 22,000 LF of replacement and rehabilitation sewer lines, including manhole installation and replacement
- At request of the City, HydroScience also designed replacement of 2,700 LF of 10- to 16-inch water main



Griffith MBR Wastewater Treatment Plant

New South Wales • Australia

PROJECT OVERVIEW

- Planning and design for new 2.8 MGD MBR WTP, the largest MBR plant in New South Wales
- Design included a four train MBR, UV disinfection system, sludge dewatering building, operations building, and SCADA control system

Griffith is a thriving City in the Murrumbidgee Irrigation Area in New South Wales. The city's trickling filter treatment plant could not meet new stringent discharge permit conditions, and required a major upgrade.

HydroScience investigated options for a new 2.8 MGD water reclamation plant that will minimize the impact on the environment, eliminate odors and produce water suitable for reuse throughout the city and for agricultural irrigation. An MBR treatment process was the preferred option, based on triple bottom line (TBL) assessment.

Griffith City Council adopted an MBR treatment plant as recommended by HydroScience, and commissioned HydroScience to complete the concept design and review of environmental factors (REF) for the upgraded plant. As part of this stage, HydroScience prepared tender documents for membrane filtration system and assisted Griffith City Council in membrane selection. HydroScience completed the detailed design and documentation of the treatment plant. At the completion of the construction, the team commissioned the plant and trained operators.

Some of the existing assets, including the inlet works and primary sedimentation tanks, were retained to reduce the cost and for effective management of wet weather flows. The new components include fine screens, a 3-train membrane bioreactor, RAS tank and RAS pumping station, UV disinfection, recycled water system, sludge dewatering, operations building and a control system including SCADA. This is the largest MBR Plant in NSW.



Ballina MBR Wastewater Treatment Plant

New South Wales • Australia

Situated on the north coast of NSW, Ballina is the fastest growing urban area in the State. Ballina Shire Council is implementing its wastewater strategy which focuses on water recycling and improved environmental performance. Upgrading the Ballina wastewater treatment plant is the most significant project of this strategy. It includes replacing the ageing treatment plant in Ballina with a modern, state of the art, membrane bioreactor (MBR) treatment plant.

HydroScience was the lead designer for this design and construct contract. The plant incorporates Kubota flat sheet membranes. The innovative tender design was instrumental in the team winning this prestigious project. The design features enhance the plant performance, reduce cost and improve efficiency. Some of these features are:

- Using existing structures to accommodate some of the new facilities
- Dual RAS / mixed liquor recycling streams and elimination of de-aeration, to reduce power use and CO2 emissions
- Gravity flow through the membranes
- Annular chlorine contact tanks around the storage tank.

This project was implemented in parallel with upgrades to the Lennox Head sewage treatment plant, also designed by HydroScience. Recycled water from both Ballina and Lennox Head plants is distributed for non-potable urban development (third pipe) and for urban parks and garden.

HydroScience was also responsible for the commissioning of the plant and training of operators. The verification testing that followed the commissioning resulted in no detection of micro-organisms (virus, bacteria and protozoa) in the recycled water.

PROJECT OVERVIEW

- Designed upgrade to a 2.0 MGD WWTP using MBR technology
- Designed to maximize the use of existing structures to accommodate new facilities



MGM Grand Ho Tram Casino Water and Wastewater Facilities

Asian Coast Development, LTD • Vung Tau Province, Vietnam

PROJECT OVERVIEW

- Design services for both water and wastewater treatment plants for the Grand Ho Tram Casino Resort in Vietnam
- WTP will have a capacity of .58 MGD and design includes a water storage tank and chlorine disinfection system
- WWTP will have a capacity of .5 MGD, and all effluent will be disposed of through reuse at the resort's golf course.

HydroScience was retained by Asian Coast Development to provide engineering design services for both water and wastewater treatment plants for the Grand Ho Tram Casino Resort in Vietnam. The MGM Grand Casino Resort will be the first component of the \$4.2 billion multi-site property Ho Tram Strip resort complex in Ba Ria, Vung Tau Province, Vietnam. The facility will be operated by MGM Resorts international. The first phase of the project will include a 541 room five star hotel, a conference center, golf course, and comprehensive gaming facilities. When complete, the MGM Grand Ho Tram will comprise 1,100 five star rooms, including suites and villas.

The water treatment plant (WTP) will consist of pressure filters with sand and Granulated Activated Carbon (GAC) media and have an initial Average Day capacity of .58 MGD gpd and a Peak Day capacity of 1.1 MGD. The WTP will also have a .26 MGD gallon water storage tank and chlorine disinfection system. The control system for the WTP will be integrated with the control system for the new wastewater treatment plant (WWTP).

The WWTP will be an immersed Membrane Bioreactor (MBR) and will have an initial Average Day treatment capacity of .5 MGD gpd and a Peak Day capacity of 1 MGD. The WWTP will include fine screens, anoxic tanks for nitrogen removal, fine bubble diffusion biological treatment, and a filter belt press for solids dewatering. All of the plant's effluent will be disposed of through reuse. The recycled water from the WWTP will be used to irrigate an 18-hole golf course at the resort.

Both the WTP and WWTP are being designed for phased expansion to an ultimate Average Day Capacity of 2.6 MGD (Peak Day 5.2 MGD). The two treatment plants will share a common operations building.

HydroScience Engineers, Inc.

Selected Additional HydroScience Wastewater Pipeline Projects

	Length of Pipeline (LF)	Diameter (inches)	Planning	Design	Permitting	Bidding Services	Construction Management	Eng. Svcs. During Const.	Hydraulic Analysis	Tie-ins	Outage Planning	Utility Coordination	Rehab/Replacement
PROJECT	SIZE AND TYPE	SERVICES					COMPONENTS						
Penn Valley Dual Sewer Forcemain Project Nevada County Sanitation District No. 1, Nevada County, CA	23,000	6	•	•	•	•	•	•	•	•	•	•	•
Florence Avenue Water and Sewer Main Replacement City of Grass Valley, Nevada County, CA	430	6		•		•	•	•	•	•	•	•	•
Aston Avenue Sewer and Water Main Replacements City of Santa Rosa, Sonoma County, CA	750	12		•		•	•	•	•	•	•	•	•
American Canyon Conveyance Improvement Vallejo Sanitation and Flood Control District, Solano County, CA	2,015	8-10	•	•		•		•	•	•	•	•	•
Thunder Valley Casino Expansion Sewer Force Main United Auburn Indian Community, Placer County, CA	27,900	12-16	•	•	•	•		•	•		•	•	•
South Trunk Sanitary Sewer Relief City of San Mateo, San Mateo County, CA	1.5 mi	38-48	•	•				•			•	•	•
Primary Outfall Rehabilitation City of Modesto, Stanislaus County, CA	26,800	60	•	•	•	•		•			•	•	•
Pipeline Design Union Sanitary District, Fremont, CA	28,000	8-21		•	•	•	•	•	•	•	•	•	•
Parallel Force Main and Butterfly Valve Replacement Foster City, San Mateo County, CA	1,100	24		•		•					•	•	•
Export Pipeline Livermore-Amador Valley Water Management Agency, Castro Valley, CA	3.5 mi	36	•	•	•	•		•			•	•	•
Monte Gardens/San Vicente Sewer Rehabilitation City of Concord, Contra Costa County, CA	2 mi	6-10		•				•			•	•	•
Wood Street Interceptor Rehabilitation-2000 East Bay Municipal Utility District, Oakland, CA	3,000	105		•	•	•		•	•	•	•	•	•
Interceptor Structure Design Central Contra Costa Sanitary District, Contra Costa County, CA	N/A	102	•	•									
Fourth Major Interceptor Project, Phases IV/IVA City of San Jose, Santa Clara County, CA	2,800	72		•				•	•	•	•	•	•
Enterprise Avenue/Clawiter Road Sewer Rehabilitation City of Hayward, Alameda County, CA	1,900	36-48		•				•	•	•	•	•	•
Sanitary Sewer Pipeline Design Delta Diablo Sanitation District, Contra Costa County, CA	30,000	8-27		•	•	•		•	•	•	•	•	•
Downtown Point Repair and Holbrook Creek/Grant Street Sanitary Sewer Replacement , City of Concord, Contra Costa County, CA	300	8-12		•	•	•		•		•		•	•
Wet Weather Phase II Sanitary Sewer Pipeline Rehabilitation City of South San Francisco, San Mateo County, CA	7,500	8-18		•				•				•	•
Soquel Drive Suspended Sanitary Sewer Replacement Santa Cruz County Sanitation District, Santa Cruz County, CA	360	8		•	•								•
Brook Avenue Sewer Improvement North Tahoe Public Utility District, Placer County, CA	2,000	6-8		•				•	•			•	•
Priority 1 Sewer Improvements Castro Valley Sanitary District, Alameda County, CA	7,200	6-18		•			•	•				•	•
24-inch RCP Sanitary Sewer Pipeline Rehabilitation City of Albany, Alameda County, CA	1,000	24		•	•								•
Migrant Center Force Main City of Williams, Colusa County, CA	2,700	4-8		•		•	•	•	•			•	•
South of Highland Ave Sewer Relief Trunk City of Morgan Hill, Santa Clara County	7 mi	30	•	•	•	•		•		•	•	•	•
Ralston Avenue City of Belmont, San Mateo County	9,200	8-28		•		•		•	•	•	•	•	•



Selected Additional HydroScience Wastewater Pump Station Projects

PROJECT	SIZE	SERVICES										CHARACTERISTICS				
		Condition Assessment	Planning	Design	Construction Management	New Facility	Upgrade or Retrofit	Electrical/Instrumentation	Back-up Power	Submersible	Dry Pit	Odor Control	Emergency Storage			
Davis Citywide Lift Station Assessments City of Davis, Yolo County	200–13,400 gpm, 2.4–318 hp (14 stations)	•	•					•	•	•	•	•				
Sunnyvale Five Sewer Lift Station Upgrades City of Sunnyvale, Santa Clara County	200–2,000 gpm, 2.4–35 hp	•	•	•				•	•	•	•					
Cache Creek Influent Lift Station Yocha Dehe Wintun Nation, Yolo County	365 gpm	•	•	•	•	•		•	•	•		•	•			
Lakeshore Village (Phase 2-4) Sewer Lift Stations Town of Discovery Bay, Contra Costa County	530–13,800 gpm, 23–141 hp (3 stations)			•	•	•			•	•		•				
Eastridge Sewer Lift Station City of Fairfield, Solano County	300 gpm, 20 hp			•	•	•			•	•		•				
Residential and Dalton Road Sewer Lift Stations Jackson Rancheria, Amador County	45 gpm, 5-25 hp	•	•	•	•	•	•	•		•	•	•	•			
Vineyard Bluffs Sanitary Sewer Lift Station City of Rio Vista, Solano County	140 gpm, 20 hp		•	•	•	•			•	•		•	•			
District-Wide Lift Stations Mechanical Systems Renovation East Bay Regional Park District, Alameda County	60–310 gpm, 6–46 hp (9 stations)	•	•	•	•		•	•		•						
Green Island Road Lift Station City of American Canyon, Napa County	1,600 gpm, 30 hp	•	•	•	•		•				•					
Thunder Valley WWTP Influent Lift Station United Auburn Indian Community, Placer County	425 gpm, 10 hp		•	•	•	•		•		•		•				
Thunder Valley Wastewater Pump Station United Auburn Indian Community, Placer County	1100 gpm, 160 hp		•	•	•	•		•		•		•	•			
Thunder Valley Influent Pump Station Replacement United Auburn Indian Community, Placer County	700 gpm, 30 hp		•	•	•	•		•		•		•	•			

Selected Additional HydroScience Wastewater Treatment Plant Projects

PROJECT	SIZE (GPD)	SERVICES							PLANT FEATURES						
		Planning	Design	Permitting	Bidding Services	Construction Engineering Services	Construction Management	Construction Inspection	Title 22 Compliant Recycled Water	Air Activated Sludge	Membrane Filtration	Granular Filtration	UV Disinfection	Chlorine Disinfection	Design Build Delivery
Modesto Phase 2 BNR/Tertiary Wastewater Treatment City of Modesto, Stanislaus County, CA	12,600,000					•	•	•		•		•			
San Mateo WWTP Gravity Thickener Rehabilitation City of San Mateo, San Mateo County, CA	40,000,000	•	•		•	•									
Dry Creek WWTP Upgrade City of Roseville, Placer County, CA	16,000,000		•		•	•	•	•			•		•	•	
El Dorado Hills WWTP Compliance Improvements El Dorado Irrigation District, El Dorado County, CA	3,000,000					•	•	•	•		•		•		
Tule River WWTP Indian Health Service, Tulare County, CA	100,000		•			•			•	•	•				
Thunder Valley WWTP and Expansion United Auburn Indian Community, Placer County, CA	700,000	•	•	•	•	•	•	•	•	•		•	•	•	
Red Hawk WWTP Shingle Springs Rancheria, El Dorado County, CA	300,000		•		•	•	•	•	•	•				•	•
Cache Creek WWTP Rumsey Band of Wintun Indians, Yolo County, CA	350,000	•	•	•	•	•	•	•	•	•				•	
Gridley WWTP Expansion City of Gridley, Butte County, CA	1,700,000	•	•	•	•	•	•	•			•		•		

RECYCLED WATER

HydroScience successfully implements some of the most ambitious and innovative recycled water retrofit projects in California. Our work includes an extensive recycled water master plan and recycled water system expansion for San Jose Water Company, which was recently named WaterReuse's 2012 Recycled Water Agency of Year.

HydroScience prepares recycled water master plans, feasibility studies, and facility plans, and designs recycled water treatment facilities, distribution systems, and customer retrofits. In many of these projects, HydroScience helps clients navigate through the entire recycled water process, including obtaining regulatory approval, developing customer outreach material, helping develop recycled water guidelines and standards, facilitating external funding, and completing all aspects of the customer retrofit design and construction process.

In addition HydroScience plans, provides permitting, and designs recycled water constructed wetlands, providing communities with outlets for discharging treated wastewater, while also providing wildlife habitat and enhancing communities aesthetically.

Curtis Lam, HydroScience's president and senior project manager has 22 years of experience with a focus in recycled water planning, infrastructure design, and retrofits. He has personally managed retrofits for over 500 sites to receive recycled water. Additionally he serves as the Representative to the Board of Trustees for the Northern California Chapter of the WaterReuse Association.

RECYCLED WATER

- Recycled Water Master Plans
- Recycled Water Treatment Facilities
- Recycled Water Distribution Systems
- Retrofits
- Cross-Connection Testing
- Regulatory Approval
- Customer Outreach
- Recycled Water Guidelines and Standards
- Funding for Recycled Water Projects





Recycled Water Master Plan

San Jose Water Company • Santa Clara County, CA

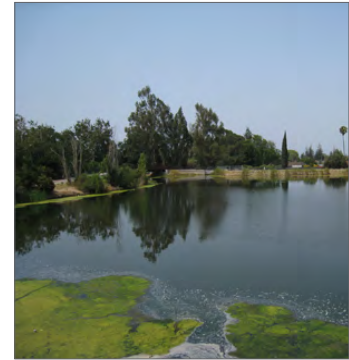
PROJECT OVERVIEW

- Identified 17 potential recycled water alignments representing 6,700 AFY of recycled water opportunities for nonpotable uses and up to 25,000 AFY of potable reuse opportunities
- These alignments represent over \$100M of infrastructure to be implemented over a 10-year period

HydroScience prepared a recycled water master plan (RWMP) for San Jose Water Company (SJWC), which serves potable and recycled water to approximately 1,000,000 people in and around San Jose, CA. The RWMP identified potential recycled water use sites, identified parcels with the potential for new development, identified opportunities for groundwater recharge, evaluated feasibility of scalping plants, identified potential recycled water alignments, performed hydraulic modeling to size mains and identified pump station locations, prepared cost estimates and determined unit cost per acre-feet, determined feasibility of alignments and ranked various projects, and prepared a project description and testimony to present to California Public Utilities Commission as part of SJWC's General Rate Case.

The RWMP identified 17 potential recycled water alignments in the City representing 6,700 AFY of recycled water opportunities for nonpotable uses and up to 25,000 AFY of potable reuse opportunities. Together, these alignments represent over \$100M of infrastructure to be implemented over a 10-year period.

HydroScience continues to facilitate implementation of the projects identified and ranked in the RWMP. Besides completing the planning and CEQA documentation, HydroScience actively participates in committees and organizations on behalf of SJWC to seek outside funding. We assisted SJWC in obtaining membership to the Western Recycled Water Coalition (WRWC) which previously only allowed public agencies to participate. Through WRWC, HydroScience was able to assist SJWC in changing legislation in 2014 to allow SJWC to be eligible for CWSRF funds.



Recycled Water Pipeline Alignments

San Jose Water Company • Santa Clara County, CA

After completing the Recycled Water Master Plan for the San Jose Water Company (SJWC), HydroScience was retained to design the pipelines and provide engineering services during construction. All of the following projects have been completed and are now in operation.

- **Story Road.** This alignment connects 23 sites on the east side of Coyote Creek. This 23,400 LF pipeline has diameters ranging from 4 to 16 inches, and connects approximately 381 AFY of recycled water demand.
- **East William Street.** This alignment connects two parks, two schools, and one homeowners association. The new 6-inch pipeline is approximately 4,900 linear feet in length, and has approximately 116 AFY of recycled water demand.
- **Oakland Road.** This alignment includes approximately 50,000 LF of pipeline with diameters ranging from 4 to 24-inches, and connects approximately 120 sites. Customers served by this alignment include industrial customers, data centers, multi-family residential parcels, schools, and parks.
- **Burke Street.** This alignment serves four recycled water users with recycled water to be used for cooling tower makeup, bus washing, and landscape irrigation. The total length of this 6-inch pipeline is approximately 1,600 LF.
- **Seven Trees Blvd.** This alignment includes the extension of a 6-inch pipeline to the west from an existing 8-inch pipeline on El Cajon Drive onto Seven Trees Blvd. The total length of the alignment is 1,400 LF.
- **Sark Avenue.** This 4,800 LF 8-inch recycled water pipeline serves five customers, including two City Parks, two schools, and a church with recycled water for landscape irrigation.

PROJECT OVERVIEW

- In conjunction with the Recycled Water Master Plan, completed design and engineering services during construction for over 16 miles of 4- to 24-inch diameter recycled water pipelines and over 250 retrofits
- Pipelines were oversized to facilitate future extensions
- Project included significant utility location and coordination



West Roseville Recycled Water Tanks and Pump Station

County of Placer, CA

PROJECT OVERVIEW

- Performed study to evaluate recycle water demand and developed hydraulic model of the new system
- Designed two 1.0-MG recycled water storage tanks, five 125- hp vertical turbine pumps, 500 feet of pipeline, and supporting electrical and control work

This project began with a study to evaluate proposed recycled water users, demands, supplies, facility requirements, and operational requirements for a series of proposed new properties. A new reclamation system was needed to accommodate the anticipated 2,800 AFY of annual demand that would be added to the City of Roseville's existing system.

HydroScience developed a complete hydraulic model of the system from the source to each individual service, and prepared a Preliminary Design Report that described how the facility would operate, be controlled, and be maintained, along with the estimated construction cost. The Preliminary Design Report was the basis for the subsequent detailed design. HydroScience then proceeded with planning, design, and construction administration, management, and inspection of the recycled water facilities. The project consisted of a 7,200-gpm pump station with five 125- hp vertical turbine pumps, two 1.0-MG recycled water storage tanks, 500 feet of pipeline, and supporting structural, electrical, plumbing, piping, valve, instrumentation, and control work. All facilities were designed to comply with both Title 17 and Title 22 standards. The operations strategy that HydroScience developed allows the pump station to serve multiple locations within the City of Roseville beyond its original purpose. Due to rapid growth in the region, HydroScience was asked to accelerate the design, which was successfully completed on the revised fast-track schedule.

HydroScience Engineers, Inc.



Central Energy Facility Cooling Tower Recycled Water Project

Stanford University • Santa Clara County, CA

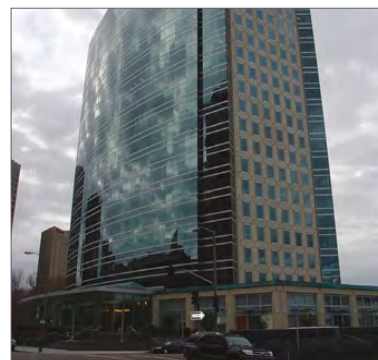
HydroScience designed a recycled water system to scalp, treat, and reuse industrial process wastewater from proposed and existing cooling towers at the University's Central Energy Facility. HydroScience designed the system to enable reuse in nearby buildings and landscape irrigation. Key project issues included:

- Coordinating the project with the construction of the CT-5 Cooling Tower Project, and integrating it into the future campus-wide recycled water project
- Obtaining approval from Santa Clara County, the Department of Health Services, and the Regional Water Quality Control Board for the dual plumbed use of recycled water in campus buildings
- Assisting with public outreach to educate users, faculty, and students about the intent of this project and its intended goals
- Strategically scheduling construction to streamline project phasing and implementation, minimize construction disruptions to other campus construction projects, and reduce the overall construction cost of the project, and
- Integrating the operation of the scalping plant with the operation of the CT-4 and CT-5 Cooling Tower Projects.

This project utilizes skid-mounted Pall membranes and inline UV disinfection to provide treatment. Facilities are installed in a tight footprint. The project conserves water supplies while enhancing the reputation of Stanford University as a designer of "green buildings", and the minimization of water use contributed to LEED accreditation for new campus buildings.

PROJECT OVERVIEW

- Produces recycled water from cooling tower blowdown for use as both an irrigation and toilet/urinal flushing water supply in new buildings
- The minimization of water use contributed to LEED accreditation for new campus buildings



EBMUD Recycled Water Retrofits

East Bay Municipal Utility District • Contra Costa and Alameda Counties, CA

PROJECT OVERVIEW

- Design, permitting, and engineering services during construction to connect approximately 90 customers to the EBMUD recycled water system
- Customer connections included the Chevron campus, the Chiron Building, the Shorestein Building (all pictured above), the Oakland City Hall, and multiple schools and parks

Since 2005, HydroScience has been providing the East Bay Municipal Utility District (EBMUD) with design, permitting, and construction engineering services to connect approximately 90 customers to the EBMUD recycled water system. These projects are summarized briefly below.

San Ramon Valley Recycled Water Landscape Irrigation Retrofits. For this \$2.5 million retrofit project—the first major design-build project of its kind in Northern California—HydroScience prepared 40 recycled water retrofit designs, coordinated these designs with customers and the City of San Ramon, and obtained DHS approval for the retrofit plans. ValleyCrest is now constructing the retrofit projects, and Luster National is providing project management and customer coordination services. Customers selected by EBMUD to receive recycled water included seven schools, five public parks, local greenbelts, a golf club, and other large existing irrigation water users. These customers have a combined annual demand of approximately 2,000 AFY. Currently, 35 of these customers are connected.

East Bayshore Recycled Water Irrigation Customer Retrofits. Similar to the San Ramon Project, HydroScience designed retrofits for 45 landscape irrigation sites throughout Oakland, Berkeley, Albany, and Emeryville as part of the East Bayshore Recycled Water project on a fast-track design-build basis. Customers include the Pixar Corporation, seven parks, the Federal Building, and the City of Oakland City Hall.

East Bayshore Recycled Water Complex Retrofits. As an extension of the East Bayshore Recycled Water Project, HydroScience is designing customized treatment systems for several commercial sites in Oakland, Berkeley, and Emeryville for cooling tower makeup and toilet/urinal flushing. Modifications include ammonia reduction, pH adjustment, corrosion minimization, and the unique onsite design of each site's plumbing modifications. HydroScience also prepared the Title 22 and Dual Plumbing Engineer's Reports to guide EBMUD's future efforts in maximizing reuse indoors.

HydroScience Engineers, Inc.



DSRSD Recycled Water Customer Connections

Dublin San Ramon Services District • Contra Costa County, CA

The Dublin San Ramon Services District wanted to expand recycled water use within its service area. The District promoted the Clean Water Revival “Puttin’ On The Green” project and sought to retrofit existing customers and connect new customers to its recycled water distribution system. To do so, the District needed to develop a procedure for obtaining recycled water connection approval, implement the connections, and prepare customer use guidelines. HydroScience provided this recycled water customer connection assistance to the District.

By District ordinance, new landscape irrigation sites in Dublin were required to use recycled water, and several developments required fast-track connection. Because only a few months remained before the irrigation season, HydroScience proposed to develop the approval/connection procedure and customer guidelines concurrent with the first few customer connections. After reviewing a procedural outline prepared by HydroScience, the Department of Health Services (DHS) agreed to this approach.

The customer approval/connection procedure included the development of recycled water connection drawings, site inspections, and cross connection tests. The customer use guidelines incorporated Title 22 Recycled Water Criteria, Regional Board Order criteria, as well as common standards developed by other agencies and the American Water Works Association.

HydroScience proceeded with preparation of customer connection drawings for several recycled water use sites in Dublin and coordinated DHS review, inspections, and approval. In a three year project period, HydroScience had obtained DHS approval for urban irrigation with recycled water on over 40 onsite systems and over 10-miles of streetscape and medians in east Dublin.

PROJECT OVERVIEW

- Fast track design services for 40 recycled water retrofits
- Development of standard procedures for recycled water connections and new recycled water guidelines



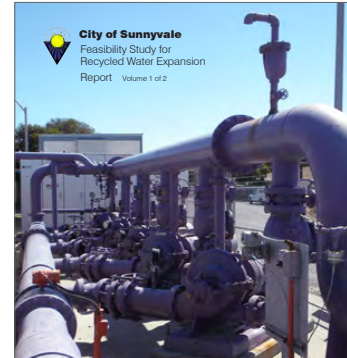
PROJECT OVERVIEW

- Evaluated options for SCVWD for producing purified water originating from the Sunnyvale WPCP for potable reuse purposes, and identified 38,560 AFY of purified water demand
- HydroScience's efforts facilitated long-term partnership between SCVWD and the City of Sunnyvale that has reshaped how the City is rehabilitating the treatment plant and how the District's plans for potable reuse

HydroScience evaluated the treatment and distribution options for producing purified water originating from the Sunnyvale WPCP for use by the SCVWD for potable reuse. This evaluation included options for the production and distribution of purified water. Treatment options evaluated the production of either 10 or 20 MGD of RO treated effluent with source water originating from both Sunnyvale and the SJ/SC RWF. MF and MBR treatment operations were evaluated, and the City elected to implement a MBR treatment upgrade at the plant.

HydroScience's efforts working for both the City and SCVWD facilitated a long-term partnership that has reshaped how the City is rehabilitating their treatment plant and how the SCVWD plans for potable reuse, and has made the previously separate planning processes more efficient to the long-term betterment of the County's water supply portfolio. This partnership is helping to implement the first phase of this IPR project, to partner in the expansion of the recycled water system, and to partner in the governance of recycled water expansion in Sunnyvale.

HydroScience Engineers, Inc.



Sunnyvale Feasibility Study for Recycled Water Expansion

City of Sunnyvale • Santa Clara County, CA

The City of Sunnyvale recycled water distribution system was constructed in the early 2000s, and consists of approximately 14 miles of recycled water pipeline serving approximately 120 customers with recycled water for nonpotable uses. The City was also in the process of rehabilitating their existing WPCP and wanted to evaluate additional recycled water opportunities to maximize the reuse of effluent from the City's WPCP. Additionally, the City wanted to transition their recycled water treatment processes from a batch mode of operation to a continuous mode of operation, which would increase recycled water reliability, minimize plant disruption, and streamline operations.

HydroScience prepared a Recycled Water Expansion Feasibility Report to provide a basis for future recycled water infrastructure design and construction, and identify new potential opportunities for the City to maximize the beneficial use of recycled water. HydroScience identified 16 potential recycled water alignments that would expand recycled water use into the City of Cupertino, loop the existing system, provide recycled water to infill customers, and extend recycled water use to new areas within Sunnyvale. HydroScience also identified tertiary and advanced treatment alternatives to provide a reliable recycled water supply.

Based on the knowledge gained in preparing this study, HydroScience facilitated a partnership between the Santa Clara Valley Water District (SCVWD), Cal Water, and Apple Inc. to partner with the City. The partnership allowed each party to jointly fund the pipeline and pump station upgrades needed to deliver recycled water from Sunnyvale's WPCP to the Apple campus. In addition, HydroScience outlined the institutional framework needed to establish roles and responsibilities for each party. With assistance from HydroScience, the City and SCVWD received \$4M in funding through the IRWM grant funding program to help fund the first phase of this project. The plan developed in the Feasibility Study has identified the water supply and has formed the basis for nonpotable expansion of recycled water in Sunnyvale and Western Santa Clara County.

PROJECT OVERVIEW

- Developed RWMP to provide basis for future recycled water infrastructure and identify potential opportunities to maximize recycled water use
- The plan built off previous work in evaluating opportunities to interconnect the recycled water distribution systems between Sunnyvale and South Bay Water Recycling



Recycled Water Technical Support

Cities of Mountain View and Milpitas • Santa Clara County, CA

PROJECT OVERVIEW

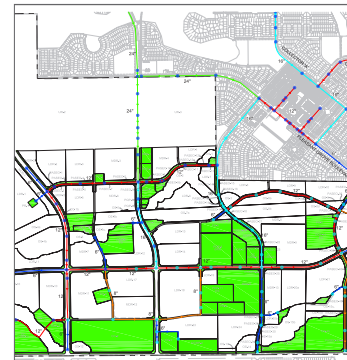
- Providing as-needed recycled water technical services, construction inspection, retrofit design, and cross-connection testing

HydroScience is providing recycled water technical advice to both the City of Mountain View and the City of Milpitas; descriptions of both efforts are included below.

City of Mountain View. HydroScience was retained by the City of Mountain View to provide as-needed recycled water technical support services to help connect additional customers to their existing recycled water distribution system. HydroScience is developing an extensive public outreach program to educate customers on the benefits of using recycled water, and prepared the City's new Recycled Water Rules and Regulations, as well as new standard notes and details and standard retrofit procedures. Additionally, HydroScience is reviewing retrofit plans prepared by customers for compliance with City and Title 22 regulations as part of our broad, as-needed recycled water technical support services. For selected new customers, HydroScience is also providing support to the City to help implement its new dual plumbing regulations and identify what dual plumbing opportunities are best suited as a first step customer. Most recently, HydroScience brought many of the City's recycled water use sites into compliance with the terms of the City's Rules and Regulations, and developed as-built plans for many of these sites.

City of Milpitas. HydroScience is providing as-needed recycled water construction inspection, retrofit design, and cross-connection testing services to selected sites within the City of Milpitas. Of note, HydroScience is serving as the cross-connection test lead for many sites in the City, including the Great Mall of California. The Great Mall cross-connection test is one of the largest such tests ever conducted at an operating facility, with the mall containing over 200 leased and occupied suites, thousands of active fixtures, and a limited ability for shutdown. HydroScience is preparing the cross-connection test plan and coordinating the activities of the City and mall staff, and will serve as the cross-connection test certifier.

HydroScience Engineers, Inc.



Roseville Recycled Water Master Planning Projects

City of Roseville • Placer County, CA

HydroScience was retained to provide various recycled water planning services in and around the City of Roseville; details of select projects are included below:

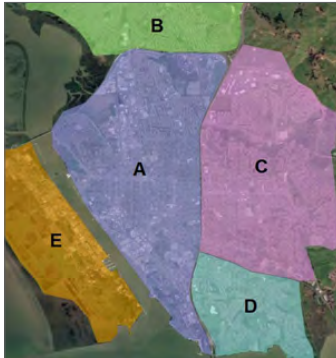
Sierra Vista Recycled Water Master Plan: HydroScience provided recycled water planning services for an 11,000 unit development in Roseville. HydroScience modeled the proposed development to determine the requirements for the recycled water distribution system and analyzed available recycled water supplies. Project components are expected to include approximately three million gallons of recycled water storage and many miles of distribution system pipelines.

Placer Ranch Recycled Water Feasibility Study: HydroScience performed a recycled water study for the Placer Ranch urban development in Roseville. The development consists of a new California State University, over 5,000 dwelling units, schools, parks, and open space. HydroScience identified approximately 1,600 AFY of recycled water demand and quantified annual, peak day, and diurnal recycled water demands and uses. HydroScience also identified design criteria for the recycled water system based on local and AWWA guidelines. HydroScience also prepared a new hydraulic model to determine the required storage, pumping, and pipeline diameters for Placer Ranch facilities. Additionally, HydroScience identified potential system upgrades to serve recycled water customers located outside of Placer Ranch, and to improve the reliability of the City's existing reclamation system in this area.

West Roseville Recycled Water Master Planning: HydroScience completed a recycled water feasibility study to determine how the 25,000-person West Roseville Development would receive, store, and distribute recycled water, and what portions of the area would be served. This study identified the recycled water infrastructure needs for each project phase and specifically identified the storage and pumping capacity requirements to meet these demands.

PROJECT OVERVIEW

- Multiple efforts providing recycled water planning services in and around the City of Roseville and Placer County
- Identified recycled water demand, prepared hydraulic models, and worked to find system upgrades to improve reliability



Vallejo Sanitation District Recycled Water Facilities Plan

City of Vallejo • Solano County, CA

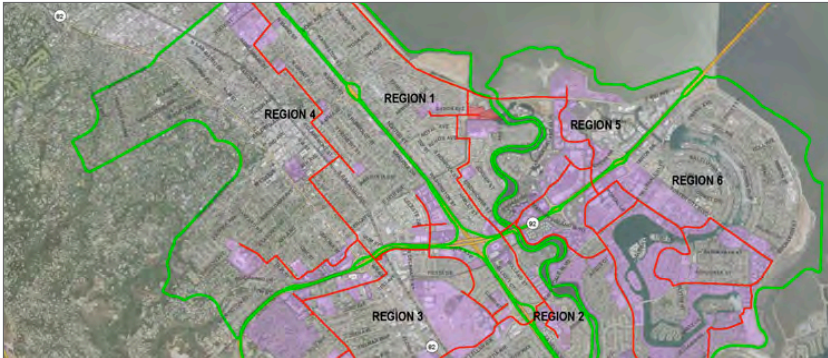
PROJECT OVERVIEW

- Identified treatment options to bring WWTP effluent to recycled water quality standards
- Identified recycled water opportunities
- Provided hydraulic modeling for recycled water distribution

HydroScience was retained by the District to evaluate recycled water opportunities. The District owns and operates the sewer collection system, and wastewater treatment facility (WWTF), which is a publicly owned treatment works (POTW). The 15.5 MGD ADWF WWTF currently provides secondary treatment of sewage and discharges effluent into the Mare Island and Carquinez Straits. The City of Vallejo (City) Water Division retails both raw and potable water in Vallejo, including Mare Island, Green Valley, Travis Air Force Base, and the District service area. Potable water supply comes from several sources including the State Water Project, Vallejo Permit Water, and Solano Project (Lake Berryessa). The City also has entitlements to local watershed sources for emergencies and as supplemental sources. The District has been actively evaluating recycled water opportunities in their service area. A Reclaimed Water Study was prepared in 2014 to document potential recycled water opportunities.

HydroScience evaluated the system using a holistic approach that included identifying treatment to meet both recycled water quality and waste discharge requirements; identifying near-term non-potable recycled water opportunities; allowing for the flexibility to incorporate potable reuse into the local water portfolio; and identifying potentially feasible recycled water distribution options for near term and long term implementation. HydroScience prepared the hydraulic model for potential distribution of recycled water to customers within the City and identified storage and pumping requirements. The plan utilized a new pipeline that the District had installed across Mare Island Strait to facilitate future of recycled water use on Mare Island. The plan was completed in 2017.

HydroScience Engineers, Inc.



San Mateo Recycled Water Facilities Plan

City of San Mateo and Foster City/Estero Municipal Improvement District • San Mateo County, CA

The Cities of San Mateo and Foster City/Estero Municipal Improvement District (EMID) obtained a facilities planning grant from the State Water Resources Control Board (SWRCB) through the Recycled Water Funding Program. HydroScience worked with the two Cities to identify and evaluate opportunities to provide recycled water to their service areas.

The Plan forms the basis for future recycled water infrastructure design and construction, and identifies new opportunities that may exist for the Cities/EMID to maximize the beneficial use of recycled water. HydroScience worked with the Cities and coordinated with San Mateo's potable water retailer, California Water Service Company, an investor-owned water utility within San Mateo, to establish a relationship for a future partnership.

HydroScience developed the market assessment and evaluated alternatives for recycled water supply in conjunction with the active development of the Wastewater Treatment Master Plan, by others. In addition to producing recycled water at the existing treatment plant, other supply opportunities included an interagency connection with Silicon Valley Clean Water to the south of Foster City or a scalping plant within the City of San Mateo. HydroScience also evaluated regional alternative use strategies for recycled water including both direct and indirect potable reuse in the region. The selected implementation alternative is to produce recycled water at the treatment plant and distribute to local users within both service areas. Long-term opportunities for indirect potable reuse may expand the volume of recycled water that can be beneficially reused in the future.

PROJECT OVERVIEW

- Identified and evaluated opportunities to provide recycled water through the service area
- Worked with multiple stakeholders to establish a partnership
- Developed a recycled water market assessment
- Evaluated regional strategies for direct and indirect potable reuse



Selected Additional HydroScience Recycled Water Projects

	Planning	Design	Design-build delivery	Permitting	Construction Management	Construction Inspection	Pipelines	Pump Stations	SCADA	Retrofits
PROJECT	SERVICES						COMPONENTS			
Civic Center Recycled Water Line San Jose Water Company, Santa Clara County, CA		•		•	•	•	•			
Senter Road Pipeline Reach SJ4 City of San Jose, Santa Clara County, CA		•		•	•	•	•			
Roseville Recycled Water Tank, Pump Station, and Pipelines City of Roseville, Placer County, CA	•	•			•	•	•	•	•	
Thunder Valley Force Main and Pump Station United Auburn Indian Community, Placer County, CA	•	•		•	•	•	•	•	•	
East Bayshore Recycled Water Complex Retrofits East Bay Municipal Utility District, Contra Costa County, CA	•	•		•			•	•	•	•
San Ramon Valley Recycled Water Landscape Irrigation Customer Retrofits East Bay Municipal Utility District, Contra Costa County, CA	•	•	•	•	•	•	•			•
Lamorinda Recycled Water Project East Bay Municipal Utility District, Contra Costa County, CA	•							•		
Zone 40 Recycled Water Master Plan Sacramento County Water Agency, Sacramento County, CA	•						•	•		
Fire Station No. 2 Retrofit North Marin Water District, Marin County, CA	•	•		•			•			•
Stanford University Recycled Water Feasibility Study Stanford University, Santa Clara County, CA	•						•	•		
Stanford Critical Energy Facility Influent Pump Station Stanford University, Santa Clara County, CA	•	•		•	•	•	•	•	•	
Greer Park Pump Station City of Palo Alto, Santa Clara County, CA		•						•	•	
Recycled Water Booster Pump Station Improvement Jackson Rancheria, Amador County, CA		•						•	•	
Rancho Murieta Recycled Water Project Rancho Murieta Community Services District, Sacramento County, CA	•	•		•	•	•	•	•	•	
Pleasanton Recycled Water Project City of Pleasanton, Alameda County, CA	•			•			•	•		

ADDITIONAL CAPABILITIES

In addition to the civil planning and design of water and wastewater-related projects, HydroScience has a number of additional in-house capabilities. These are briefly described below.

In-house Electrical

HydroScience's in-house capabilities include electrical, instrumentation and controls engineering. These engineers work directly with our civil, mechanical, and process engineers to implement highly-coordinated water, wastewater, and recycled water designs. Their capabilities include power distribution, lighting, P&ID development, instrumentation, control systems, and SCADA. Project experience ranges from remote pump stations to complex treatment plants with full automation. Having these expertise in house keeps costs down and maximizes efficiencies of design.

Master Planning

HydroScience prepares master planning projects for water, recycled water, and sewer systems throughout California. We help both small and large clients evaluate their existing systems, plan for future growth, prioritize necessary infrastructure improvements, estimate probable costs, and create phased capital improvement plans that incorporate all available data and work for their specific budgets and needs. In addition, help clients identify and apply for funding opportunities available to them for the Master Plan development as well as their planned improvements.

Construction Management/Inspection

On all of our construction management projects, we fully represent and protect the needs and wishes of our clients. HydroScience has provided construction management and inspection services for private and public projects throughout California, including numerous pipeline projects for PCWA. HydroScience construction managers are familiar with local regulations and complexities, and are able to draw of the full resources of the firm as necessary.

Hydraulic Modeling

Many planning projects include a hydraulic analysis of water or wastewater systems. HydroScience has in-house staff skilled in multiple modeling software platforms, including the two industry leading software providers, Bentley Systems, Inc. and Innovyze (formerly MWHSoft).



Paving, Grading, and Site Improvements

Our Staff's pavement improvement project experience ranges from entirely new infrastructure design (roadway, curb, gutter, sidewalk, planters, medians, lighting and drainage) to improvements to existing surface infrastructure (upgrade of curb ramps, sidewalks and parking facilities to be ADA compliant, and rehabilitation and/or removal and replacement of deteriorated pavement/concrete). We develop solutions that consider local geotechnical conditions, pavement deflection analysis, subgrade R values, traffic loading, and innovative use of subgrade improvements and local materials to optimize pavement section design. We also perform pavement inspection for life-cycle projections and recommend improvement options.

HydroScience's site development and redevelopment project experience includes drainage, grading, utility, and site improvement design. Our designs incorporate applicable City standards and regulations, and address ADA compliance, post-construction stormwater management, and project-specific conditions of approval or unique design criteria. We bring this expertise to bear for all our projects ranging from park and public recreation facilities, commercial/industrial facilities, and regional water and wastewater treatment facilities.

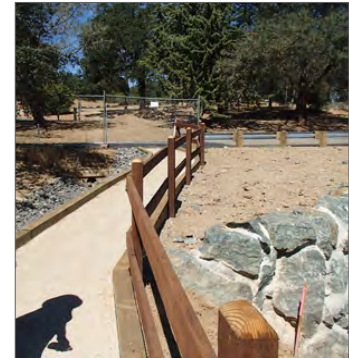
Stormwater Pollution Prevention Plans (SWPPP)

Cindy Preuss is a Qualified SWPPP Developer (QSD) and Practitioner (QSP), and is well versed in construction and municipal stormwater permitting requirements related to SWPPPs, post-construction best management practices, and post-construction monitoring. As the company's technical lead in this area, Cindy understands the range of runoff treatment and flow control strategies, as well as the benefits and drawbacks for such strategies and technologies.

Funding

HydroScience works with small communities to obtain multiple sources of funding including Community Development Block Grants (CDGB), State Revolving Fund (SRF) loans, Small Community Wastewater Grants (SCWG), and private bank bridge financing. In addition to those sources, HydroScience staff have helped clients secure funding from the U.S. Department of Agriculture (USDA) Rural Utilities and other common funding sources. We fully understand the eligibility criteria, application requirements, and funding availability for each source, and we tailor our master plans to maximize client eligibility for funding.

HydroScience Engineers, Inc.



Pardee RV Recreational Area Pavement and Electrical Upgrades

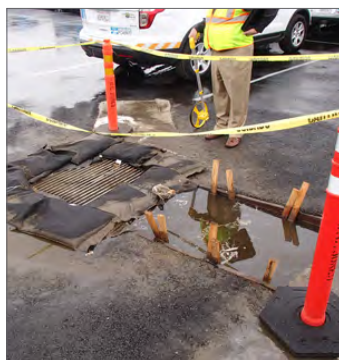
East Bay Municipal Utility District • Alameda County, CA

HydroScience provided design services for the reconstruction of the Pardee Recreational Area RV Park. The project included site demolition, all new utility services and electrical upgrades, ADA compliance for the new facilities, and compliance with all HCD, Amador County, Fire Department, and EBMUD requirements. Elements of the project design included a new site plan, new individual lot layouts, utilities (electrical, water, sewer, storm), grading, paving, landscaping, a new common area and pedestrian walking path, stormwater detention design, and off-site utility connections. HydroScience worked with EBMUD in a workshop format to help develop site plan options during the preliminary design phase for consideration. Five different site plan renderings were developed that represented different numbers of spaces, configurations, and site planning needs. These renderings assisted different divisions within EBMUD with visualizing the available options, and helped lead to selection of a preferred preliminary design alternative. Design services also included bi-weekly meetings with the District, coordination with a landscape architect sub-consultant and regulatory agencies, and assistance with permitting.

This \$4M project was awarded and construction is completed. HydroScience provided continued engineering services during construction.

PROJECT OVERVIEW

- Design included a new site plan and electrical, water, sewer, and stormwater systems
- Coordinated with EBMUD in a workshop to develop five site plan options, and attended bi-weekly meetings



PG&E Paving Design Projects

Pacific Gas and Electric • Various California Cities

PROJECT OVERVIEW

- Inspection, design, and engineering services during construction for multiple pavement reconstruction projects since 2008 on an on-call basis
- Improvements to pipeline replacements, drainage, and concrete pads for areas with concentrated loads

Since 2008, Cindy has managed various PG&E paving projects at locations throughout California, including service centers, customer service offices, and materials distribution facilities. Improvements include pipeline replacements, drainage improvements, and concrete pads for areas with concentrated loads. HydroScience is now providing as-needed technical services for anything related to paving or drainage at their sites. Projects include:

Concord Pavement Reconstruction Project. HydroScience inspected, designed, and managed the pavement reconstruction for PG&E's Concord Service Center and Customer Service Office. HydroScience visited the site to document the existing conditions and determined the most appropriate rehabilitation and reconstruction needs. HydroScience prepared plans, specifications, and the estimate of probable construction costs. Bid period services were also provided, including bid proposal review, engineering services during construction and input on SWPPP requirements associated with the construction work.

Annual Pavement Inspection Services. HydroScience is providing on-going pavement inspection services to PG&E on an annual basis since 2012 for facilities throughout California. HydroScience visits approximately 35-40 PG&E sites per year, sites range in size from one - 20 acres, and includes materials distribution centers, service centers, customer service offices. HydroScience inspects the site in coordination with facility managers and on-site personnel, interviews PG&E staff for information on drainage and safety issues associated with site surfacing, physically inspects and documents the condition of the existing AC and PCC pavement, analyzes potential or actual hillside erosion, identifies irrigation issues with the potential to compromise pavement/concrete integrity/longevity, and analyzes site drainage needs. The inspection services are documented in a report where HydroScience provides numerically-based ratings (FAP Assessment), anticipated remaining life projections, recommendations on treatment, and associated cost. HydroScience

provides recommendations and develops a prioritized CIP for the recommended improvements. These improvements have formed the basis for multiple subsequent design projects HydroScience has provided to PG&E.

Concord SC and CSO Pavement Rehabilitation Area B. HydroScience is providing assessment, permitting, design, and construction services for the pavement reconstruction for PG&E's Concord Service Center and Customer Service Office. This 7-acre project consists of pavement reconstruction, addition of concrete slabs for highly loaded areas, relocation of material storage bins to minimize sediment load to drainage system, erosion control plans for cut slopes and exposed soil areas and construction of extensive stormwater treatment measures in compliance with the City's MS4 permit. Compliance measures include sediment traps, pervious pavements to minimize runoff, flow diversion to bio-retention ponds and maximized use of existing drainage facilities.

Concord SC and CSO Firemain Reconstruction. HydroScience provided design and construction services for the replacement of the facility's fire protection mains and appurtenances. The existing DI mains experienced corrosion and needed replacement. Underground utility survey services were subcontracted and critical to the design of the reconstructed main system. Flow analysis for the proposed design was conducted for local fire department permitting and acceptance. Construction was completed in early 2016.

Oakhurst Driveway. HydroScience provided design, permitting and construction support for replacement of a gravel driveway subject to significant erosion due to the driveway longitudinal slope and contributing area. Design included a stormwater detention facility with controlled outlet and drainage swales to control runoff. Roadway design was consistent with Madera County standards and permit was issued by the County. Geotechnical services were provided by a subconsultant to HydroScience.





On-Call Development Review and Engineering and Inspection Services

City of Foster City • San Mateo County, CA

PROJECT OVERVIEW

- Review services to assist the City with a large number of private development projects
- Reviews included capacity and flow project studies, CCTV inspections, projections for water demands and sewer discharges, and geotechnical investigations

During 2014, an unusually large number of private development and redevelopment projects were undertaken in the City of Foster City. City staff, retained HydroScience to provide development review services to assist City staff in reviewing the project plans; below are summaries of some of the work provided.

Foster Square Sewer Capacity Study. The Foster Square development is a mix of commercial and residential developments. To meet the City's Condition of Approval Memorandum, HydroScience is preparing a sewer flow projection study and a hydraulic capacity study, and will review CCTV inspections of City sewers. HydroScience is working to identify the capacity potentially available in the sewer shed. Sewage generation projections for the development will be reviewed and approved and compared to the available capacity identified in the sewer.

Extended Stay America Design Review. HydroScience reviewed development plans and calculations for a 5-story hotel to determine if the proposed development can be supported by the City's sanitary sewer, storm drain, and water main systems. HydroScience addressed City concerns regarding development impacts, checked the developer's projections for water demands, sewer discharge and stormwater runoff, and prepared a report summarizing the findings of the review.

Waverly Phase 1 Redevelopment Project. HydroScience reviewed the proposed replacement 600-foot sewer force main to be constructed along the frontage of an existing lagoon. HydroScience reviewed the project geotechnical investigation, visited the site, and provided review of interim design submittals and will coordinate incorporation of the comments with the City and the applicant.

Pilgrim-Triton Redevelopment Area Sewer Analysis. HydroScience analyzed projected sewer flows for impacts to the existing sewer collection system using developer's flow projections. HydroScience reviewed the geotechnical investigation, and interim design submittals.



Capitola Stormwater Projects

City of Capitola • Santa Cruz County, CA

HydroScience is providing the City of Capitola with compliance support for the Statewide Phase II Municipal Separate Storm Sewer System (MS4) Permit, as well as the Central Coast Regional Water Quality Control Board (RWQCB) Post-Construction Stormwater Management Requirements for Development Projects. Summaries of these projects include:

As-Needed Stormwater Ordinance Preparation. HydroScience is providing ongoing assistance with implementing enforcement mechanisms for construction, post-construction, and illicit discharge detection and elimination requirements per the latest Statewide Phase II MS4 Permit. Assistance included an extensive review of the City's existing municipal code, recommendations on sections to be redacted, and authoring of a new storm water ordinance section.

Public Works Standards and Stormwater Review Protocol. HydroScience conducted a review of the City's current design standards for construction stormwater (SWPPP) and post-construction stormwater best management practices (BMPs) per the latest Statewide Municipal NPDES Permit and Central Coast Post Construction Requirements. Services included providing revised language for construction stormwater design standards, such as references for the public on available, acceptable published BMPs; authoring new design standards for post-construction stormwater requirements; as well as developing plan review protocol, forms, checklists, and instructions to the public as well as City Staff.

Post-Construction Stormwater Plan Review. HydroScience assisted the City of Capitola with reviewing proposed development plan for conformance with the new Phase II MS4 permit and Central Coast post-construction requirements. HydroScience provided comments to developer, and are currently awaiting second submittal prior to plan approval. Stormwater plan review services are ongoing on a project-by-project basis.

PROJECT OVERVIEW

- Multiple projects to assist the City's need to comply with statewide and RWQCB stormwater requirements



Selected HydroScience Construction Management and Inspection Projects

	Water	Wastewater	Recycled Water	Treatment Plant	Pipelines	Pump Stations	Tanks	Wells	Construction Mgmt.	Construction Inspection
PROJECT/CLIENT	PROJECT TYPE		COMPONENTS AND SERVICES							
Modesto Phase 2 BNR/Tertiary Treatment Project CM City of Modesto, Stanislaus County, CA		•		•					•	•
Lake Wildwood WWTP County of Nevada, CA		•		•					•	•
Graton Rancheria Wells Project Federated Indians of Graton Rancheria, Sonoma County, CA	•							•	•	•
Graton Rancheria Water Supply Project Federated Indians of Graton Rancheria, Sonoma County, CA	•				•			•	•	•
Stanford University CEP WWTP Stanford University, Santa Clara County, CA			•	•			•		•	•
Hidden Valley Domestic Water Distribution Pipeline Hidden Valley Community Association, Placer County, CA	•				•				•	•
Gold Run Pipe Improvement Project Phases 1, 1b, 2, & 3 Placer County Water Agency, Placer County, CA	•				•				•	•
American Canyon WTP and WWTP City of American Canyon, Napa County, CA	•	•		•	•	•	•		•	•
El Dorado Hills Lift Stations Upgrade El Dorado Irrigation District, El Dorado County, CA		•				•			•	•
El Dorado Hills Reservoir 12 Conversion El Dorado Irrigation District, El Dorado County, CA	•						•		•	•
El Dorado Hills WWTP Compliance Improvements El Dorado Irrigation District, El Dorado County, CA		•		•					•	•
Thunder Valley WTP and WWTP United Auburn Indian Community, Placer County, CA	•	•		•					•	
Cache Creek WTP and WWTP Yocha Dehe Band of Wintun Indians, Yolo County, CA	•	•		•					•	•
Red Hawk WWTP Shingle Springs Rancheria, El Dorado County, CA		•		•					•	•
Sheridan WWTP County of Placer, CA		•		•					•	
Buena Vista WWTP Buena Vista Rancheria of Me-wuk Indians, Amador County, CA		•		•					•	
Buena Vista Well Drilling Project Buena Vista Rancheria of Me-wuk Indians, Amador County, CA	•							•	•	•
Dry Creek WWTP Upgrade City of Roseville, Placer County, CA		•		•					•	•
Byron Sanitary District WWTP Improvements Byron Sanitary District, Contra Costa County, CA		•		•					•	•
Carneros Inn WTP and WWTP Carneros Inn, Napa County, CA	•	•		•	•	•			•	•
Gridley WWTP Expansion City of Gridley, Butte County, CA		•		•					•	•
Cement Hill Water Supply Project Nevada Irrigation District, Nevada County, CA	•				•				•	
Water Wells and Arsenic Treatment System City of Livingston, Merced County, CA	•			•				•	•	
West Roseville Recycled Water System City of Roseville, Placer County, CA			•		•	•	•		•	•
Recycled Water System Projects City of Roseville, Placer County, CA			•	•	•	•	•		•	•

HydroScience Engineers, Inc.

Selected HydroScience Master Planning Projects

	Water	Wastewater Treatment	Wastewater Collection	Recycled Water	Water Balances	Multi-Agency/Regional	Conveyance	Storage	Effluent Disposal/Reuse	Permitting
PROJECT AND CLIENT	PROJECT TYPE			SERVICES						
Williams Water and Wastewater Master Plans City of Williams, Lassen County, CA	•		•				•			
Sutter Creek Wastewater Master Plan Update City of Sutter Creek/ARSA, Amador County		•		•	•	•	•	•	•	
Johnstonville Water System Evaluation Town of Johnstonville, Lassen County, CA	•						•	•		•
American Canyon Water Master Plan Update City of American Canyon, Napa County, CA	•				•	•	•	•		•
Larkfield Water Master Plan Town of Larkfield, Sonoma County, CA	•				•		•	•		•
Parkway Master Plan Citizens Utilities Company, Sacramento County, CA	•				•		•	•		
American Canyon Sanitary Sewer Master Planning Project City of American Canyon, Napa County, CA			•		•	•	•		•	
Roseville Recycled Water Feasibility Study/Master Plan City of Roseville, Placer County, CA				•			•	•	•	•
Wheatland Domestic Wastewater System Rehabilitation Project City of Wheatland, Yuba County, CA		•	•							•
Hollister Long-Term Wastewater Management Plan City of Hollister, San Benito County, CA		•			•	•	•	•	•	•
Gridley Wastewater Capacity Analysis City of Gridley, Butte County, CA		•	•		•		•	•	•	•
Water and Wastewater Permitting and Design Project Napa Berryessa Resort Improvement District, Napa County, CA	•	•	•		•	•	•	•	•	•
Tule River Wastewater Treatment Plant and Effluent Disposal Project Indian Health Service, Tulare County, CA		•			•					•
American Canyon Recycled Water Master Plan City of American Canyon, Napa County, CA				•	•	•	•	•	•	•
Dublin San Ramon Recycled Water Distribution System Master Plan Dublin San Ramon Services District, Alameda and Contra Costa Counties, CA				•	•	•	•	•	•	•
Recycled Water Master Plan and 2011 Master Plan Update San Jose Water Company, Santa Clara County, CA				•						•
Recycled Water System Master Plan Update El Dorado Irrigation District, El Dorado County, CA				•			•	•	•	•
Wastewater Treatment Plant Master Plan Valley Sanitary District, Riverside County, CA		•		•				•	•	
Big Valley Water and Sewer Master Plan Big Valley Rancheria, Indian Health Service, Lake County, CA	•		•		•					•
South Bay Water Recycling Phase 2 Master Plan South Bay Water Recycling, Santa Clara County, CA				•		•	•	•		•
Sierra Vista Potable, Sewer, and Recycled Water Studies Mackay and Soms, Placer County, CA	•		•	•	•	•	•	•	•	
Riolo Vineyard Potable, Sanitary Sewer, Recycled Water Master Plans Mackay and Soms, Placer County, CA	•		•	•	•	•	•	•	•	
Pescadero Community Sewer Project, Small Community WW Grant Facility Plan San Mateo County, CA		•	•		•		•	•	•	•

Scope of Services

Client: City of St. Helena

Consultant: Bennett Engineering Services Inc

Project: Owners Representative – WWTRP Design-Build

Date: February 8, 2019



TRUSTED ENGINEERING ADVISORS

Bennett Engineering Services
1082 Sunrise Avenue, Suite 100
Roseville, California 95661

T 916.783.4100

F 916.783.4110

www.ben-en.com

Consultant's services shall be limited to those expressly set forth below, and Consultant shall have no other obligations or responsibilities for the Project or to the Client except as agreed to in writing or as provided in this Agreement. All of Consultant's services in any way related to the Project or Client shall be subject to the terms of this Agreement.

PHASE 1

TASK 1. Develop WWTRP Conceptual Design Development Report

The purpose of this task is to evaluate and develop a new alternative for the WWTRP. The two alternatives to be evaluated include a new headworks, followed by either SBR with tertiary filtration or an MBR, then disinfection with either ultra violet (UV) or chlorine. The new treatment process will be capable of treating 0.5 MGD (expandable to 0.65 MGD), comply with the effluent water quality requirements in the existing NPDES permit and anticipated future NPDES permit requirements, and utilize existing plant features to reduce costs and increase plant reliability, as appropriate. It is assumed that all effluent produced by the new WWTRP will be a suitable water quality to be discharged seasonally to a surface water, used for spray field land disposal, or for construction water purposes.

Consultant shall conduct a Conceptual Design Workshop with City staff to discuss the previously developed design decisions and criteria, review conceptual layouts for the new site, and confirm the treatment options to be evaluated. This meeting will be intended to capture any other changes the City would like to incorporate into the revised design documents in addition to the aforementioned changes to the treatment process.

Based upon the decisions made in the Conceptual Design Workshop noted above, consultant shall prepare a treatment plant process alternative evaluation from the headworks through discharge, with a particular focus on comparing the SBR and MBR capital costs. The alternatives analysis will include both cost and non-economic factors.

It is expected that the conceptual design will include the location of each unit process footprint, quantify building heights, identify utility connections, and address how the new WWTRP will interface with the existing plant. Any required permits or permit compliance items will also be identified including a schedule of compliance, and identification of the lead entity in obtaining permits.

A Draft Conceptual Design Development Report will be prepared that describes the alternatives evaluated and the details of the recommended project. Comments on the Conceptual Design Development Report from the City will be incorporated into a final report. The final version of the Conceptual Design Development Report will be included and/or referenced with the Design-Build (DB) Request for Proposals (DB RFP) and updated to incorporate any changes to the project identified in the subsequent tasks noted above.

INITIALS:

It is expected that the Conceptual Design Development Report will be presented to the City Council for concurrence. Consultant will prepare a presentation and be available to speak or respond to questions, as directed by the City.

Consultant shall develop a preliminary schedule showing the major milestones from design validation through selection of the DB entity, development of the Guaranteed Maximum Price, construction, commissioning, and post construction activities. The schedule will be developed in Microsoft Project.

DELIVERABLES:

- Conceptual Design Workshop – agenda, materials, and minutes – all in PDF format.
- Conceptual Design Report – draft and final – PDF format.
- Preliminary Project Schedule – PDF format.

TASK 2. Funding Support

Consultant will provide as-needed assistance to the City to ensure compliance with financing requirements administered by the USDA. Services may include monthly reporting, bidding requirements, assisting the City in addressing and producing documents to respond to USDA staff requests and comments, and coordinating document reviews by USDA staff.

Based on the proposed project schedule, loan terms, and interest rates, consultant will work with the City to analyze how implementation of the project will be projected to impact sewer rates. Consultant will either work with the City to perform the services or procure an experienced consultant to complete this on the City's behalf. It is assumed that the consultant will be contracted under a separate authorization.

TASK 3. Permitting Support

Compliance support for CDO No. R2-2016-0004: Consultant will provide support to the City in order to comply with the existing CDO and the revised TSO dated January 11, 2018. The remaining tasks for the CDO included in this initial phase are as follows:

- Submit a Draft and Final Interim Wastewater Discharge Management Plan.
- Submit a Draft and Final Workplan for implementation of the preferred alternative.

Future Project phases will include the following submittals to the State:

- Submit a Draft and Final Design for the preferred alternative.
- Submit documentation confirming the implementation of the Final Workplan and operation of the treatment system.
- Submit a report evaluating the effectiveness of the new treatment system to meet discharge limits.

INITIALS:

It is expected the Draft and Final Conceptual Design Report developed in Task 2 will serve as the Workplan for the purpose of CDO compliance. It is unknown whether the RWQCB will require resubmittal of the draft and final Feasibility Study as the current Study does not evaluate the SBR and MBR treatment alternatives. We are assuming that the initial effort will coordinate the initial phase bullets identified above. Additionally, we will provide communication support to the City in requesting modifications to the internal TSO deadlines, as needed.

TASK 4. Phase 1 Project Management and Coordination

Consultant will perform project management and administrative tasks as required to implement the project. These services will start with a Project kick-off meeting, and then continue through with in- person monthly meetings and bi-weekly conference calls with the City Project Manager. Meetings will be used to keep the City informed of consultant's performance, budget status, scope changes, and to resolve issues as they arise.

As necessary, or as directed by the City, consultant shall attend meetings with other stakeholders, including but not limited to City Hall (Legal or City Manager) or City Council meetings when the project is on the agenda. Consultant shall work with City staff to prepare presentation materials when necessary, including but not limited to: PowerPoint slides, printed materials, and/or mounted graphics.

Consultant's Project Manager will attend the kickoff and monthly meetings in person. Additional team members may attend the meetings in person or on the phone. All bi-weekly conference calls will be via teleconference.

ASSUMPTIONS:

- Kickoff meeting: One (1) meeting, 4-hour duration
- Monthly meetings: Four (4) meetings, 1-hour duration
- Bi-weekly conference calls: Four (4) conference calls, 30-minute duration

DELIVERABLES:

- Meeting agenda and minutes (PDF format)
- Presentation materials (PPT or PDF format)

PHASE 2

Once the City has confirmed their capital planning for the new WWTRP project, the next steps associated with Phase 2 can proceed. Phase 2 will include additional permitting support in the form of ongoing support for compliance with the CDO TSO, preparation of a ROWD, and a number of new additional tasks to facilitate selection of a DB contractor team, as follows below. Consultant may proceed with these tasks upon written authorization from the City.

TASK 5. ROWD and Permit Application

Consultant will prepare a ROWD and permit application for the purpose of renewing the existing WDRs. The ROWD will support a complete replacement of the existing permit with a new permit that contains updated information on the new and modified facilities and an updated water balance reflecting proposed flow, storage, and disposal conditions.

INITIALS:

MEETINGS:

- One preparation meeting onsite with City.
- One meeting at the Water Board to discuss the Tentative Draft WDR issued by the Water Board.

DELIVERABLES:

- Internal Draft ROWD.
- Final ROWD issued to the Water Board.

ASSUMPTIONS:

- The City will collect and provide water quality data, historical flow data, operations and monitoring data, and other requested data in support of ROWD development.
- Any water characterization (sampling and lab analysis) required will be performed by the City.
- An anti-degradation analysis will not be required.

TASK 6. CEQA Compliance Procurement and Oversight

The City released a new draft of the General Plan update and the accompanying Environmental Impact Report (EIR) in October 2018. The public comment period closed on January 2, 2019. Once the City has collected the comments and responded to them, the General Plan and final EIR will be submitted to the Planning Commission and City Council for public hearings. The Council's final decision is tentatively scheduled for late winter/early spring 2019.

Per the draft EIR, "Subsequent CEQA review at the project level may be required to determine whether significant environmental effects would result from the construction of water distribution lines, wastewater collection system components, storm drainage conveyance pipes, and any onsite storage or pumping facilities on development sites, or other utilities improvements. Once specific projects are proposed, project-level environmental review will occur when proposed development plans are prepared."

Once the details of the revised WWTRP project are known, a project-level environmental review will be required. If the improvement work does not result in potentially significant impacts, the City could expect a finding of Negative Declaration or a Mitigated Negative Declaration.

Consultant will facilitate the procurement and management of a consultant to complete the necessary CEQA documentation. It is assumed that the consultant will be contracted under a separate authorization.

TASK 7. Direction and Management of the Bridging Documents

For this task, consultant shall direct and develop the necessary DB Proposal procurement documents. It is expected that the Procurement will be a two-step process comprised of a Request for Qualifications (RFQ) and Bridging Documents/RFP. Activities to be considered as part of this task include the following:

Prepare Request for Qualifications: As part of this task, consultant shall assist in the development of the necessary RFQ procurement documents. The RFQ will be based on industry standard documents and best practices, and include criteria such as:

- Contractor/Engineer experience with the DB delivery method

INITIALS:

- History of meeting costs and schedule
- Client references
- Proposed key personnel and team members
- Financial and bonding information
- Quality and safety
- Claims and litigation

Consultant shall also prepare a draft DB Agreement based on a Design-Build Institute of America agreement or an Engineers Joint Contract Document Committee agreement. This Agreement will include details specific to the project and will be developed in consultation with City legal staff. A draft copy of the Agreement will be presented to the City for review and comment. The City is responsible for obtaining any necessary legal, insurance, or tax advice that it deems necessary.

Consultant shall prepare for and conduct a workshop to review City comments to the draft RFQ package and draft DB Agreement. Review of the draft Agreement as led by the City will also be performed during the workshop. Topics to be discussed in the meeting include:

- Terms and conditions review to evaluate risk that will ultimately be translated into the procurement document.
- Form of draft contract and risk language to be discussed and strategy developed.
- Review of draft technical documents to be included.
- Identification of legal forms, affidavits and other requirements.
- Finalize evaluation and scoring determination for qualifications process.

From the workshop, the RFQ documents shall be updated and finalized to make them suitable for distribution.

RFQ Procurement: Under this task, consultant shall work with the City to distribute, advertise, and serve as the Owner’s Representative for the prequalification of prospective DB teams. The City shall distribute the RFQ on their website, and consultant will help advertise the project on lead services, builders’ exchanges, or elsewhere as appropriate.

The RFQ Procurement process will include a meeting with prospective bidders for the RFQ. Items to be prepared and/or presented include the following:

- Sign in sheet
- Agenda
- Introductions
- Review of the Project
- Review of the Qualification Package including schedule and prequalification criteria

INITIALS:

- Consultant will lead a visit to the Project site and point out design elements and features, as appropriate.
- Consultant shall draft responses to questions from prospective proposers and prepare addenda that provide supplementary details, clarifications, and/or revise the drawings and specifications, as needed and directed by the City. It is assumed up to two addenda will be issued.

At the conclusion of the prequalification process, statements of qualification (SOQs) from prospective bidders will be received. Consultant shall assist the City in reviewing the SOQ documents including qualifications, guarantees, and bonds and insurance certificates. Consultant shall provide a written summary on our findings and conduct a review meeting with the City to finalize the top three qualified Teams.

Deliverables:

- RFQ Package (PDF)
- Meeting agenda, presentation materials, and meeting minutes (PPT, PDF)
- Sign-in-Sheet (PDF)
- RFQ Addenda (up to two – PDF)

Prepare Bridging Documents/Request for Proposals: Consultant will prepare a combination of performance and design specifications. The drawings and specifications together with other legal documents make up the bridging contract documents, which also serve as the form of the DB RFP. The DB RFP will be used to select the DB Team from the previously pre-qualified Teams. Information in the DB RFP will include:

- Background and objectives.
- Procurement process and scope of services.
- Process for innovative options offered by the proposers.
- Draft contract including insurance and bonding.
- Requirements for sole-sourcing, pre-selection or pre-qualifying suppliers.
- Evaluation criteria.
- Technical performance criteria.

Consultant shall prepare for and conduct a workshop to review the City's comments to the draft RFP. This meeting will be attended by key members of the team. Topics to be discussed in the meeting include:

- Terms and conditions review to evaluate risk that will ultimately be translated into the procurement document
- Form of draft contract and risk language to be discussed and strategy developed.
- Review of draft technical documents to be included.

INITIALS:

- Identification of legal forms, affidavits and other requirements.
- Finalize evaluation and scoring determination for qualifications process for both technical and pricing components.

From the workshop the documents shall be updated to incorporate City comments and finalized. The Bridging Documents/RFP will be distributed to the prequalified DB Teams.

Proposal Process: Under this task, consultant shall work with the City to distribute, advertise, and serve as the Owner’s Representative for the selection of prospective DB Teams. Consultant shall distribute the Bridging Documents/RFP to the prequalified bidders. Consultant shall prepare for and attend the RFP Pre-Proposal Meeting. Items to be prepared and/or presented include the following:

- Sign in Sheet
- Agenda
- Introductions
- Review of the Project
- Review of the Bridging Documents/RFP package including schedule and prequalification criteria
- Consultant will lead a visit to the Project site and point out design elements and features, as appropriate.
- Consultant shall draft responses to questions from prospective proposers and prepare addenda that provide supplementary details, clarifications, and/or revise the drawings and specifications, as needed and directed by the City. It is assumed up to two addenda may be issued.

Consultant shall assist the City in reviewing the proposal documents including any changes to the terms and conditions, legal forms, affidavits, pricing, and other requirements. We will provide a written summary on our findings and conduct a review meeting with the City to finalize the top DB Team. This review will also include a discussion regarding any changes proposed by the DB Team to the proposal agreement.

DELIVERABLES:

- Bridging Documents/RFP Package (PDF)
- Meeting Agenda and Presentation Materials (PDF)
- Sign in Sheet (PDF)
- RFP Addenda (up to two – PDF)

TASK 8. Phase 2 Project Management and Coordination

INITIALS:

Consultant will perform project management and administrative tasks as required to implement Tasks 5 thru 7. These services will start upon written authorization of Phase 2 from the City. Consultant will hold in-person monthly meetings and bi-weekly conference calls with the City Project Manager. Meetings will be used to keep the City informed of consultant's performance, budget status, scope changes, and to resolve issues as they arise.

As necessary, or as directed by the City, consultant shall attend meetings with other stakeholders, including but not limited to regulatory agencies, City Hall (Legal or City Manager) or City Council meetings when the project is on the agenda. Consultant shall work with City staff to prepare presentation materials when necessary, including but not limited to: PowerPoint slides, printed materials, and/or mounted graphics.

Consultant's Project Manager will attend the monthly meetings in person. Additional team members may attend the meetings in person or on the phone. All bi-weekly conference calls will be via teleconference.

ASSUMPTIONS:

- Monthly meetings: Eight (8) meetings, 1-hour duration.
- Bi-weekly conference calls: Eight (8) conference calls, 30-minute duration.
- Assume that these services will be provided for up to eight months.

DELIVERABLES:

- Meeting agenda and minutes (PDF format)
- Presentation materials (PPT or PDF format)

Phase 3 Work – Future

Following selection of a DB contractor, a third phase of engineering services will be required that are expected to include management of the DB contractor, construction management, continued permitting support, and other tasks, as needed. This scope of work will be fully developed as part of a subsequent authorization. We expect that the timing of this authorization will coincide with selection of the DB Team and at the time a contract is brought to Council for selection of the DB Team that a companion contract will also be brought to Council for additional Owner's Representative services. The intent will be to match the project requirements and the terms of the contract with the DB Team.

INITIALS:

Fee Estimate

Client: City of St. Helena

Consultant: Bennett Engineering Services Inc

Project: Owners Representative - WWTRP Design-Build

Date: February 8, 2019



Fee Estimate	Principal Engineer 247 \$/hr		Project Manager IV 201 \$/hr		Engineer V 201 \$/hr		Engineer III 180 \$/hr		Engineer II 165 \$/hr		Engineering Tech I 118 \$/hr		Designer III 155 \$/hr		Administrative 77 \$/hr		BEN EN Subtotal		MISC. EXPENSES	TOTAL
	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost		
Task 1-WWTP Conceptual Design Development Report	40 hrs	\$9,880	80 hrs	\$16,080	60 hrs	\$12,060	80 hrs	\$14,400	80 hrs	\$13,200	30 hrs	\$3,540	30 hrs	\$4,650	4 hrs	\$308	404 hrs	\$74,118	\$3,710	\$77,828
Subtotal	40 hrs	\$9,880	80 hrs	\$16,080	60 hrs	\$12,060	80 hrs	\$14,400	80 hrs	\$13,200	30 hrs	\$3,540	30 hrs	\$4,650	4 hrs	\$308	404 hrs	\$74,118	\$3,710	\$77,828
Task 2-Funding Support	8 hrs	\$1,976	130 hrs	\$26,130	20 hrs	\$4,020	40 hrs	\$7,200	hrs	\$0	10 hrs	\$1,180	hrs	\$0	14 hrs	\$1,078	222 hrs	\$41,584	\$2,080	\$43,664
Subtotal	8 hrs	\$1,976	130 hrs	\$26,130	20 hrs	\$4,020	40 hrs	\$7,200	hrs	\$0	10 hrs	\$1,180	hrs	\$0	14 hrs	\$1,078	222 hrs	\$41,584	\$2,080	\$43,664
Task 3-Permitting Support	10 hrs	\$2,470	28 hrs	\$5,628	8 hrs	\$1,608	60 hrs	\$10,800	20 hrs	\$3,300	10 hrs	\$1,180	hrs	\$0	4 hrs	\$308	140 hrs	\$25,294	\$1,260	\$26,554
Subtotal	10 hrs	\$2,470	28 hrs	\$5,628	8 hrs	\$1,608	60 hrs	\$10,800	20 hrs	\$3,300	10 hrs	\$1,180	hrs	\$0	4 hrs	\$308	140 hrs	\$25,294	\$1,260	\$26,554
Task 4-Ph 1 Project Management	8 hrs	\$1,976	90 hrs	\$18,090	30 hrs	\$6,030	10 hrs	\$1,800	10 hrs	\$1,650	hrs	\$0	hrs	\$0	14 hrs	\$1,078	162 hrs	\$30,624	\$1,530	\$32,154
Subtotal	8 hrs	\$1,976	90 hrs	\$18,090	30 hrs	\$6,030	10 hrs	\$1,800	10 hrs	\$1,650	hrs	\$0	hrs	\$0	14 hrs	\$1,078	162 hrs	\$30,624	\$1,530	\$32,154
Task 5-ROWD and Permit Application	4 hrs	\$988	30 hrs	\$6,030	4 hrs	\$804	80 hrs	\$14,400	60 hrs	\$9,900	60 hrs	\$7,080	hrs	\$0	16 hrs	\$1,232	254 hrs	\$40,434	\$2,020	\$42,454
Subtotal	4 hrs	\$988	30 hrs	\$6,030	4 hrs	\$804	80 hrs	\$14,400	60 hrs	\$9,900	60 hrs	\$7,080	hrs	\$0	16 hrs	\$1,232	254 hrs	\$40,434	\$2,020	\$42,454
Task 6-CEQA Compliance Procurment/Oversight	2 hrs	\$494	36 hrs	\$7,236	8 hrs	\$1,608	hrs	\$0	10 hrs	\$1,650	4 hrs	\$472	hrs	\$0	hrs	\$0	60 hrs	\$11,460	\$570	\$12,030
Subtotal	2 hrs	\$494	36 hrs	\$7,236	8 hrs	\$1,608	hrs	\$0	10 hrs	\$1,650	4 hrs	\$472	hrs	\$0	hrs	\$0	60 hrs	\$11,460	\$570	\$12,030
Task 7-Bridging Documents	20 hrs	\$4,940	90 hrs	\$18,090	24 hrs	\$4,824	hrs	\$0	12 hrs	\$1,980	hrs	\$0	hrs	\$0	20 hrs	\$1,540	166 hrs	\$31,374	\$1,570	\$32,944
Subtotal	20 hrs	\$4,940	90 hrs	\$18,090	24 hrs	\$4,824	hrs	\$0	12 hrs	\$1,980	hrs	\$0	hrs	\$0	20 hrs	\$1,540	166 hrs	\$31,374	\$1,570	\$32,944
Task 8-Ph 2 Project Management/Coordination	10 hrs	\$2,470	80 hrs	\$16,080	20 hrs	\$4,020	10 hrs	\$1,800	10 hrs	\$1,650	hrs	\$0	hrs	\$0	20 hrs	\$1,540	150 hrs	\$27,560	\$1,380	\$28,940
Subtotal	10 hrs	\$2,470	80 hrs	\$16,080	20 hrs	\$4,020	10 hrs	\$1,800	10 hrs	\$1,650	hrs	\$0	hrs	\$0	20 hrs	\$1,540	150 hrs	\$27,560	\$1,380	\$28,940
PROJECT TOTAL	102 hrs	\$25,194	564 hrs	\$113,364	174 hrs	\$34,974	280 hrs	\$50,400	202 hrs	\$33,330	114 hrs	\$13,452	30 hrs	\$4,650	92 hrs	\$7,084	1558 hrs	\$282,448	\$14,120	\$296,568

Additional Fee Information

- ▶ This fee estimate is valid for 90 days.
- ▶ This fee estimate contains an abbreviated list of staff classifications and does not restrict BEN|EN to those classifications. The Standard Rate Schedule with a full list of staff classifications is available upon request.
- ▶ Standard hourly rates do not apply to a demand to perform work during an overtime period. Work required to be performed during an overtime period (as mandated by California law) will be charged at a 50% premium.
- ▶ Substantial changes in the required scope of work or schedule may result in the revision of the proposed fees and total contract amount.
- ▶ Rates are subject to change annually effective July 1st.

INITIALS:

AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT, made and entered into on _____, 2019 by and between the City of St. Helena, located in the County of Napa, State of California (City), and HydroScience Engineers (Consultant).

RECITALS:

A. City desires to employ Consultant to furnish professional services in connection with the project described as Phase I Wastewater Treatment and Reclamation Plant Upgrade Conceptual Design and Owner's Representative.

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 \$440,000, 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,

Page 1 of 21

HydroScience Phase I WWTRP Conceptual Design

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).
 2. Insurance Services Office form number CA 0001 (Ed. 1/87) covering Automobile Liability, code 1 (any auto).

Page 2 of 21

HydroScience Phase I WWTRP Conceptual Design

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: \$3,000,000 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: \$3,000,000 per accident for bodily injury and property damage.
3. Employer's Liability: \$3,000,000 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.
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.

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

Page 4 of 21

HydroScience Phase I WWTRP Conceptual Design

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 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

Page 5 of 21

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 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;

Page 7 of 21

HydroScience Phase 1 WWTRP Conceptual Design

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: Curtis Lam
 HydroScience Engineers
 741 Allston Way
 Berkeley, CA 94710

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.

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: Curtis Lam
Name: Curtis Lam
Title: President

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

Approved as to Form:

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

Exhibit A
“Scope of Services”

**Scope of Services for the City of St. Helena Phase I Wastewater Treatment
and Reclamation Plant Upgrade Conceptual Design and Owner’s
Representative**

Project Understanding

The San Francisco Bay Regional Water Quality Control Board (RWQCB) issued NPDES Permit No. CA 00038016 (Order No. R2-2016-2016-0003) and Cease and Desist Order (CDO) No. R2-2016-0004 to the City in 2016. Included in the Waste Discharge Requirements (WDRs) are new effluent limitations and a time schedule order (TSO) for compliance with the permit, including requirements for completing a feasibility study, design, and construction of a new or modified treatment system that complies with the new effluent limitations.

The City completed the Feasibility Study in 2017 which included a review and recommended options to upgrade the existing pond system at the WWTRP. That study recommended plant improvements for a proprietary PETRO process, which combines ponds, trickling filters, a settling tank, tertiary filtration, electrical upgrades, infiltration pond, and upgrades to the existing chlorine disinfection system. The City estimates that the total construction cost of this project would be approximately \$14.1M, and that procurement would be handled through a Design-Bid-Build procurement method.

Following completion of the 2017 Feasibility Study, the City is looking to evaluate and implement an alternate method of wastewater treatment that would be more robust in meeting future effluent limitations, and would be modular in its design so that the City would have the ability to cost-effectively expand the system to meet anticipated buildout flows. Thus, the City is pursuing implementation of a treatment process to meet current NPDES permitted capacity of 0.5 MGD and new discharge limitations, with the flexibility to cost-effectively expand to the buildout capacity of 0.65 MGD. The existing pond systems could continue to be utilized, in part, for equalization and emergency storage.

To date, the City requested one extension of the TSO due to the 2017 fires, and is considering requesting another TSO modification to allow for Design-Build (DB) implementation. The potential TSO modification is not intended to delay of the construction of the treatment system and compliance with the new effluent limitations, but would modify the interim TSO dates to

facilitate consideration of alternate treatment processes and a DB procurement method in lieu of design-bid-build.

The City is seeking an Owner's Representative to perform select engineering services, facilitate the procurement of a DB team, and ensure that the WWTRP project improvements are constructed in a manner and cost that meets the City's needs and budget. This proposal will provide the City with the first two phases of Owner's Representative services to help define the project; acquire consultants to help with funding and permitting; preparing procurement documents; and managing the procurement of the DB contractor.

The initial phase is expected to include the following tasks:

- **Task 1 – Develop WWTRP Conceptual Design Development Report.** It is expected that a new tertiary treatment process comprised of either a sequencing batch reactor (SBR) or membrane bioreactor (MBR) treatment process will be considered and will include upgrades to the headworks, disinfection system, and connectivity to the existing plant. The new plant will be sized to meet the current flows and loads and be expandable to accommodate current General Plan buildout conditions. Cost estimates will be developed to reflect the new project requirements.
- **Task 2 – Funding Support.** Based on the capital cost estimates, the City will need to determine the amount of funding that will be required from external agencies (e.g. United States Department of Agriculture [USDA]), and how repayment of the loan would impact wastewater rates.
- **Task 3 – Permitting Support.** This task will include support for the RWQCB permitting process, including support for compliance with the CDO TSO. Preparation of a Report of Waste Discharge (ROWD) would be deferred until a future phase.
- **Task 4 – Phase 1 Project Management and Coordination.** As the Owner's Representative, we will keep the City informed on this first phase and meet with staff, Council, and other stakeholders as appropriate to facilitate communications, reporting, and approvals.

Once the City has confirmed their capital planning for the new WWTRP project, work on the second phase can proceed. The second phase will include additional permitting support in the form of ongoing support for compliance with the CDO TSO, preparation of a ROWD, and a number of new additional tasks to facilitate selection of a DB contractor team, including the following.

- **Task 5 – ROWD and Permit Application.** A ROWD is required to support replacement of the existing permit with a new permit that includes information on new and modified facilities; and updated flow, storage, and disposal conditions. The Owner's Representative will prepare a ROWD and permit application for the purpose of complying with the CDO and obtaining a permit for the operation of the new facility.
- **Task 6 – CEQA Compliance Procurement and Oversight.** CEQA compliance will be necessary to facilitate the selection of a DB contractor. The Owner's Representative will facilitate the procurement and management of a CEQA consultant once the Project is defined and agreed upon by the City.
- **Task 7 – Direction and Management of the Bridging Documents.** The Owner's Representative will prepare the bridging documents for the DB project team and manage the procurement of a DB contractor to provide these services.

- **Task 8 – Phase 2 Project Management and Coordination.** As the Owner's Representative, we will keep the City informed on this second phase and meet with staff, Council, and other stakeholders as appropriate to facilitate communications, reporting, and approvals.

The second phase of engineering services would be executed upon written authorization from the City. The third phase of engineering services would be executed as part of a separate authorization from the City. This scope of work contains the engineering services associated with the first and second phase of the project, and is further detailed below.

Scope of Work

The scope of work for the first phase of the project is divided into four tasks, as detailed below.

Task 1 – Develop WWTRP Conceptual Design Development Report

The purpose of this task is to evaluate and develop a new alternative for the WWTRP. The two alternatives to be evaluated include a new headworks, followed by either SBR with tertiary filtration or a MBR, then disinfection with either ultraviolet (UV) or chlorine. The new treatment process will be capable of treating 0.5 MGD (expandable to 0.65 MGD), comply with the effluent water quality requirements in the existing NPDES permit and anticipated future NPDES permit requirements, and utilize existing plant features to reduce costs and increase plant reliability, as appropriate. It is assumed that all effluent produced by the new WWTRP will be a suitable water quality to be discharged seasonally to a surface water, used for spray field land disposal, or for construction water purposes.

HydroScience shall conduct a Conceptual Design Workshop with City staff to discuss the previously developed design decisions and criteria, review conceptual layouts for the new site, and confirm the treatment options to be evaluated. This meeting will be intended to capture any other changes the City would like to incorporate into the revised design documents in addition to the aforementioned changes to the treatment process.

Based upon the decisions made in the Conceptual Design Workshop noted above, HydroScience shall prepare a treatment plant process alternative evaluation from the headworks through discharge, with a particular focus on comparing the SBR and MBR capital costs. The alternatives analysis will include both cost and non-economic factors.

It is expected that the conceptual design will include the location of each unit process footprint, quantify building heights, identify utility connections, and address how the new WWTRP will interface with the existing plant. Any required permits or permit compliance items will also be identified including a schedule of compliance, and identification of the lead entity in obtaining permits.

A Draft Conceptual Design Development Report will be prepared that describes the alternatives evaluated and the details of the recommended project. Comments on the Conceptual Design Development Report from the City will be incorporated into a final report. The final version of the Conceptual Design Development Report will be included and/or referenced with the DB Request for Proposals (DB RFP) and updated to incorporate any changes to the project identified in the subsequent tasks noted above.

It is expected that the Conceptual Design Development Report will be presented to the City Council for concurrence. HydroScience will prepare a presentation and be available to speak or respond to questions, as directed by the City.

HydroScience shall develop a preliminary schedule showing the major milestones from design validation through selection of the DB entity, development of the Guaranteed Maximum Price, construction, commissioning, and post construction activities. The schedule will be developed in Microsoft Project.

An allowance of \$75,000 has been established for this task.

Deliverables:

- Conceptual Design Workshop – agenda, materials, and minutes – all in PDF format
- Conceptual Design Report – draft and final – PDF format.
- Preliminary Project Schedule – PDF format

Task 2 – Funding Support

HydroScience will provide as-needed assistance to the City to ensure compliance with financing requirements administered by the USDA. Services may include monthly reporting, bidding requirements, assisting the City in addressing and producing documents to respond to USDA staff requests and comments, and coordinating document reviews by USDA staff.

Based on the proposed project schedule, loan terms, and interest rates, HydroScience will work with the City to analyze how implementation of the project will be projected to impact sewer rates. HydroScience will either work with the City to perform the services or procure an experienced consultant to complete this on the City's behalf. It is assumed that the consultant will be contracted under a separate authorization.

An allowance of \$14,000 has been established for this task.

Task 3 – Permitting Support

There are two elements of the RWQCB permitting support: the first is to provide support for CDO compliance, and the second is preparation of the ROWD and permit application. This initial phase of work includes support for CDO compliance only.

Compliance support for CDO No. R2-2016-0004: HydroScience will provide support to the City in order to comply with the existing CDO and the revised TSO dated January 11, 2018. It is our understanding that the remaining tasks for the CDO included in this initial phase are as follows:

- Submit a Draft and Final Interim Wastewater Discharge Management Plan
- Submit a Draft and Final Workplan for implementation of the preferred alternative

Future Project phases will include the following submittals to the State:

- Submit a Draft and Final Design for the preferred alternative
- Submit documentation confirming the implementation of the Final Workplan and operation of the treatment system
- Submit a report evaluating the effectiveness of the new treatment system to meet discharge limits

It is expected the Draft and Final Conceptual Design Report developed in Task 2 will serve as the Workplan for the purpose of CDO compliance. It is unknown whether the RWQCB will require resubmittal of the draft and final Feasibility Study as the current Study does not evaluate the SBR and MBR treatment alternatives. We are assuming that the initial effort will coordinate the initial phase bullets identified above. Additionally, we will provide communication support to the City in requesting modifications to the internal TSO deadlines, as needed.

An allowance of \$25,000 has been established for this task.

Task 4 – Phase 1 Project Management and Coordination

HydroScience will perform project management and administrative tasks as required to implement the project. These services will start with a Project kick-off meeting, and then continue through with in-person monthly meetings and bi-weekly conference calls with the City Project Manager. Meetings will be used to keep the City informed of HydroScience's performance, budget status, scope changes, and to resolve issues as they arise.

As necessary, or as directed by the City, HydroScience shall attend meetings with other stakeholders, including but not limited to City Hall (Legal or City Manager) or City Council meetings when the project is on the agenda. HydroScience shall work with City staff to prepare presentation materials when necessary, including but not limited to: PowerPoint slides, printed materials, and/or mounted graphics.

HydroScience's Project Manager will attend the kickoff and monthly meetings in person. Additional team members may attend the meetings in person or on the phone. All bi-weekly conference calls will be via teleconference.

Assumptions:

- Kickoff meeting: One (1) meeting, 4-hour duration
- Monthly meetings: Four (4) meetings, 1-hour duration
- Bi-weekly conference calls: Four (4) conference calls, 30 minute duration

An allowance of \$6,000 has been established for this task. It is assumed that these services will be provided for up to four months.

Deliverables:

- Meeting agenda and minutes (PDF format)
- Presentation materials (PPT or PDF format)

Phase 2 Work

Once the City has confirmed their capital planning for the new WWTRP project, the next steps associated with Phase 2 can proceed. Phase 2 will include additional permitting support in the form of ongoing support for compliance with the CDO TSO, preparation of a ROWD, and a number of new additional tasks to facilitate selection of a DB contractor team, as follows below. HydroScience may proceed with these tasks upon written authorization from the City.

Task 5 - ROWD and Permit Application

HydroScience will prepare a ROWD and permit application for the purpose of renewing the existing WDRs. The ROWD will support a complete replacement of the existing permit with a new permit that contains updated information on the new and modified facilities and an updated water balance reflecting proposed flow, storage, and disposal conditions.

Meetings

- One preparation meeting onsite with City
- One meeting at the Water Board to discuss the Tentative Draft WDR issued by the Water Board

Deliverables

- Internal Draft ROWD
- Final ROWD issued to the Water Board

Assumptions

- The City will collect and provide water quality data, historical flow data, operations and monitoring data, and other requested data in support of ROWD development.
- Any water characterization (sampling and lab analysis) required will be performed by others.
- An anti-degradation analysis will not be required

An allocation of \$55,000 has been established for this task.

Task 6 – CEQA Compliance Procurement and Oversight

The City released a new draft of the General Plan update and the accompanying Environmental Impact Report (EIR) in October 2018. The public comment period closed on January 2, 2019. Once the City has collected the comments and responded to them, the General Plan and final EIR will be submitted to the Planning Commission and City Council for public hearings. The Council's final decision is tentatively scheduled for late winter/early spring 2019.

Per the draft EIR, "Subsequent CEQA review at the project level may be required to determine whether significant environmental effects would result from the construction of water distribution lines, wastewater collection system components, storm drainage conveyance pipes, and any onsite storage or pumping facilities on development sites, or other utilities improvements. Once specific projects are proposed, project-level environmental review will occur when proposed development plans are prepared."

Once the details of the revised WWTRP project are known, a project-level environmental review will be required. If the improvement work does not result in potentially significant impacts, the City could expect a finding of Negative Declaration or a Mitigated Negative Declaration. HydroScience will facilitate the procurement and management of a consultant to complete the necessary CEQA documentation. It is assumed that the consultant will be contracted under a separate authorization.

An allowance of \$25,000 has been established for this task.

Task 7 – Direction and Management of the Bridging Documents

For this task, HydroScience shall direct and develop the necessary DB Proposal procurement documents. It is expected that the Procurement will be a two-step process comprised of a Request for Qualifications (RFQ) and Bridging Documents/RFP. Activities to be considered as part of this task include the following:

Prepare Request for Qualifications: As part of this task, HydroScience shall assist in the development of the necessary RFQ procurement documents. The RFQ will be based on industry standard documents and best practices, and include criteria such as:

- Contractor/Engineer experience with the DB delivery method
- History of meeting costs and schedule
- Client references
- Proposed key personnel and team members
- Financial and bonding information
- Quality and safety
- Claims and litigation

HydroScience shall also prepare a draft DB Agreement based on a Design-Build Institute of America agreement or an Engineers Joint Contract Document Committee agreement. This Agreement will include details specific to the Project, and will be developed in consultation with City legal staff. A draft copy of the Agreement will be presented to the City for review and comment. The City is responsible for obtaining any necessary legal, insurance, or tax advice that it deems necessary.

HydroScience shall prepare for and conduct a workshop to review City comments to the draft RFQ package and draft DB Agreement. Review of the draft Agreement as led by the City will also be performed during the workshop. Topics to be discussed in the meeting include:

- Terms and conditions review to evaluate risk that will ultimately be translated into the procurement document
- Form of draft contract and risk language to be discussed and strategy developed
- Review of draft technical documents to be included
- Identification of legal forms, affidavits and other requirements
- Finalize evaluation and scoring determination for qualifications process

From the workshop, the RFQ documents shall be updated and finalized to make them suitable for distribution.

RFQ Procurement: Under this task, HydroScience shall work with the City to distribute, advertise, and serve as the Owner's Representative for the prequalification of prospective DB teams. The City shall distribute the RFQ on their website, and HydroScience will help advertise the project on lead services, builders' exchanges, or elsewhere as appropriate.

The RFQ Procurement process will include a meeting with prospective bidders for the RFQ. Items to be prepared and/or presented include the following:

- Sign in sheet
- Agenda
- Introductions
- Review of the Project
- Review of the Qualification Package including schedule and prequalification criteria
- HydroScience will lead a visit to the Project site and point out design elements and features, as appropriate.
- HydroScience shall draft responses to questions from prospective proposers and prepare addenda that provide supplementary details, clarifications, and/or revise the drawings and specifications, as needed and directed by the City. It's assumed up to two addenda will be issued.

At the conclusion of the prequalification process, statements of qualification (SOQs) from prospective bidders will be received. HydroScience shall assist the City in reviewing the SOQ documents including qualifications, guarantees, and bonds and insurance certificates. HydroScience shall provide a written summary on our findings and conduct a review meeting with the City to finalize the top three qualified Teams.

Deliverables:

- RFQ Package (PDF)
- Meeting agenda, presentation materials, and meeting minutes (PPT, PDF)
- Sign-in-Sheet (PDF)
- RFQ Addenda (up to two – PDF)

Prepare Bridging Documents/Request for Proposals: HydroScience will prepare a combination of performance and design specifications. The drawings and specifications together with other legal documents make up the bridging contract documents, which also serve as the form of the DB RFP. The DB RFP will be used to select the DB Team from the previously pre-qualified Teams. Information in the DB RFP will include:

- Background and objectives
- Procurement process and scope of services
- Process for innovative options offered by the proposers
- Draft contract including insurance and bonding
- Requirements for sole-sourcing, pre-selection or pre-qualifying suppliers
- Evaluation criteria
- Technical performance criteria

HydroScience shall prepare for and conduct a workshop to review the City's comments to the draft RFP. This meeting will be attended by key members of the HydroScience Team. Topics to be discussed in the meeting include:

- Terms and conditions review to evaluate risk that will ultimately be translated into the procurement document
- Form of draft contract and risk language to be discussed and strategy developed
- Review of draft technical documents to be included
- Identification of legal forms, affidavits and other requirements
- Finalize evaluation and scoring determination for qualifications process for both technical and pricing components

From the workshop the documents shall be updated to incorporate City comments and finalized. The Bridging Documents/RFP will be distributed to the prequalified DB Teams.

Proposal Process: Under this task, HydroScience shall work with the City to distribute, advertise, and serve as the Owner's Representative for the selection of prospective DB Teams. HydroScience shall distribute the Bridging Documents/RFP to the prequalified bidders. HydroScience shall prepare for and attend the RFP Pre-Proposal Meeting. Items to be prepared and/or presented include the following:

- Sign in Sheet
- Agenda
- Introductions
- Review of the Project
- Review of the Bridging Documents/RFP package including schedule and prequalification criteria

- HydroScience will lead a visit to the Project site and point out design elements and features, as appropriate.
- HydroScience shall draft responses to questions from prospective proposers and prepare addenda that provide supplementary details, clarifications, and/or revise the drawings and specifications, as needed and directed by the City. It is assumed up to two addenda may be issued.

HydroScience shall assist the City in reviewing the proposal documents including any changes to the terms and conditions, legal forms, affidavits, pricing, and other requirements. We will provide a written summary on our findings and conduct a review meeting with the City to finalize the top DB Team. This review will also include a discussion regarding any changes proposed by the DB Team to the proposal agreement.

Deliverables:

- Bridging Documents/RFP Package (PDF)
- Meeting Agenda and Presentation Materials (PDF)
- Sign in Sheet (PDF)
- RFP Addenda (up to two – PDF)

An allocation of \$150,000 has been established for this task.

Task 8 – Phase 2 Project Management and Coordination

HydroScience will perform project management and administrative tasks as required to implement Tasks 5 thru 7. These services will start upon written authorization of Phase 2 from the City. HydroScience will hold in-person monthly meetings and bi-weekly conference calls with the City Project Manager. Meetings will be used to keep the City informed of HydroScience's performance, budget status, scope changes, and to resolve issues as they arise.

As necessary, or as directed by the City, HydroScience shall attend meetings with other stakeholders, including but not limited to regulatory agencies, City Hall (Legal or City Manager) or City Council meetings when the project is on the agenda. HydroScience shall work with City staff to prepare presentation materials when necessary, including but not limited to: PowerPoint slides, printed materials, and/or mounted graphics.

HydroScience's Project Manager will attend the monthly meetings in person. Additional team members may attend the meetings in person or on the phone. All bi-weekly conference calls will be via teleconference.

Assumptions:

- Monthly meetings: Eight (8) meetings, 1-hour duration
- Bi-weekly conference calls: Eight (8) conference calls, 30 minute duration

An allowance of \$15,000 has been established for this task. It is assumed that these services will be provided for up to eight months.

Deliverables:

- Meeting agenda and minutes (PDF format)
- Presentation materials (PPT or PDF format)

Phase 3 Work – Future

Following selection of a DB contractor, a third phase of engineering services will be required that are expected to include management of the DB contractor, construction management, continued permitting support, and other tasks, as needed. This scope of work will be fully developed as part of a subsequent authorization. We expect that the timing of this authorization will coincide with selection of the DB Team and at the time a contract is brought to Council for selection of the DB Team that a companion contract will also be brought to Council for additional Owner's Representative services. The intent will be to match the project requirements and the terms of the contract with the DB Team.

Proposed Team, Schedule, and Budget

Our proposed team will include Curtis Lam as your Project Manager and Rhodora Biagtan as your Project Engineer. They will oversee HydroScience efforts to prepare the Conceptual Design Development Report, support and analyze funding options, and coordinate compliance with the CDO and the RWQCB. Curtis and Rhodora will be your primary day-to-day contacts, and we expect that they will continue to serve as your primary contacts through the subsequent project phases.

We expect that the first phase of work will require approximately four months to complete and the second phase will require approximately eight months to complete. The Conceptual Design Development Report will be prepared and submitted within eight weeks of issuance of notice to proceed. We expect that a meeting with City staff will occur approximately three weeks after submittal of the Draft Report. HydroScience will then provide as-needed support for subsequent project coordination work with other City staff and/or Council at the specific direction of the City.

Exhibit B “Compensation”

A summary of our expected budget by task is as follows:

Phase 1 Effort – Base Services

Task 1 – Develop WWTRP Conceptual Design Development Report \$75,000

Task 2 – Funding Support \$14,000

Task 3 – Permitting Support \$25,000

Task 4 – Phase 1 Project Management and Coordination \$6,000

Phase 1 Subtotal: \$120,000

Phase 2 Effort – Optional Services

Task 5 – ROWD and Permit Application \$55,000

Task 6 – CEQA Compliance Oversight and Procurement \$25,000

Task 7 – Preparation of Bridging Documents \$150,000

Task 8 – Phase 2 Project Management and Coordination \$15,000

Phase 2 Subtotal: \$245,000

Contingency: \$75,000

Phase 1 and 2 Total \$440,000

A contingency was included to account for unanticipated work that may be required, and to provide the City with the flexibility to proceed with additional required tasks in an efficient manner. Similar to the Phase 2 effort, no work would be performed on the budget allocated in the Contingency without specific City approval.

All work will be performed in accordance with the professional services agreement between the City and HydroScience. Services will be invoiced on a time and materials basis in accordance with standard billing rate schedule in effect when services are rendered.

CITY OF ST. HELENA

RESOLUTION No. 2019-

Resolution Authorizing the City Manager to Execute a Professional Services Agreement with HydroScience Engineers, in an Amount Not-to-Exceed \$440,000 for Owner's Representative of City of St. Helena Wastewater Treatment and Reclamation Plant Project to Perform Select Engineering Services, Facilitate the Procurement of a Design-build Team, and Ensure that the Design of the WWTRP Project Improvements are Constructed in a Manner and Cost that Meets the City of St. Helena's Needs and Budget in Response to San Francisco Bay Regional Water Quality Control Board Order R2-2016-004.

RECITALS

- A. The City of St Helena owns, operates, and maintains a domestic wastewater treatment and reclamation plant located at 1 Chaix Lane; and
- B. The Wastewater Treatment and Reclamation Plant is operated under terms and conditions of San Francisco Regional Water Quality Control Board (Board) orders R2-2016-0003, 87-090, and Cease and Desist Order R2-2016-0004; and
- C. The City must prepare and Submit a Draft Design for the preferred alternative in accordance with the San Francisco Bay Regional Water Quality Control Board Cease and Desist Order (CDO) No. R2-2016-0004 Compliance Schedule dated January 11, 2018; and
- D. A Design Build Project incorporating a Sequencing Batch Reactor with Tertiary Filtration or a Tertiary Membrane Bioreactor, and Disinfection with Either Ultraviolet Regional Water Quality Control Board Cease and Desist Order (CDO) No. R2-2016-0004, and Compliance Schedule dated January 11, 2018; and
- E. City Staff solicited four highly qualified engineering consultants for Owner's Representative of City of St. Helena Wastewater Treatment and Reclamation Plant Project Performing Select Engineering Services; and

F. Of the two proposals received and reviewed, HydroScience Engineers demonstrated the level of experience, competence, staffing, and other qualifications necessary for exceptional performance of the services required and described in the scope of work; and

G. Pursuant to St Helena Municipal Code Sections 3.04.320-340, professional services shall be procured through negotiated contract with firms who have demonstrated an adequate level of experience, competence, staffing, and other professional qualifications necessary for more than a satisfactory performance of the services required.

RESOLUTION

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

1. Project is exempt from the requirements 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, Section 15262 Acceptance of Feasibility and Planning Studies and Section 15306 Information Collection in that it is purely the recommendation to negotiate a contract and the acceptance of a feasibility study. Any and all future funding and/or construction activities resulting from this action will be separately reviewed for compliance with CEQA and a formal determination made; and
2. The City Manager is authorized to execute the Professional Services Agreement with HydroScience Engineers, in an Amount Not-to-Exceed \$440,000 for Owner’s Representative of the City of St. Helena Wastewater Treatment and Reclamation Plant Project to Perform Select Engineering Services, Facilitate the Procurement of a Design-Build Team, and to Ensure that the Design of the WWTRP Project Improvements are Constructed in a Manner and Cost that Meets the City of St. Helena’s Needs and Budget in Response to San Francisco Bay Regional Water Quality Control Board Order R2-2016-004.

Approved at a Regular Meeting of the St. Helena City Council on April 9, 2019, by the following vote:

Mayor Ellsworth:	_____
Vice Mayor Dohring:	_____
Councilmember Koberstein:	_____
Councilmember Chouteau:	_____
Councilmember Knudsen:	_____

APPROVED:

Geoff Ellsworth, Mayor

ATTEST:

Cindy Tzaferopoulos, City Clerk



Report to the City Council
Council Meeting of April 9, 2019

Agenda Section: New Business

Subject: City Council review and consideration of potential grant projects available under Senate Bill 2-The Building Jobs and Homes Act

CEQA Determination: Not a CEQA project

Prepared By: Noah Housh, Planning & Community Improvement Director

Reviewed By: Noah Housh, Planning & Community Improvement Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

[SB2 \(Atkins\)](#) aimed at addressing the state's housing shortage and high housing costs by establishing a permanent funding source for affordable housing. Half of the funding generated in year one will be available to local governments through noncompetitive grants. The year two funding will allocate 70-percent of the funding towards local governments for affordable housing purposes. A large portion of year two allocations will be allocated using the same formula used to allocate federal Community Development Block Grants (CDBG).

The purpose of this program is to provide funding and technical assistance to California local governments to help prepare, adopt, and implement plans and process improvements to streamline housing approvals and accelerate housing production. The Notice of Funding Availability (NOFA) for year one will be released in early April or late March 2019. Funding awards will go out to cities beginning in summer 2019, with an anticipated grant term through June 30, 2022. The [SB2 Planning Grants Program Year One Guidelines](#) are currently available for review.

Participation in this grant program is consistent with and will advance the City's three-year organizational goal to "Stabilize, Maintain, and Improve Access to Housing".

DISCUSSION

Starting this spring, cities can apply for funding through the [SB2 Planning Grants Program](#) to update general plans, community plans, specific plans, undertake other local planning related efforts toward the implementation of sustainable community strategies (link below for more information). The purpose of this program is to provide funding and technical assistance to local governments in California to help prepare, adopt, and implement plans and process improvements that streamline housing approvals and accelerate housing production.

The minimum award is \$25,000 and the maximum award amount will be adjusted on a sliding scale based on population estimates from the Department of Finance, allowing up to \$125,000 for small localities (less than 60,000 people). The initial grant application period is non-competitive and referred to as over-the-counter; however, the funding switches to competitive eight months after the release of the NOFA. The revenues from SB2 will vary from year to year, as they are dependent on a variety of real estate transactions with fluctuating activity. Currently, the fees are estimated to generate approximately \$250 million per year.

Staff has reviewed the list of eligible activities (provided below) and has identified several potential projects which are directly correlate with the eligible activities.

Eligible activities may include:

- Updates to general plans, community plans, specific plans, local planning related to implementation of sustainable community strategies, or local coastal plans;
- Updates to zoning ordinances;
- Environmental analyses that eliminate the need for project-specific review; and
- Local process improvements that expedite local planning and permitting.

Staff has identified a short list of conceptual projects which would fall under these eligible activities and also work towards implementation of the Council Goal to Stabilize, Maintain, and Improve Access to Housing (list below). Staff is requesting Council input on prioritizing these conceptual projects (or others) and this direction would then be utilized to identify which projects would most likely win support and a grant application would be filed in pursuit of that prioritized project.

Downtown Specific Plan

Utilize SB2 non-competitive grant funds to draft a Downtown Specific Plan which prioritizes the construction of housing on targeted locations with close proximity to the downtown area and established transit routes. This Downtown Specific Plan would build on the direction established in the 2040 General Plan Update and adopted 2015 Housing Element to identify sites where housing is prioritized and encouraged. Environmental analysis would be conducted on the impacts of the development proposed under the plan and policies to prioritize and streamline this development would be established. The ultimate goal of this specific plan would be to allow the community to identify locations in close proximity to downtown where intensified development, including housing, is most appropriate and streamline the future construction of these chosen development types. Future development could then rely on these established policies, community engagement and CEQA analysis to streamline individual projects.

Zoning Code Update

SB2 funds could be requested to partially off-set the cost of updating the zoning code in response to the policy direction and mandates established in the 2040 General Plan and Housing Element. As identified and prioritized in the 2040 General Plan, a comprehensive zoning code update is required to implement the updated policy direction. Anecdotal price inquiries for a comprehensive Zoning Code have identified a price upwards of \$500,000. While not all of these policies are housing related, and therefore ineligible, a number of housing policies and directives for code updates are identified in the Plan and may be eligible to qualify for SB2 Grant funding. Similarly, the 2015 Housing Element contains a number of policy directives that remain to be implemented and could potentially be funded through such a grant. Staff is uncertain if such a proposal would qualify, given that the zoning ordinance updates would be based on existing policy, however such a project does seem to align with the policy direction of the grant. Should the Council prioritize this project as a top choice, staff would further explore the likelihood of compliance before filing the grant application.

Targeted CEQA Review

Another project type that may qualify with the direction identified for SB2 grant funds would be for the City to undertake an environmental analysis for the development of a specific property with a housing project. This would significantly reduce the cost and uncertainty for a potential developer to construct housing on this targeted site, and may therefore motivate the filing of a development application to construct the anticipated project. Any site chosen to receive this type of grant funded CEQA review should be one that the Council and community anticipates being developed with a significant number of housing units in the relatively near future. Staff is not aware of a site that has been significantly vetted with the community for this level of "pre-authorization" to occur. However, if the Council has a different perspective, this is an opportunity to provide such a direction to staff.

Process Improvements

One final project that appears likely to both qualify for the SB2 grant funds and also work toward implementation of the Council Housing Goal is to pursue process improvements with the goal of identifying and eliminating barriers to housing development. The City has begun to move in this direction with actions such as the elimination of the Use Permit requirement for multi-family housing in the high density zoning district, and on housing opportunity sites zoned medium density. In keeping with this direction, funds could be sought to review and implement additional zoning or other policy changes to expedite local efforts for planning and permitting of housing. This could include such topics as a review of the Growth Management Ordinance for opportunities to support specific housing types through the allocation of additional allotments, consideration of other zoning or subdivision policy changes to support housing projects or development, and implementation of policies identified in the Housing White Paper.

Partnerships

Separate from individual applications, local governments can also partner with other localities, regional governments, housing authorities, school districts, special districts, community based organizations, or any duly constituted governing body of an Indian Reservation. Applicants seeking partnerships with other local governments will be additive. For example, two large localities could submit a proposal for up to \$1,000,000. Staff is aware that the County of Napa and several other jurisdictions are considering applying for a grant to fund pre-approval/review of Accessory Dwelling Unit (ADU) designs, with the idea being that jurisdictions could provide approved "off-the-shelf" plan sets to allow property owners to easily construct an ADU on their individual properties. Staff is not aware of any other partnership applications or concepts being discussed. Should the City Council direct staff to pursue a partnership application, this would not preclude the filing of another "stand alone" application; however the total dollar amount awarded (inclusive of both applications) cannot exceed the grant limitations imposed under the SB2 program (up to \$125,000 for St. Helena).

This list is not inclusive and staff is open to additional Council directed ideas for which an SB2 grant proposal could be prioritized. However, these are some of the initial concepts considered by staff after reviewing the SB2 grant allowances and based on recent discussions with the Council and community members. It is also worth noting that after the over-the-counter period has closed, any remaining SB2 grant funds can be applied for during a competitive supplemental period and may be available to fund "shovel ready" projects created as a result of these efforts. Localities that have not submitted a previous request for funding will receive top priority in the supplemental funding round.

Link to Sustainable Community Strategies Guidebook
<http://opr.ca.gov/docs/StrategiesforSustainableCommunities.pdf>

FISCAL IMPACT

The only known fiscal impact would be the cost of staff time (and any consultants) utilized toward the pursuit of a grant application. Potential fiscal impacts of up to \$125,000 should the non-competitive grant application be successful.

RECOMMENDED ACTION

It is recommended that the City Council review the SB2 Grant opportunities and the conceptual projects identified by staff, and provide direction on prioritizing which type of project to pursue.



Report to the City Council
Council Meeting of April 9, 2019

Agenda Section: New Business

Subject: Measure F Public Information Workshops and Open Houses

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 November 27, 2018, the City Council of the City of St. Helena adopted Ordinance No. 2018-9, adding Chapter 9.24 to the St. Helena Municipal Code to establish a mobile home rental stabilization program within the City of St. Helena. On Wednesday, December 19, 2018, petitioners submitted a referendum petition to the City Clerk. The City Clerk determined that the petitions met the prima facie check for the requisite number of potentially valid signatures, as well as the form and format of the petition itself. The County Registrar of Voters validated signatures on the petition and the City Council subsequently called a special election on June 4, 2019 placing Ordinance 2018-9 on the ballot (referred to as Measure F).

DISCUSSION

In addition to preparing a Measure F informational webpage on the City's website, City staff is planning two informational workshops and three drop-in format open houses to provide the public information about the ballot measure. The following dates have been set for these information sessions:

Measure F Public Information Workshops

April 27: 10:00am - Noon (Fire Station)

May 1: 6:00pm - 8:00pm (Fire Station)

Measure F Public Information Open Houses

May 9: 4:00pm - 6:00pm (City Hall)
May 13: 4:00pm - 6:00pm (City Hall)
May 30: 4:00pm - 6:00pm (City Hall)

FISCAL IMPACT

Not applicable.

RECOMMENDED ACTION

Receive and file.



Report to the City Council
Council Meeting of April 9, 2019

Agenda Section: New Business

Subject: Authorize Submittal of Letter of Support for Assembly Constitutional Amendment (ACA) 1 (Aguiar-Curry)

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

The California Constitution currently requires most revenue measures introduced by local governments to meet a two-thirds vote in order to pass, regardless of the proposed use. If enacted, ACA 1 would lower the voter threshold from two-thirds to 55 percent for local general obligation bonds and special taxes set to benefit affordable housing and/or public infrastructure projects. This is the same threshold local school districts must achieve for school bonds. If passed by the Legislature, the proposal would then go to the ballot for voter approval on a statewide election.

A copy of the proposed legislation and Assembly Committee on Local Government Analysis is attached to this report. The League of California Cities has approved a position of support for ACA 1.

DISCUSSION

Given the City is facing affordable housing and public infrastructure funding challenges, it is recommended the City Council support ACA 1.

FISCAL IMPACT

There is no fiscal impact related to this action. If enacted, ACA 1 would lower the voter threshold for local general obligation bonds and special taxes in support of affordable housing and public infrastructure projects from two-thirds to 55 percent.

RECOMMENDED ACTION

Pass a Motion authorizing submittal of a letter of support for ACA 1 (Aguiar-Curry).

ATTACHMENTS

[20190ACA1_98](#)

[201920200ACA1_Assembly Local Government](#)

[ACA 1 Fact Sheet](#)

[Draft Letter of Support ACA 1](#)

AMENDED IN ASSEMBLY MARCH 18, 2019

CALIFORNIA LEGISLATURE—2019–20 REGULAR SESSION

Assembly Constitutional Amendment

No. 1

Introduced by Assembly Member Aguiar-Curry

(Principal coauthor: Assembly Member Chiu)

(Principal coauthor: Senator Wiener)

(Coauthors: Assembly Members —~~Chiu~~, Berman, Bloom, Boerner Horvath, Bonta, Burke, Cooper, Daly, Eggman, Frazier, Eduardo Garcia, Gipson, Gloria, Gonzalez, Grayson, Holden, Jones-Sawyer, Kalra, Levine, Low, McCarty, Mullin, Nazarian, Quirk, Luz Rivas, Robert Rivas, Blanca Rubio, Santiago, and Ting Mark Stone, Ting, Weber, Wicks, and Wood)

(Coauthors: Senators Beall, Hill, and Skinner)

December 3, 2018

Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 1 and 4 of Article XIII A thereof, by amending Section 2 of, and by adding Section 2.5 to, Article XIII C thereof, by amending Section 3 of Article XIII D thereof, and by amending Section 18 of Article XVI thereof, relating to local finance.

LEGISLATIVE COUNSEL’S DIGEST

ACA 1, as amended, Aguiar-Curry. Local government financing: affordable housing and public infrastructure: voter approval.

(1) The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions.

This measure would create an additional exception to the 1% limit that would authorize a city, county, ~~or city and county~~ city and county,

ACA 1

— 2 —

or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public ~~infrastructure or infrastructure~~, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements. *The measure would specify that these provisions apply to any city, county, city and county, or special district measure imposing an ad valorem tax to pay the interest and redemption charges on bonded indebtedness for these purposes that is submitted at the same election as this measure.*

(2) The California Constitution conditions the imposition of a special tax by a local government upon the approval of $\frac{2}{3}$ of the voters of the local government voting on that tax, and prohibits these entities from imposing an ad valorem tax on real property or a transactions or sales tax on the sale of real property.

This measure would authorize a local government to impose, extend, or increase a sales and use tax or transactions and use tax imposed in accordance with specified law or a parcel tax, as defined, for the purposes of funding the construction, rehabilitation, or replacement of public ~~infrastructure or infrastructure~~, affordable housing, or permanent supportive housing if the proposition proposing that tax is approved by 55% of its voters voting on the proposition and the proposition includes specified accountability requirements. This measure would also make conforming changes to related provisions. *The measure would specify that these provisions apply to any local measure imposing, extending, or increasing a sales and use tax, transactions and use tax, or parcel tax for these purposes that is submitted at the same election as this measure.*

(3) The California Constitution prohibits specified local government agencies from incurring any indebtedness exceeding in any year the income and revenue provided in that year, without the assent of $\frac{2}{3}$ of the voters and subject to other conditions. In the case of a school district, community college district, or county office of education, the California Constitution permits a proposition for the incurrence of indebtedness in the form of general obligation bonds for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, to be adopted

— 3 —

ACA 1

upon the approval of 55% of the voters of the district or county, as appropriate, voting on the proposition at an election.

This measure would *expressly prohibit a special district, other than a board of education or school district, from incurring any indebtedness or liability exceeding any applicable statutory limit, as prescribed by the statutes governing the special district. The measure would also similarly lower to 55% the voter approval threshold for a require the approval of 55% of the voters of the city, county, or city and county city and county, or special district, as applicable, to incur bonded indebtedness, exceeding in any year the income and revenue provided in that year, that is in the form of general obligation bonds issued to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure or infrastructure, affordable housing housing, or permanent supportive housing projects, if the proposition proposing that bond includes specified accountability requirements. The measure would specify that this 55% threshold applies to any proposition for the incurrence of indebtedness by a city, county, city and county, or special district for these purposes that is submitted at the same election as this measure.*

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

- 1 *Resolved by the Assembly, the Senate concurring, That the*
- 2 *Legislature of the State of California at its 2017-18 2019-20*
- 3 *Regular Session commencing on the fifth third day of December*
- 4 *2016; 2018, two-thirds of the membership of each house*
- 5 *concurring, hereby proposes to the people of the State of California,*
- 6 *that the Constitution of the State be amended as follows:*
- 7 *First—That Section 1 of Article XIII A thereof is amended to*
- 8 *read:*
- 9 SECTION 1. (a) The maximum amount of any ad valorem
- 10 tax on real property shall not exceed 1 percent of the full cash
- 11 value of that property. The 1 percent tax shall be collected by the
- 12 counties and apportioned according to law to the districts within
- 13 the counties.
- 14 (b) The limitation provided for in subdivision (a) shall not apply
- 15 to ad valorem taxes or special assessments to pay the interest and
- 16 redemption charges on any of the following:
- 17 (1) Indebtedness approved by the voters before July 1, 1978.

ACA 1

— 4 —

- 1 (2) Bonded indebtedness to fund the acquisition or improvement
- 2 of real property approved on or after July 1, 1978, by two-thirds
- 3 of the votes cast by the voters voting on the proposition.
- 4 (3) Bonded indebtedness incurred by a school district,
- 5 community college district, or county office of education for the
- 6 construction, reconstruction, rehabilitation, or replacement of
- 7 school facilities, including the furnishing and equipping of school
- 8 facilities, or the acquisition or lease of real property for school
- 9 facilities, approved by 55 percent of the voters of the district or
- 10 county, as appropriate, voting on the proposition on or after
- 11 November 8, 2000. This paragraph shall apply only if the
- 12 proposition approved by the voters and resulting in the bonded
- 13 indebtedness includes all of the following accountability
- 14 requirements:
- 15 (A) A requirement that the proceeds from the sale of the bonds
- 16 be used only for the purposes specified in this paragraph, and not
- 17 for any other purpose, including teacher and administrator salaries
- 18 and other school operating expenses.
- 19 (B) A list of the specific school facilities projects to be funded
- 20 and certification that the school district board, community college
- 21 board, or county office of education has evaluated safety, class
- 22 size reduction, and information technology needs in developing
- 23 that list.
- 24 (C) A requirement that the school district board, community
- 25 college board, or county office of education conduct an annual,
- 26 independent performance audit to ensure that the funds have been
- 27 expended only on the specific projects listed.
- 28 (D) A requirement that the school district board, community
- 29 college board, or county office of education conduct an annual,
- 30 independent financial audit of the proceeds from the sale of the
- 31 bonds until all of those proceeds have been expended for the school
- 32 facilities projects.
- 33 (4) (A) Bonded indebtedness incurred by a city, county, ~~or city~~
- 34 ~~and county~~ *city and county, or special district* for the construction,
- 35 reconstruction, rehabilitation, or replacement of public
- 36 ~~infrastructure or infrastructure~~, affordable housing, *or permanent*
- 37 *supportive housing for persons at risk of chronic homelessness,*
- 38 *including persons with mental illness,* or the acquisition or lease
- 39 of real property for public ~~infrastructure or infrastructure~~,
- 40 affordable housing, *or permanent supportive housing for persons*

1 *at risk of chronic homelessness, including persons with mental*
2 *illness, approved by 55 percent of the voters of the city, county,*
3 *~~or city and county~~ city and county, or special district, as*
4 *appropriate, voting on the proposition on or after the effective date*
5 *of the measure adding this paragraph. This paragraph shall apply*
6 *only if the proposition approved by the voters and resulting in the*
7 *bonded indebtedness includes all of the following accountability*
8 *requirements:*
9 (i) A requirement that the proceeds from the sale of the bonds
10 be used only for the purposes specified in this paragraph, and not
11 for any other purpose, including city, county, ~~or city and county~~
12 *city and county, or special district* employee salaries and other
13 operating expenses.
14 (ii) A list of the specific projects to be funded, and a certification
15 that the city, county, ~~or city and county~~ *city and county, or special*
16 *district* has evaluated alternative funding sources.
17 (iii) A requirement that the city, county, ~~or city and county~~ *city*
18 *and county, or special district* conduct an annual, independent
19 performance audit to ensure that the funds have been expended
20 only on the specific projects listed.
21 (iv) A requirement that the city, county, ~~or city and county~~ *city*
22 *and county, or special district* conduct an annual, independent
23 financial audit of the proceeds from the sale of the bonds until all
24 of those proceeds have been expended for the public infrastructure
25 or affordable housing projects, as applicable.
26 (v) A requirement that the city, county, ~~or city and county~~ *city*
27 *and county, or special district* post the audits required by clauses
28 (iii) and (iv) in a manner that is easily accessible to the public.
29 (vi) A requirement that the city, county, ~~or city and county~~ *city*
30 *and county, or special district* appoint a citizens' oversight
31 committee to ensure that bond proceeds are expended only for the
32 purposes described in the measure approved by the voters.
33 (B) For purposes of this paragraph, ~~"affordable paragraph:~~
34 (i) *"Affordable housing"* shall include housing developments,
35 or portions of housing developments, that provide workforce
36 housing affordable to households earning up to 150 percent of
37 countywide median income, and housing developments, or portions
38 of housing developments, that provide housing affordable to lower,
39 low-, or very low income households, as those terms are defined
40 in state law.

ACA 1

— 6 —

- 1 (ii) “At risk of chronic homelessness” includes, but is not limited
- 2 to, persons who are at high risk of long-term or intermittent
- 3 homelessness, including persons with mental illness exiting
- 4 institutionalized settings, including, but not limited to, jail and
- 5 mental health facilities, who were homeless prior to admission,
- 6 transition age youth experiencing homelessness or with significant
- 7 barriers to housing stability, and others, as defined in program
- 8 guidelines.
- 9 (iii) “Permanent supportive housing” means housing with no
- 10 limit on length of stay, that is occupied by the target population,
- 11 and that is linked to onsite or offsite services that assist residents
- 12 in retaining the housing, improving their health status, and
- 13 maximizing their ability to live and, when possible, work in the
- 14 community. “Permanent supportive housing” includes associated
- 15 facilities, if those facilities are used to provide services to housing
- 16 residents.
- 17 ~~(C) For purposes of this paragraph, “public~~
- 18 (iv) “Public infrastructure” shall include, but is not limited to,
- 19 projects that provide any of the following:
- 20 (i)
- 21 (I) Water or protect water quality.
- 22 (ii)
- 23 (II) Sanitary sewer.
- 24 (iii)
- 25 (III) Treatment of wastewater or reduction of pollution from
- 26 stormwater runoff.
- 27 (iv)
- 28 (IV) Protection of property from impacts of sea level rise.
- 29 ~~(v) Parks.~~
- 30 (V) Parks and recreation facilities.
- 31 (vi)
- 32 (VI) ~~Open space and recreation facilities.~~ space.
- 33 ~~(vii)~~
- 34 (VII) Improvements to transit and streets and highways.
- 35 ~~(viii)~~
- 36 (VIII) Flood control.
- 37 ~~(ix)~~
- 38 (IX) Broadband-Internet internet access service expansion in
- 39 underserved areas.
- 40 ~~(x)~~

1 (X) Local hospital construction.
2 (XI) *Public safety buildings or facilities, equipment related to*
3 *fire suppression, emergency response equipment, or interoperable*
4 *communications equipment for direct and exclusive use by fire,*
5 *emergency response, policy or sheriff personnel.*
6 (XII) *Public library facilities.*
7 (v) *“Special district” has the same meaning as provided in*
8 *subdivision (c) of Section 1 of Article XIII C and specifically*
9 *includes a transit district, except that “special district” does not*
10 *include a school district, redevelopment agency, or successor*
11 *agency to a dissolved redevelopment agency.*
12 (C) *This paragraph shall apply to any city, county, city and*
13 *county, or special district measure imposing an ad valorem tax to*
14 *pay the interest and redemption charges on bonded indebtedness*
15 *for those purposes described in this paragraph that is submitted*
16 *at the same election as the measure adding this paragraph.*
17 (c) (1) Notwithstanding any other provisions of law or of this
18 Constitution, a school district, community college district, or
19 county office of education may levy a ~~55 percent~~ 55-percent vote
20 ad valorem tax pursuant to paragraph (3) of subdivision (b).
21 (2) Notwithstanding any other provisions of law or this
22 Constitution, a city, county, ~~or city and county~~ city and county, or
23 special district may levy a ~~55 percent~~ 55-percent vote ad valorem
24 tax pursuant to paragraph (4) of subdivision (b).
25 ~~Second—That Section 4 of Article XIII A thereof is amended~~
26 ~~to read:~~
27 ~~SEC. 4. Except as provided by Section 2.5 of Article XIII C,~~
28 ~~a city, county, or special district, by a two-thirds vote of its voters~~
29 ~~voting on the proposition, may impose a special tax within that~~
30 ~~city, county, or special district, except an ad valorem tax on real~~
31 ~~property or a transactions tax or sales tax on the sale of real~~
32 ~~property within that city, county, or special district.~~
33 ~~Second—That Section 4 of Article XIII A thereof is amended to~~
34 ~~read:~~
35 ~~Section 4.~~
36 ~~SEC. 4. Cities, Counties and special districts, Except as~~
37 ~~provided by Section 2.5 of Article XIII C, a city, county, or special~~
38 ~~district, by a two-thirds vote of the qualified electors of such~~
39 ~~district, its voters voting on the proposition, may impose special~~
40 ~~taxes on such district, a special tax within that city, county, or~~

ACA 1

— 8 —

1 *special district*, except *an ad valorem taxes tax* on real property
2 or a ~~transaction~~ *transactions* tax or sales tax on the sale of real
3 property within ~~such City, County~~ *that city, county*, or special
4 district.

5 Third—That Section 2 of Article XIII C thereof is amended to
6 read:

7 SEC. 2. Notwithstanding any other provision of this
8 Constitution:

9 (a) Any tax imposed by a local government is either a general
10 tax or a special tax. A special district or agency, including a school
11 district, has no authority to levy a general tax.

12 (b) A local government may not impose, extend, or increase
13 any general tax unless and until that tax is submitted to the
14 electorate and approved by a majority vote. A general tax is not
15 deemed to have been increased if it is imposed at a rate not higher
16 than the maximum rate so approved. The election required by this
17 subdivision shall be consolidated with a regularly scheduled general
18 election for members of the governing body of the local
19 government, except in cases of emergency declared by a unanimous
20 vote of the governing body.

21 (c) Any general tax imposed, extended, or increased, without
22 voter approval, by any local government on or after January 1,
23 1995, and before the effective date of this article, may continue to
24 be imposed only if that general tax is approved by a majority vote
25 of the voters voting in an election on the issue of the imposition,
26 which election shall be held no later than November 6, 1996, and
27 in compliance with subdivision (b).

28 (d) Except as provided by Section 2.5, a local government may
29 not impose, extend, or increase any special tax unless and until
30 that tax is submitted to the electorate and approved by a two-thirds
31 vote. A special tax is not deemed to have been increased if it is
32 imposed at a rate not higher than the maximum rate so approved.

33 Fourth—That Section 2.5 is added to Article XIII C thereof, to
34 read:

35 SEC. 2.5. (a) The imposition, extension, or increase of a sales
36 and use tax imposed in accordance with the Bradley-Burns Uniform
37 Local Sales and Use Tax Law (Part 1.5 (commencing with Section
38 7200) of Division 2 of the Revenue and Taxation Code) or a
39 successor law, a transactions and use tax imposed in accordance
40 with the Transactions and Use Tax Law (Part 1.6 (commencing

1 with Section 7251) of Division 2 of the Revenue and Taxation
 2 Code) or a successor law, or a parcel tax imposed by a local
 3 government for the purpose of funding the construction,
 4 reconstruction, rehabilitation, or replacement of public
 5 ~~infrastructure or infrastructure~~, affordable housing, *or permanent*
 6 *supportive housing for persons at risk of chronic homelessness,*
 7 *including persons with mental illness,* or the acquisition or lease
 8 of real property for public ~~infrastructure or infrastructure~~,
 9 affordable housing, *or permanent supportive housing for persons*
 10 *at risk of chronic homelessness, including persons with mental*
 11 *illness,* is subject to approval by 55 percent of the voters in the
 12 local government voting on the proposition, if both of the following
 13 conditions are met:

14 (1) The proposition is approved by a majority vote of the
 15 membership of the governing board of the local government.

16 (2) The proposition contains all of the following accountability
 17 requirements:

18 (A) A requirement that the proceeds of the tax only be used for
 19 the purposes specified in the proposition, and not for any other
 20 purpose, including general employee salaries and other operating
 21 expenses of the local government.

22 (B) A list of the specific projects that are to be funded by the
 23 tax, and a certification that the local government has evaluated
 24 alternative funding sources.

25 (C) A requirement that the local government conduct an annual,
 26 independent performance audit to ensure that the proceeds of the
 27 special tax have been expended only on the specific projects listed
 28 in the proposition.

29 (D) A requirement that the local government conduct an annual,
 30 independent financial audit of the proceeds from the tax during
 31 the lifetime of that tax.

32 (E) A requirement that the local government post the audits
 33 required by subparagraphs (C) and (D) in a manner that is easily
 34 accessible to the public.

35 (F) A requirement that the local government appoint a citizens'
 36 oversight committee to ensure the proceeds of the special tax are
 37 expended only for the purposes described in the measure approved
 38 by the voters.

39 (b) For purposes of this section, the following terms have the
 40 following meanings:

ACA 1

— 10 —

- 1 (1) "Affordable housing" shall include housing developments,
2 or portions of housing developments, that provide workforce
3 housing affordable to households earning up to 150 percent of
4 countywide median income, and housing developments, or portions
5 of housing developments, that provide housing affordable to lower,
6 low-, or very low income households, as those terms are defined
7 in state law.
- 8 (2) *"At risk of chronic homelessness" includes, but is not limited*
9 *to, persons who are at high risk of long-term or intermittent*
10 *homelessness, including persons with mental illness exiting*
11 *institutionalized settings, including, but not limited to, jail and*
12 *mental health facilities, who were homeless prior to admission,*
13 *transition age youth experiencing homelessness or with significant*
14 *barriers to housing stability, and others, as defined in program*
15 *guidelines.*
- 16 ~~(2)~~
- 17 (3) "Parcel tax" means a special tax imposed upon a parcel of
18 real property at a rate that is determined without regard to that
19 property's value and that applies uniformly to all taxpayers or all
20 real property within the jurisdiction of the local government.
21 "Parcel tax" does not include a tax imposed on a particular class
22 of property or taxpayers.
- 23 (4) *"Permanent supportive housing" means housing with no*
24 *limit on length of stay, that is occupied by the target population,*
25 *and that is linked to onsite or offsite services that assist residents*
26 *in retaining the housing, improving their health status, and*
27 *maximizing their ability to live and, when possible, work in the*
28 *community. "Permanent supportive housing" includes associated*
29 *facilities, if those facilities are used to provide services to housing*
30 *residents.*
- 31 ~~(3)~~
- 32 (5) "Public infrastructure" shall include, but is not limited to,
33 the projects that provide any of the following:
34 (A) Water or protect water quality.
35 (B) Sanitary sewer.
36 (C) Treatment of wastewater or reduction of pollution from
37 stormwater runoff.
38 (D) Protection of property from impacts of sea level rise.
39 ~~(E) Parks.~~
40 (E) *Parks and recreation facilities.*

— 11 —

ACA 1

- 1 (F) ~~Open-space and recreation facilities.~~ *space.*
- 2 (G) Improvements to transit and streets and highways.
- 3 (H) Flood control.
- 4 (I) ~~Broadband-Internet~~ *internet* access service expansion in
- 5 underserved areas.
- 6 (J) Local hospital construction.
- 7 (K) *Public safety buildings or facilities, equipment related to*
- 8 *fire suppression, emergency response equipment, or interoperable*
- 9 *communications equipment for direct and exclusive use by fire,*
- 10 *emergency response, policy or sheriff personnel.*
- 11 (L) *Public library facilities.*
- 12 (c) *This section shall apply to any local measure imposing,*
- 13 *extending, or increasing a sales and use tax imposed pursuant to*
- 14 *the Bradley-Burns Uniform Local Sales and Use Tax Law, a*
- 15 *transactions and use tax imposed in accordance with the*
- 16 *Transactions and Use Tax Law, or a parcel tax imposed by a local*
- 17 *government for those purposes described in subdivision (a) that*
- 18 *is submitted at the same election as the measure adding this*
- 19 *section.*
- 20 Fifth—That Section 3 of Article XIII D thereof is amended to
- 21 read:
- 22 SEC. 3. (a) An agency shall not assess a tax, assessment, fee,
- 23 or charge upon any parcel of property or upon any person as an
- 24 incident of property ownership except:
- 25 (1) The ad valorem property tax imposed pursuant to Article
- 26 XIII and Article XIII A.
- 27 (2) Any special tax receiving a two-thirds vote pursuant to
- 28 Section 4 of Article XIII A or *receiving a 55-percent approval*
- 29 *pursuant to Section 2.5 of Article XIII C.*
- 30 (3) Assessments as provided by this article.
- 31 (4) Fees or charges for property-related services as provided by
- 32 this article.
- 33 (b) For purposes of this article, fees for the provision of electrical
- 34 or gas service are not deemed charges or fees imposed as an
- 35 incident of property ownership.
- 36 Sixth—That Section 18 of Article XVI thereof is amended to
- 37 read:
- 38 SEC. 18. (a) A county, city, town, township, board of
- 39 education, or school district, shall not incur any indebtedness or
- 40 liability in any manner or for any purpose exceeding in any year

ACA 1

— 12 —

1 the income and revenue provided for that year, without the assent
 2 of two-thirds of the voters of the public entity voting at an election
 3 to be held for that purpose, except that with respect to any such
 4 public entity ~~which~~ *that* is authorized to incur indebtedness for
 5 public school purposes, any proposition for the incurrence of
 6 indebtedness in the form of general obligation bonds for the
 7 purpose of repairing, ~~reconstructing~~ *reconstructing*, or replacing
 8 public school buildings determined, in the manner prescribed by
 9 law, to be structurally unsafe for school use, shall be adopted upon
 10 the approval of a majority of the voters of the public entity voting
 11 on the proposition at ~~such~~ *the* election; nor unless before or at the
 12 time of incurring such indebtedness provision shall be made for
 13 the collection of an annual tax sufficient to pay the interest on such
 14 indebtedness as it falls due, and to provide for a sinking fund for
 15 the payment of the principal thereof, on or before maturity, which
 16 shall not exceed forty years from the time of contracting the
 17 indebtedness. *A special district, other than a board of education*
 18 *or school district, shall not incur any indebtedness or liability*
 19 *exceeding any applicable statutory limit, as prescribed by the*
 20 *statutes governing the special district as they currently read or*
 21 *may thereafter be amended by the Legislature.*

22 (b) (1) Notwithstanding subdivision (a), any proposition for
 23 the incurrence of indebtedness in the form of general obligation
 24 bonds for the purposes described in paragraph (3) or (4) of
 25 subdivision (b) of Section 1 of Article XIII A shall be adopted
 26 upon the approval of 55 percent of the voters of the school district,
 27 community college district, county office of education, city, county,
 28 ~~or city and county~~, *city and county, or other special district*, as
 29 appropriate, voting on the proposition at an election. This
 30 subdivision shall apply to a proposition for the incurrence of
 31 indebtedness in the form of general obligation bonds for the
 32 purposes specified in this subdivision only if the proposition meets
 33 all of the accountability requirements of paragraph (3) or (4) of
 34 subdivision (b), as appropriate, of Section 1 of Article XIII A.

35 (2) *The amendments made to this subdivision by the measure*
 36 *adding this paragraph shall apply to any proposition for the*
 37 *incurrence of indebtedness in the form of general obligation bonds*
 38 *pursuant to this subdivision for the purposes described in*
 39 *paragraph (4) of subdivision (b) of Section 1 of Article XIII A that*

— 13 —

ACA 1

1 *is submitted at the same election as the measure adding this*
 2 *paragraph.*

3 (c) When two or more propositions for incurring any
 4 indebtedness or liability are submitted at the same election, the
 5 votes cast for and against each proposition shall be counted
 6 separately, and if two-thirds or a majority or 55 percent of the
 7 voters, as the case may be, voting on any one of those propositions,
 8 vote in favor thereof, the proposition shall be deemed adopted.

O

ACA 1
Page 1

Date of Hearing: March 27, 2019

ASSEMBLY COMMITTEE ON LOCAL GOVERNMENT
Cecilia Aguiar-Curry, Chair
ACA 1 (Aguiar-Curry) – As Amended March 18, 2019

SUBJECT: Local government financing; affordable housing and public infrastructure; voter approval.

SUMMARY: Proposes amendments to the California Constitution to allow a city, county, or special district, with 55% voter approval, to incur bonded indebtedness or impose specified special taxes to fund projects for affordable housing, permanent supportive housing, or public infrastructure. Specifically, **this bill:**

- 1) Allows a city, county, city and county, or special district, to incur indebtedness in the form of general obligation (GO) bonds to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing for persons at risk of chronic homelessness, including persons with mental illness, or the acquisition or lease of real property for public infrastructure, affordable housing, or permanent supportive housing, as defined, to be approved by 55% of the voters voting on the proposition.
- 2) Allows a city, county, city and county, or special district, to impose, extend, or increase a sales and use tax or transactions and use tax, or parcel tax, for the purposes of funding the construction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing for persons at risk of chronic homelessness, including persons with mental illness, or the acquisition or lease of real property for public infrastructure, affordable housing, or permanent supportive housing, as defined, if the proposition proposing that tax is approved by 55% of the voters voting on the proposition.
- 3) Defines the following terms:
 - a) “Affordable housing” to include housing developments, or portions of housing developments, that provide workforce housing affordable to households earning up to 150% of countywide median income, and housing developments, or portions of housing developments, that provide housing affordable to lower, low-, or very low income households;
 - b) “At risk of chronic homelessness” to include, but not be limited to, persons who are at high risk of long-term or intermittent homelessness, including persons with mental illness exiting institutionalized settings, including, but not limited to, jail and mental health facilities, who were homeless prior to admission, transition age youth experiencing homelessness or with significant barriers to housing stability, and others, as defined in program guidelines;
 - c) “Permanent supportive housing” to mean housing with no limit on length of stay, that is occupied by the target population, and that is linked to onside or offside services that assist residents in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community. “Permanent supportive

housing” includes associated facilities, if those facilities are used to provide services to housing residents; and,

- d) “Special district” to mean an agency of the state, formed pursuant to general law or special act, for the local performance of governmental or proprietary functions with limited geographic boundaries, and includes a transit district, except that “special district” does not include a school district, redevelopment agency, or successor agency to a dissolved redevelopment agency.
- 4) Defines “public infrastructure” to include, but not be limited to, projects that provide any of the following:
- a) Water or protect water quality;
 - b) Sanitary sewer;
 - c) Treatment of wastewater or reduction of pollution from stormwater runoff;
 - d) Protection of property from impacts of sea level rise;
 - e) Parks and recreation facilities;
 - f) Open space;
 - g) Improvements to transit and streets and highways;
 - h) Flood control;
 - i) Broadband internet access service expansion in underserved areas;
 - j) Local hospital construction;
 - k) Public safety buildings or facilities, equipment related to fire suppression, emergency response equipment, or interoperable communications equipment for direct and exclusive use by fire, emergency response, police or sheriff personnel; and,
 - l) Public library facilities.
- 5) Provides specific requirements for voter protection, public notice, and financial accountability.
- 6) Prohibits a special district, other than a board of education or school district, from incurring any indebtedness or liability exceeding any applicable statutory limit, as prescribed by the statutes governing the special district as they currently read or may thereafter be amended by the Legislature.
- 7) Allows the voter approval thresholds specified above in 1) and 2), above, to apply to a local measure imposing, extending, or increasing a sales and use tax, a transactions and use tax, or a parcel tax, or GO bonded indebtedness for the purposes specified above, submitted to voters at the same election as ACA 1.

EXISTING LAW:

- 1) Authorizes cities and counties to impose a general tax for general governmental purposes with the approval of a majority of the voters.
- 2) Authorizes cities, counties, and special districts to impose a special tax for specified purposes with the approval of two-thirds of the voters.
- 3) Authorizes school districts, community college districts, or county offices of education to incur school bonded indebtedness with the approval of 55% of the voters voting on the bond measure, to fund the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities.

FISCAL EFFECT: This bill has been keyed non-fiscal. It was referred to both the Local Government and Appropriations Committees on March 18, 2019.

COMMENTS:

- 1) **Bill Summary.** ACA 1 lowers the voter threshold from a two-thirds supermajority to 55% majority to approve local (city, county, and special district) GO bonds and certain special taxes for affordable housing, public infrastructure, and permanent supportive housing projects, and defines those terms. ACA 1 also requires the proposition submitted to the voters to contain certain accountability provisions including a requirement that the proceeds from the bonds or taxes only be used for the purposes specified in the ACA, and not for employee salaries or other operating expenses, a list of specific projects to be funded and a requirement that the city, county, or special district has evaluated alternative funding sources, and a requirement that the city, county, or special district conduct both an annual performance audit and an independent financial audit that is then posted and easily accessible to the public. A citizens' oversight committee must also be appointed to ensure that the proceeds of the bonds or special tax are expended only for the purposes described in the measure approved by the voters.

This is an author-sponsored measure.

- 2) **Author's Statement.** According to the author, "In practice, local officials propose a local bond or special tax, and then it is up to the voters in that community to decide whether they support the idea or not. Local governments and local voters know best what their communities need. In some neighborhoods this means a new library or fire station; in others this means an increase in the affordable housing stock. ACA 1 will empower local governments to address local priorities without needing to wait for state and federal funding initiatives. A majority vote tax measure is much more likely to pass, while voters would still need to overwhelmingly support a bond or special tax in order for it to be approved with 55 percent of the vote. ACA 1 will level the playing field and create parity between school districts and cities, counties, and special districts, so that all local governments have a viable financing tool to address community needs."
- 3) **Background.** The California Constitution requires a two-thirds vote at the local level for both GO bonds and special taxes, regardless of what the city, county, or special district proposes to use the funds for. Local school districts, however, must only achieve 55% voter approval for school bonds to fund the construction, reconstruction, rehabilitation, or

replacement of school facilities, including the furnishing and equipping of schools, or the acquisition or lease of real property vote (Proposition 39, 2000).

- 4) **Arguments in Support.** Supporters argue that when the state seeks voter approval for a statewide measure, it requires a simple majority, but when a city or county seeks voter approval for a similar investment, they face a stringent two-thirds vote threshold. Supporters believe ACA 1 will level the playing field and create parity with school districts, which need 55% approval for school construction, so that cities, counties and special districts have a viable financing tool to help address important community needs for affordable housing, public infrastructure, and permanent supportive housing. Because of the numerous challenges in funding important public infrastructure and housing projects for their communities, supporters argue that this constitutional amendment is necessary to deal with the urgent need for investment in housing, and the chronic underfunding of local infrastructure to improve storm water management, transit development, park facilities, and streets and roads. Supporters also argue that one of the major obstacles to building housing, particularly in infill areas, is the cost of critical infrastructure, which often neither the developer or the city or county has the money to fund.
- 5) **Arguments in Opposition.** Howard Jarvis Taxpayers Association argues that “ACA 1 repeals one of the most important protections in Proposition 13 by lowering the existing two-thirds vote threshold for both local bonds and special taxes to 55 percent for a myriad of purposes. While revenue raised from ACA 1 may slightly increase the affordable housing stock, it will also have the perversely negative effect of increasing the cost of housing dramatically. Nationwide, according to the National Association of Home Builders, an increase of just \$1,000 in the new median home price knocks 120,000 potential buyers out of the market. Making it easier to approve hundreds of dollars a year in new annual bonds and parcel won’t make it easier to afford a home, and it won’t make it easier for renters, a third of whom spend half their take home pay on rent, to be able to save. With these housing expenses, it’s little wonder that California’s homeownership rate of 54 percent is well off the national average of 64 percent, and that the large majority of the 100,000 people who leave California each year make less than \$90,000. Proposition 13 is not the cause of California’s evaporating middle-class.”
- 6) **Two-Thirds Legislative Approval and Statewide Ballot Approval Requirements.** This measure requires the approval of two-thirds of the membership of each house in the Legislature, and approval by a majority of voters at a statewide ballot election to ratify the changes to the Constitution.

REGISTERED SUPPORT / OPPOSITION:

Support

American Planning Association, California Chapter
 Association of California Healthcare Districts
 California Association of Councils of Government
 California Association of Housing Authorities
 California Association of Sanitation Agencies
 California Coalition for Rural Housing
 California Contract Cities Association
 California Housing Consortium
 California Housing Partnership
 California Labor Federation, Afl-Cio
 California Library Association
 California Park & Recreation Society
 California Professional Firefighters
 California Special Districts Association
 California State Association Of Counties
 California State Association Of Electrical Workers
 California State Council Of Laborers
 California State Pipe Trades Council
 California Transit Association
 California Yimby
 City of Camarillo
 City Of Davis
 City of Gustine
 City Of Laguna Beach
 City Of Lodi
 City of Manteca
 City Of Moorpark
 City Of San Luis Obispo
 County of Santa Clara
 East Bay for Everyone
 East Bay Municipal Utility District
 East Bay Regional Parks District
 Greater Merced Chamber of Commerce
 Housing California
 International Union Of Elevator Constructors, Local 18
 International Union Of Elevator Constructors, Local 8
 International Union Of Operating Engineers, Cal-Nevada Conference
 League Of California Cities
 Midpeninsula Regional Open Space District
 Non-Profit Housing Association Of Northern California
 Professional Engineers In California Government
 San Diego Housing Federation
 San Mateo County-City/County Association Of Governments
 Santa Clara Valley Water District

ACA 1
Page 6

Silicon Valley At Home (Sv@Home)

Support (continued)

Solano Transportation Authority

Southern California Association Of Nonprofit Housing

Spur

The Two Hundred

Urban Counties Of California

Ventura Council Of Governments

Western States Council Sheet Metal, Air, Rail And Transportation

Oppose

Howard Jarvis Taxpayers Association

Valley Industry and Commerce Association

Analysis Prepared by: Debbie Michel / L. GOV. / (916) 319-3958



Assemblymember Cecilia Aguiar-Curry, 4th Assembly District

ACA 1 – 55% Vote for Local Affordable Housing and Public Infrastructure

SUMMARY

ACA 1 will lower the necessary voter threshold from a two-thirds supermajority to 55 percent to approve local general obligation (GO) bonds and special taxes for affordable housing and public infrastructure projects.

ACA 1 is targeted to the urgent needs of local communities. This measure gives local governments a more realistic financing option to fund an increase in the supply of affordable housing, and to address the numerous local public infrastructure challenges cities, counties, and special districts are facing.

BACKGROUND

The California Constitution requires a two-thirds vote at the local level for both GO bonds and special taxes, regardless of what the city, county, or special district proposes to use the funds for.

However, local school districts must only achieve 55 percent voter approval for school bonds to fund the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of schools, or the acquisition or lease of real property vote (Proposition 39, 2000).

From 2001 to 2013, over 2,200 local revenue measures have been placed before voters concerning school, city, county, or special district taxes or bonds. Majority vote tax measures have proven to be much more likely to pass, while just half of two-thirds vote measures succeeded. School bonds with a 55 percent have been the most successful, with four out of every five passing. In contrast, just half of two-thirds vote measures succeeded. A 55 percent voter threshold for special taxes would have made a dramatic difference. Nearly 80 percent of all two-thirds supermajority measures garnered more than 55 percent of “yes” votes.

1) AFFORDABLE HOUSING NEED

According to the Department of Housing & Community Development (HCD), in the last 10 years California has built an average of 80,000 homes per year, while the need to keep up with the housing need is approximately 180,000 homes per year. There is a shortfall of over one million rental homes affordable to extremely low and very low-income households.

2) LACK OF FUNDING FOR PUBLIC INFRASTRUCTURE

Cities, counties, and special districts face numerous challenges in securing funding for important local public infrastructure projects, including:

Water. Much of the state’s water supply, wastewater, and flood control infrastructure is aging. Rebuilding typically requires costly upgrades to meet increasingly high standards for water quality and infrastructure safety. In the last few decades, new mandates on managing stormwater runoff and climate change have added increased costs and heightened levels of management complexity. The water sector has historically relied heavily on locally generated revenues, which means that Proposition 13 (1978), Proposition 218 (1996), and Proposition 26 (2010), have made it increasingly difficult for local agencies to raise funds.

Parks and Recreation. According to the Statewide Comprehensive Outdoor Plan of 2015, 62 percent of Californians live in areas with less than 3 acres of parkland per 1,000 residents (the recognized standard for adequate parks). Additionally, 9 million people do not have a park within a half mile of their home.

Other Local Needs. Our local governments across the state know best what specific priorities matter most in their communities. For some, funding the costs of a new library or other public building is a means to create local engagement and encourage learning. For others, funding the expansion of broadband is a concern that can seem financially impossible. Strained public safety and emergency response resources in many regions could also benefit from much needed investment. Plus, with discussions underway in Washington D.C. about a possible federal infrastructure initiative, the ability to provide matching-dollars for federal grants is critical to being competitive for new grants.

3) IMPACT OF TWO-THIRDS VOTER REQUIREMENT

The California Constitution limits the opportunity for communities to decide to tax themselves to provide funding for local projects that meet goals and laws approved by the majority. One-third of local voters have the power to overrule fiscal decisions.

THIS BILL:

ACA 1 will lower the constitutional vote threshold to 55 percent for both GO bonds and special taxes, when proposed specifically for the construction, reconstruction, rehabilitation, or replacement of public infrastructure or affordable housing, or the acquisition or lease of real property for those purposes. The bill will also specify requirements for voter protection, public notice, and financial accountability.

In practice, local officials propose a local bond or special tax, and then the voters in that community decide whether they support the idea or not. The voters would still need to overwhelmingly (with 55 percent of the vote) support a bond or special tax in order for it to be approved. ACA 1 will level the playing field and create parity between school districts and cities, counties, and special districts, so that all local governments have a viable financing tool to address community needs.

ACA 1 defines “public infrastructure” to include:

- Projects to provide water or protect water quality, sanitary sewer, treat wastewater or reduce pollution from storm water runoff;
- Protect property from impacts of sea level rise;
- Public buildings, including fire and police facilities;
- Parks, open space, and recreation facilities;
- Improvements to transit and streets and highways;
- Flood control;
- Public library facilities;
- Broadband expansion in underserved areas;
- Local hospital construction;
- Public safety buildings, facilities, and equipment;
- Public library facilities.

ACA 1 defines “affordable housing” and “supportive housing” to include:

- Housing developments that provide workforce housing affordable to households earning up to 150% of countywide median income;
- Housing developments that provide housing affordable to lower, low, or very low-income households, as those terms are defined in state law;
- Targeted housing that is linked to services that assist residents in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community.

This bill proposes an amendment to the California Constitution, which means that if passed by the Legislature, the proposal would then go to the ballot for voter approval during the next statewide election.

SUPPORT:

American Planning Association California
 Association of California Healthcare Districts
 Bay Area Council (letter pending board voted)
 California Association of Council of Governments
 California Association of Housing Authorities (CAHA)
 California Association of Sanitation Agencies
 California Coalition for Rural Housing
 California Contract Cities
 California Housing Consortium
 California Housing Partnership
 California Housing Partnership
 California Labor Federation
 California Library Association
 California Park & Recreation Society
 California Professional Firefighters
 California Special Districts Association
 California State Association of Counties
 California State Association of Electrical Workers, California
 State Pipe Trades Council, Western States Council of Sheet
 Metal Workers, and the International Union of Elevator
 Constructors
 California State Council of Laborers
 California Transit Association
 City of Camarillo
 City of Davis
 City of Gustine
 City of Laguna Beach
 City of Lathrop
 City of Lodi
 City of Moorpark
 City of San Luis Obispo
 City/County Association of Governments of San Mateo
 County
 County of Santa Clara
 East Bay for Everyone
 East Bay Municipal Utilities District
 East Bay Regional Park District
 Greater Merced Chamber of Commerce
 Habitat for Humanity East Bay/Silicon Valley
 Housing California
 International Union of Operating Engineers
 League of California Cities
 Midpeninsula Regional Open Space District
 Non-Profit Housing Association of Northern California
 Professional Engineers in California Government (PECG)
 Santa Clara Valley Water District
 Silicon Valley @ Home
 Solano Transportation Authority
 Southern California Association of NonProfit Housing
 SPUR (San Francisco Bay Area Planning and Urban Research
 Association)
 Urban Counties of California
 Ventura Council of Governments
 Western Center on Law and Poverty

Angela Pontes, Assemblymember Aguiar-Curry, angela.pontes@asm.ca.gov
 Debbie Michel, Assembly Local Government, debbie.michel@asm.ca.gov

DRAFT LETTER

April 10, 2019

The Honorable Cecilia Aguiar-Curry
California State Assembly
State Capitol Building, Room 5144
Sacramento, CA 95814

RE: **ACA 1 (Aguiar-Curry). Local government financing: Affordable housing and public infrastructure: voter approval.**
Notice of SUPPORT

Dear Assembly Member Aguiar-Curry,

The City of St. Helena is pleased to support your bill, ACA 1, which would lower the voter threshold requirements for special taxes by a local government for the purpose of providing funding for affordable housing and public infrastructure projects from 2/3rds approval to 55% approval.

As you know, local governments have widespread and urgent infrastructure needs and the high cost of housing in the state is well-documented. Local communities need additional flexibility to promote the development of affordable housing close to jobs and to continue to provide critical infrastructure for a better quality of life.

ACA 1 provides the voters an opportunity to consider treating investments in local infrastructure and affordable housing in a similar manner as schools. California voters have demonstrated through their past approval of major state school, housing, and water bonds, that they understand the importance of investing in their future.

Thank you for your leadership and let's pass ACA 1 to provide voters with an opportunity to weigh in on local investments on infrastructure and affordable housing – issues that are so critical to the state's future, prosperity and quality of life.

For these reasons, the City of St. Helena supports ACA 1 (Aguiar-Curry).

Sincerely,

Geoff Ellsworth
Mayor
City of St. Helena

cc: Senator Bill Dodd
Nancy Hall Bennett, League Regional Public Affairs Manager (via email)
Meg Desmond, League of California Cities, cityletters@cacities.org