



***AMENDED 10-4-19**
City of St. Helena
Regular City Council Meeting
Tuesday, October 8, 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.

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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.
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. None
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. *UPDATED TITLE 10-1-19
Second reading of an ordinance amending sections 10.08.010 and 10.08.020, and adding section 10.08.030 to Chapter 10.08, Title 10 of

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the City of St. Helena Municipal Code, regarding the establishment of speed limits within the City of St. Helena

Consideration and adoption of resolution of the City Council of the City of St. Helena, California, rescinding all prior resolutions adopted by the City Council of the City of St Helena establishing speed limits within the City of St. Helena, including but not limited to Resolution No. 2005-099, establishing a prima facie speed limit of 15 mph along streets within the vicinity of schools per California Vehicle Code Section 22358.4, and establishing a prima facie speed limit of 25 mph along Pope Street in proximity to Jacob Meily Park and Wappo Park during hours of the day when children are expected to use the facilities per California Vehicle Code 22357.1

CEQA Determination: Not a “project” as defined by State CEQA Guidelines Section 15378(a); Further, even if deemed a “project”, otherwise exempt from CEQA under the common sense exemption set forth in Section 15061(b)(3).

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

Recommendation:

Accordingly, staff recommends the City Council:

1. Approve the second reading of the Ordinance (Attachment 1) amending Chapter 10.08, Title 10 of the City of St. Helena Municipal Code, regarding the establishment of speed limits within the City of St. Helena; and
2. Approve the proposed Resolution (i) rescinding all prior resolutions adopted by the City Council of the City of St Helena establishing speed limits within the City of St. Helena, including but not limited to Resolution No. 2005-099, (ii) establishing a prima facie speed limit of 15 mph along streets within the vicinity of schools per California Vehicle Code Section 22358.4, and (iii) establishing a prima facie speed limit of 25 mph along Pope Street in proximity to Jacob Meily Park and Wappo Park during hours of the day when children are expected to use the facilities per California Vehicle Code 22357.1; and
3. Direct staff to conduct additional speed surveys to the Pope Street and Madrona Avenue segments discussed above to see if the results meets the criteria to justify a posted speed limit of 25 mph.

[Staff Report - Pdf](#)

- 8.2. Consideration of approval of a Resolution approving out-of-state travel for Accounting Technician Jennifer Weeks to attend the Government Finance Officers Association (GFOA) conference in New Orleans, Louisiana from May 17-20, 2020

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CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

Recommendation:

City Staff recommends City Council approve a resolution authorizing out-of-state travel for Accounting Technician Jennifer Weeks to attend the Government Finance Officer Association (GFOA) Annual Conference in New Orleans, Louisiana from May 17-20, 2020.

[Staff Report - Pdf](#)

8.3. *UPDATED STAFF REPORT

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Consideration and approval of a Resolution of the City Council of the City of St. Helena Setting a Hearing for 6:00 p.m., Tuesday, November 26, 2019 to Consider Objections to the Proposed Annexation of Territory, known as 1057 Pratt Avenue, St Helena, CA. 94574 (APN 009-142-003), into the St Helena Municipal Sewer District No. 1, MSD Annexation No. 137.

CEQA Determination: Not a CEQA project

Prepared By: Yoseline Chavez-Toscano, Administrative Assistant

Recommendation:

Staff recommends the City Council adopt a Resolution Setting a Hearing for 6:00 p.m. on Tuesday, November 26, 2019, to consider objections to the proposed Annexation of Territory, known as 1057 Pratt Avenue, St Helena, CA. 94574 (APN 009-142-003), into the St Helena Municipal Sewer District No. 1, MSD Annexation No. 137.

[Staff Report - Pdf](#)

- 8.4. Consideration and proposed approval of a resolution authorizing the fifth amendment to the Unrepresented Compensation Program for Mid-Managers and Department Heads to amend Section 8: Executive Leave to include the Assistant to the City Manager position as an eligible position to receive 40 additional hours of executive leave per the same conditions as at-will executive positions and amend Section 1.3 C. to include the Assistant to the City Manager as a Confidential Mid-Manager.

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CEQA Determination: Not a CEQA project

Prepared By: Kathy Robinson, Human Resources & IT Director

Recommendation:

Approve resolution authorizing the fifth amendment to the Unrepresented Compensation Program for Mid-Managers and Department Heads to amend Section 8: Executive Leave to include the Assistant to the City Manager position as an eligible position to receive 40 additional hours of executive leave per the same conditions as at-will executive positions and amend Section 1.3 C. to include the Assistant to the City Manager as a Confidential Mid-Manager.

[Staff Report - Pdf](#)

- 8.5. Second Reading and Proposed Approval of an Ordinance Amending Sections 13.04.030, 13.04.080, 13.04.100, and 13.04.170 of Article 1, Chapter 13.04, Title 13 of the St. Helena Municipal Code and Section

111 - 135

13.20.020 of Chapter 13.20, Title 13 of the St. Helena Municipal Code Regarding Changes to Utility Billing Cycle for Water Service and Sewer Service from Monthly to Bi-Monthly Billing.

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

Recommendation:

Staff recommends the City Council conduct the second reading and adopt the Ordinance (Attachment C) amending Sections 13.04.030, 13.04.080, 13.04.100, and 13.04.170 of Article 1, Chapter 13.04, Title 13 of the St. Helena Municipal Code and Section 13.20.020 of Chapter 13.20, title 13 of the St. Helena Municipal Code regarding changes to the utility billing cycle for water and sewer service from monthly billing to bi-monthly billing.

[Staff Report - Pdf](#)

- 8.6. Consideration and approval of a resolution authorizing the lease-purchase of a vehicle from Enterprise Fleet to replace the current Police Department Community Services Officer Vehicle #287 in an amount not-to-exceed \$33,650 over a five-year period, and authorizing the City Manager to execute all documents necessary for the lease-purchase 137 - 145

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

Recommendation:

Staff recommends City Council approve a resolution authorizing the lease-purchase of a vehicle from Enterprise Fleet to replace the current Police Department Community Services Officer Vehicle #287 in an amount not-to-exceed \$33,650 over a five-year period, and authorizing the City Manager to execute all documents necessary for the lease-purchase.

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[Public Comment.Pam Smithers](#)

- 8.7. Consideration of a Proclamation in recognition of Upvalley Family Centers' important contributions to our community and designating October 17, 2019 as Upvalley Family Centers' Day in St. Helena 147 - 151

CEQA Determination: Not a CEQA project

Prepared By: Cindy Tzafoopoulos, City Clerk

Recommendation:

Staff recommends the proclamation be approved.

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- 8.8. Consideration of approval of a Resolution approving out-of-state travel for Library Assistant Casey McConnell to attend the Guadalajara International Book Fair in Guadalajara, Mexico from November 30 – December 3, 2019 153 - 156

CEQA Determination: Not a CEQA project

Prepared By: Chris Kreiden, Library Director

Recommendation:

City Staff recommends City Council approve a resolution authorizing out-of-state travel for Library Assistant Casey McConnell to attend the Guadalajara International Book Fair in Guadalajara, Mexico from November 30 – December 3, 2019.

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- 8.9. Consideration and Proposed Approval of a Resolution Rescinding Resolution No. 2018-144 and Adopting Investment Policy P-FI-0002 for the City of St. Helena 157 - 183

CEQA Determination: Not a CEQA project

Prepared By: Mandy Kellogg, Admin Services Mgr

Recommendation:

Staff recommends the approval of a Resolution Rescinding Resolution No. 2018-144 and Adopting Investment Policy P-FI-0002 for the City of St. Helena.

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- 8.10. *NEW ITEM 10-4-19 185 - 195
Consideration of meeting minutes for August 13, 2019

CEQA Determination: Not a CEQA project

Prepared By: Cindy Tzaopoulos, City Clerk

Recommendation:

Staff recommends approving the minutes.

[August 13, 2019 Regular City Council Meeting Minutes](#)

- 8.11. *NEW ITEM 10-4-19 197 - 204
Consideration and proposed approval adopting a resolution authorizing Amendment No. 1 to increase Bob Murray and Associates' Professional Services Agreement for recruiting services in the amount of \$3,000 for a total contract amount not to exceed \$27,000

CEQA Determination: Not a CEQA project

Prepared By: Kathy Robinson, Human Resources & IT Director

Recommendation:

Approve resolution authorizing Amendment No. 1 to Bob Murray and Associates' Professional Services Agreement in the amount of \$3,000 for a total contract amount not to exceed \$27,000

[Staff Report - Pdf](#)

- 8.12. *NEW ITEM 10-4-19 205 - 208
Consideration and Proposed Approval of a Resolution Supporting Sensible Gun Safety Legislation and the Reinstatement of Federal Assault Weapons Ban

CEQA Determination: Exempt

Prepared By: Cindy Tzaopoulos, City Clerk

Recommendation:

Consider approving a resolution supporting a federal assault weapons ban.

[Staff Report - Pdf](#)

9. PUBLIC HEARINGS

9.1. None

10. OLD BUSINESS

10.1. Discussion of four options for CIP C20-01 St. Helena Library Roof Replacement Project, direction to staff on preferred option, and approval of a resolution authorizing the preferred option for CIP C20-01 St. Helena Library Roof Replacement Project. The options are as follows: 209 - 220

1. Option 1 - Award of construction contract to Stronger Building Services for alternate bid 1 for \$440,500 (asphalt shingles); authorize the Director of Public Works to approve Change Order not-to-exceed 10% of the contract amount; authorizing a CIP budget increase of \$117,125 to CIP C20-01 St. Helena Library Roof Repair Project; and authorizing the use of General Fund Reserves in a amount not-to-exceed \$114,125;
2. Option 2 - Award of construction contract to Stronger Building Services for the base bid for \$598,000 (synthetic slate shingles); authorize the Director of Public Works to approve Change Order not-to-exceed 10% of the contract amount; authorizing a CIP budget increase of \$314,000 to CIP C20-01 St. Helena Library Roof Repair Project; and authorizing the use of General Fund Reserves in an amount not-to-exceed \$314,000;
3. Option 3 - Reject all construction bids and consider Option 4;
4. Option 4 - Issue an informal bid for only the PVC flat roof replacement.

CEQA Determination: Categorically Exempt, Section 15323

Prepared By: Edrees Argand, Junior Assistant Engineer

Recommendation:

Discussion of four options for CIP C20-01 St. Helena Library Roof Replacement Project, direction to staff on preferred option, and approval of a resolution authorizing the preferred option for CIP C20-01 St. Helena Library Roof Replacement Project.

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10.2. *NEW ITEM 10-4-19 221 - 226

Consideration of Approval of a Resolution Rejecting the Sole Construction Bid for the W-26 Phase 1 Upper York Creek Ecosystem Restoration and Aquatic Habitat Enhancement Project

CEQA Determination: Final Environmental Impact Report (SCH. No. 2006092096); Addendum to Final EIR

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

Recommendation:

Approve a Resolution rejecting the sole construction bid for the W-26 Phase 1 Upper York Creek Ecosystem Restoration and Aquatic Habitat Enhancement Project.

[Staff Report - Pdf](#)

11. NEW BUSINESS

11.1. None

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

12.1.

<u>October City Council Meetings:</u> 10/22 (staff reports due 10/4)
<i>PROCLAMATIONS/PUBLIC RECOGNITION/STAFF BRIEFING:</i>
10/22 Movember Proclamation
10/22 National Friends of the Library Week
<i>CONSENT:</i>
Cell tower lease renewal - Finance
Joint use agreement with SHUSD for the use of Vintage Hall (Expires February 2020)
10/22 Downtown Holiday Lighting/Jingle all the way
10/22 Napa RCD Amendment
<i>OLD BUSINESS:</i>
Legal Services RFP award of contract
Crane Park Light Study Presentation
Will-serve discussion
10/22 Generator Permit Regulations
<i>PH or NEW BUSINESS:</i>
Zoning Code Update – award of contract
Mid Managers, Exec Staff and SHEA Mou's
Library Roof Replacement
OB 10/22 Pratt and Main
10/22 1st Qtr Finance Report
10/22 Grant Report
Process to fund civic improvement
10/22 PH Sewer Annexation 1057 Pratt Avenue
<u>November City Council Meetings:</u> 11/12 (staff reports due 10/25) 11/26 (staff reports due 11/8)
<i>PROCLAMATIONS AND PUBLIC RECOGNITION:</i>
Arbor Day Proclamation
<i>CONSENT:</i>
11/12 Mid-Year Budget Adjustment
<i>OLD BUSINESS:</i>
11/12 Noll & Tam Report
11/12 Add back list
Curfew Ordinance Review
<u>December City Council Meetings:</u> 12/10 (staff reports due 10/25) 12/24 Cancelled

PROCLAMATIONS/PUBLIC RECOGNITION/STAFF BRIEFING:
SB - Elm Tunnel Update
Honor and recognize committees
CONSENT:
Joint use agreement with SHUSD for the use of Vintage Hall (Expires February 2020)
NOC for paving projects

13. ADJOURNMENT

The next Regular City Council meeting is scheduled for October 22, 2019, at 6:00 p.m. in the Vintage Hall Board Room located at 465 Main Street.

This agenda was posted at City Hall, 1480 Main Street, and at Vintage Hall, 465 Main Street, St. Helena, California on ~~September 30, 2019~~. Reposted October 4, 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.



Report to the City Council
Council Meeting of October 8, 2019

Agenda Section: Consent

Subject: Second reading of an ordinance amending sections 10.08.010 and 10.08.020, and adding section 10.08.030 to Chapter 10.08, Title 10 of the City of St. Helena Municipal Code, regarding the establishment of speed limits within the City of St. Helena

Consideration and adoption of resolution of the City Council of the City of St. Helena, California, rescinding all prior resolutions adopted by the City Council of the City of St. Helena establishing speed limits within the City of St. Helena, including but not limited to Resolution No. 2005-099, establishing a prima facie speed limit of 15 mph along streets within the vicinity of schools per California Vehicle Code Section 22358.4, and establishing a prima facie speed limit of 25 mph along Pope Street in proximity to Jacob Meily Park and Wappo Park during hours of the day when children are expected to use the facilities per California Vehicle Code 22357.1

CEQA Determination: Not a “project” as defined by State CEQA Guidelines Section 15378(a); Further, even if deemed a “project”, otherwise exempt from CEQA under the common sense exemption set forth in Section 15061(b)(3).

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

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND
INTRODUCTION

At its regular meeting of September 24, 2019, the City Council approved the first reading of an ordinance (Attachment 1) amending and adding provisions to the City of St. Helena Municipal Code (SHMC) to identify those instances, consistent with and in alignment with state law, in which prima facie speed limits must be established by ordinance and those which may be established by resolution. Further, prior to adopting the first reading of the ordinance, the City Council revised the ordinance as presented by city staff to (i) decrease the prima facie speed limit on Madrona Avenue from thirty (30) miles per hour (mph) to twenty-five (25) mph and (ii) reject the proposed increase in the speed limit on Pope Avenue from 25 mph to 30 mph.

BACKGROUND

The California Vehicle Code establishes a prima facie speed limit of twenty-five (25) miles per hour (mph) upon all local streets and authorizes the City Council to establish differing prima facie speed limits, depending on the circumstances, either via the adoption of an ordinance or of an ordinance or resolution.

Generally, an increase in the prima facie speed limit above 25 mph, or a decrease to a previous increase to the prima facie speed limit above 25 mph, must be adopted by enactment of an ordinance; whereas, a decrease in the prima facie speed limit below 25 mph may be adopted by either ordinance or resolution.

In order to provide clarity regarding the allowable procedure to follow for purposes of establishing the prima facie speed limit on local streets, this proposed ordinance (Attachment 1) amends and add provisions to the City of St. Helena Municipal Code (SHMC) to identify those instances, consistent with and in alignment with state law, in which prima facie speed limits must be established by ordinance and those which may be established by resolution.

Additionally, this agenda item presents for City Council consideration and adoption, a resolution (Attachment 2) establishing a prima facie speed limit of 15 mph along streets within the City of St. Helena located in the vicinity of schools as authorized under California Vehicle Code (CVC) Section 22358.4 and establishing a prima facie speed limit of 25 mph along Pope Street in proximity to Jacob Meily Park and Wappo Park during hours of the day when children are expected to use the facilities per California Vehicle Code 22357.1.

Note that the proposed ordinance referenced above adds section 10.08.030 to the SHMC to provide that the prima facie speed limit may be established by resolution of the City Council in those instances authorized by CVC Section 22358.4 and 22357.1. However, since the City Council already has the authority under state law to establish prima facie speed limits in the vicinity of schools via resolution, the Council does not need to wait for the proposed ordinance to become effective in order to adopt the resolution. Again, the ordinance adding section 10.08.030 to the SHMC only seeks to align the SHMC with state law.

DISCUSSION***Ordinance / Resolution***

The Ordinance proposed for adoption is enclosed as Attachment 1 to this report.

Consistent with state law, Section 10.08.010 of the SHMC currently establishes the prima facie speed limit on public streets and private roads open for public use within the City of St. Helena at 25 mph. There are no substantive changes to that section.

Section 10.08.020 of the SHMC is proposed to be amended to identify the situations, consistent with state law, in which the prima facie speed limit on public streets and private roads open for public use may be established in accordance with CVC 22357 and 22358. These provisions of the CVC generally provide that the City Council may increase the prima facie speed limit above 25 mph and similarly reduce a previous increase above the 25 mph prima facie speed limit via adoption of an ordinance.

Previous increases to the prima facie speed limit to segments of Pratt Avenue, South Crane Avenue and Madrona Avenue are eliminated/removed from the SHMC and will therefore operate at the prima facie limit of 25 mph. Also, a proposed increase to the prima facie speed limit of Pope Street was not approved by the City Council as part of the first reading. Thus, all streets within the City of St. Helena and under the jurisdiction of the City will operate under a prima facie speed limit of 25 mph.

Finally, section 10.08.030 is added merely to identify in the SHMC and align with the City's current authority under state law those situations where the prima facie speed limit may be adopted/enacted by resolution as authorized by CVC sections 22357.1 (adjacency to children's playground in public parks), 22358.3 (business/residence districts; public parks), and 22358.4 (proximity to schools). As noted above, attached to the report is a proposed resolution (Attachment 2) to establish the prima facie speed limit of 15 mph along streets within the vicinity of schools per California Vehicle Code Section 22358.4 and a prima facie speed limit of 25 mph along Pope Street in proximity to Jacob Meily Park and Wappo Park during hours of the day when children are expected to use the facilities per California Vehicle Code 22357.1.

Speed Limits

Posted speed limits for local agencies in California must follow the guidelines and criteria set forth in CVC Sections 627, 21400, 22358, and 22358.5, and the California Manual on Uniform Traffic Control Devices (CA MUTCD) Section 2B.13. The sections from each document outline the process local agencies must follow to set posted speed limits. Following these guidelines allows law enforcement to provide enforcement utilizing electronic radar/laser equipment.

In general, the speed limit of the roadway is set at the nearest five (5) mile per hour interval where eighty-five percent of the vehicles travel at or below the speed, known as the 85th percentile or critical speed. Based on an engineering survey the speed limit

can be adjusted downward depending on the physical characteristics of the road, such as abrupt changes in horizontal and/or vertical alignment and pavement width, so as to enhance its safety. In order for speeding violations to be enforceable in court the City must have current speed zone certifications on file at the courthouse.

The City's last update to Chapter 10.08, Title 10 of the SHMC, regarding the establishment of speed limits was in 2006. To comply with the guidelines of the CVC it is necessary for City staff to update and conduct radar surveys and a traffic engineering study at the locations mentioned in the report every 5 years so that radar enforcement can continue to be utilized and speed limits enforced as well as have City Council formally address any proposed changes to the speed limits.

Interwest Consulting Group provided the Public Works Department with a Technical Memorandum dated May 28, 2019 ([Attachment 4](#)) which summarizes a recent speed survey and recommendations for posted speed limits on City streets based on California guidelines.

St Helena Police Department staff collected speed surveys for the following segments:

- Grayson Avenue near St Helena Primary School
- Madrona Avenue near Stockton Street
- Madrona Avenue near Hudson Avenue
- Pope Street near Paulson Court
- Railroad Avenue near Adams Street
- Spring Street near Valley View Street
- Spring Street near Crane Avenue
- Spring Street near Stockton Street
- Spring Mountain Road near Elmhurst Avenue
- South Crane Avenue near Grayson Avenue
- Sulphur Springs Avenue near Arrowhead Drive
- Valley View Street near Olive Avenue

Interwest's technical memorandum provides a table of the streets surveyed, boundaries, existing posted speed limit, recommended speed limit, 85% speed, 10 mph pace range, % vehicles in the pace, and survey date. Also attached are the individual speed surveys for each segment which provides information on adjacent land use, parking, roadway geometry, and general field observations, and can be submitted to the courts for their use. The individual surveys for each segment have been stamped and signed by a registered Traffic Engineer and have been included with the final report.

Based upon the review of the results of the surveys, field conditions, and applicable CVC and CA MUTCD guidelines the following recommendations are provided:

The following segments are recommended to retain its existing posted speed limit based upon the results of the speed survey and following Section 2B.13 of the CA MUTCD:

- Madrona Avenue-Scott Street to end of street, 30 mph; **however, as discussed below, said recommendation was not adopted by the City Council**
- Railroad Avenue-Hunt Avenue to Fulton Lane, 25 mph

The following segments are recommended to retain their existing posted speed limit based upon the results of the speed surveys taken, and CVC Section 21400 (b) which allows for the use of the 5 mph increment below the 85% speed since no additional reduction is being requested:

- Grayson Avenue-Main Street to S Crane Avenue, 25 mph
- Spring Street-Valley View Street to Crane Avenue, 25 mph

The following segments are recommended to retain their existing posted speed limit based upon the results of their speed surveys, and CVC Sections 627 and 22358.5, which allows for a 5 mph reduction in the posted speed limit based upon field conditions:

- Madrona Avenue Main Street to Scott Street, 25 mph
- Pope Street-Main Street to Allison Avenue, 25 mph
- Spring Street-Sylvaner Avenue to Valley View Street, 25 mph
- Spring Street-Main Street to Crane Avenue, 25 mph
- Spring Mountain Road-Madrona Avenue to City Limits, 25 mph
- South Crane Avenue-Sulphur Springs Avenue to Grayson Avenue, 25 mph
- Sulphur Springs Avenue-Main Street to end of street, 25 mph
- Valley View Street-Grayson Avenue to Spring Street, 25 mph

The following street segment is recommended to have its posted speed limits increased by 5 mph from existing based upon the results of their speed surveys (see Section 10.08.020 of Ordinance):

- Pope Street-Allison Avenue to Silverado Trail, 30 mph; **however, as discussed below, said recommendation was not adopted by the City Council**

Council Action Per 1st Reading

As noted in the staff report for the September 24, 2019 regular meeting, the Interwest Consulting Group Technical Memorandum dated May 28, 2019 ([Attachment 3](#)), recommended that Madrona Avenue from Scott Street to end of street **and** Pope Street from Allison Avenue to Silverado Trail, be posted at 30 mph.

The City Council rejected these recommendations and proceeded with the adoption of a 25 mph prima facie speed limit. As a result, the ability of the police department to effectively enforce speeding violations in these roadway segments utilizing electronic radar/laser equipment will be undermined. In order for speeding violations utilizing

electronic radar/laser equipment to be enforceable in court, the City must have current speed zone certifications on file at the courthouse.

Accordingly, the Pope Street and Madrona Avenue segments with a recommended increase in the posted speed limit will need additional speed surveys taken in those segments to see if the results meets the criteria to justify a posted speed limit of 25 mph.

With respect to the Pope Street segment, in the interim period, another alternative is to keep the existing 25 mph speed limit due to the proximity of Jacob Meily Park and Wappo Park, but the speed limit can only be effective during times when children are expected to use the facilities per California Vehicle Code 22357.1. It should be noted that the enclosed resolution will implement this alternative.

Resolution

In addition to the speed zones required to be addressed by speed surveys, City staff is recommending the addition of section 10.08.030 to the SHMC regarding establishment of prima facie speed limits on certain streets by City Council resolution in order to address the speed limits that do not require speed surveys in accordance with CVC sections 22357.1 (adjacency to children's playground in public parks), 22358.3 (business/residence districts; public parks), and 22358.4 (proximity to schools). Again, this addition to the SHMC is meant solely to identify in the SHMC, in alignment with the City's current authority under state law, those situations where the prima facie speed limit may be adopted/enacted by resolution.

An example would be the establishment of speed zones in a residential district when approaching schools when children are present. The City previously installed fifteen (15) miles per hour signs around most of the City streets fronting schools. The enclosed resolution (Attachment 2), would memorialize those changes and staff recommends adoption of said resolution. Further, the enclosed resolution maintains a 25 mph speed limit along Pope Street in proximity to Jacob Meily Park and Wappo Park during hours of the day when children are expected to use the facilities per California Vehicle Code 22357.1.

FISCAL IMPACT

Adoption of the ordinance will maintain the existing signed speed limit on most of the listed streets and establish new reduced speed limits on segments of Pratt Avenue, South Crane Avenue and Madrona Avenue. Existing speed limit signs will be replaced for the new speed limits and additional signs will be installed as needed to increase motorist's awareness of the speed limit and to give the Police Department the rights of speed radar enforcement. The cost of the additional signs is included in the current Public Works Department operations budget.

RECOMMENDED ACTION

Accordingly, staff recommends the City Council:

1. Approve the second reading of the Ordinance (Attachment 1) amending Chapter 10.08, Title 10 of the City of St. Helena Municipal Code, regarding the establishment of speed limits within the City of St. Helena; and
2. Approve the proposed Resolution (i) rescinding all prior resolutions adopted by the City Council of the City of St Helena establishing speed limits within the City of St. Helena, including but not limited to Resolution No. 2005-099, (ii) establishing a prima facie speed limit of 15 mph along streets within the vicinity of schools per California Vehicle Code Section 22358.4, and (iii) establishing a prima facie speed limit of 25 mph along Pope Street in proximity to Jacob Meily Park and Wappo Park during hours of the day when children are expected to use the facilities per California Vehicle Code 22357.1; and
3. Direct staff to conduct additional speed surveys to the Pope Street and Madrona Avenue segments discussed above to see if the results meets the criteria to justify a posted speed limit of 25 mph.

ATTACHMENTS

[Attachment 1 - Ordinance Amending Municipal Code re Speed Limits Chapter 10.08](#)

[Attachment 2 - Draft Resolution Establishing Speed Limits Near Schools and Parks on Pope Street](#)

[Attachment 3 - Engineering and Traffic Study Technical Memorandum](#)

[Attachment 4 - Resolution No. 2005-099](#)

[Attachment 5 - Ordinance No. 2006-10](#)

[Public Comment.Trudy Bouligny](#)

ATTACHMENT 1

CITY OF ST. HELENA

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ST. HELENA, CALIFORNIA, AMENDING SECTIONS 10.08.010 AND 10.08.020, AND ADDING SECTION 10.08.030 TO CHAPTER 10.08, TITLE 10 OF THE CITY OF ST. HELENA MUNICIPAL CODE, REGARDING THE ESTABLISHMENT OF SPEED LIMITS WITHIN THE CITY OF ST. HELENA

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

SECTION 1. Findings.

The City Council finds as follows:

- A. The California Vehicle Code establishes a prima facie speed limit of twenty-five (25) miles per hour upon all local streets and authorizes the City Council to establish differing prima facie speed limits, depending on the circumstances, either via the adoption of an ordinance or of an ordinance or resolution.
- B. In order to provide clarity regarding the allowable procedure to follow for purposes of establishing the prima facie speed limit on local streets, it is appropriate to amend and add to the City of St. Helena Municipal Code to identify those instances, consistent with state law, in which prima facie speed limits must be established by ordinance and those which may be established by resolution.
- C. Generally, an increase in the prima facie speed limit above twenty-five (25) miles per hour, or a decrease to a previous increase to the prima facie speed limit, must be adopted by enactment of an ordinance. Whereas, a decrease in the prima facie speed limit below twenty-five (25) miles per hour may be adopted by either ordinance or resolution.

SECTION 2. Compliance with CEQA.

For purposes of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.), a "project" is defined in State CEQA Guidelines Section 15378 (a) as "the whole

of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment". The City Council hereby finds that the action to adopt this ordinance will not result in any change in the environment and thus is not a project subject to the requirements of CEQA. Further, even if the action to adopt this ordinance was deemed to be a project subject to CEQA, the City Council finds the proposed ordinance is exempt from CEQA under the common sense exemption set forth in Section 15061(b)(3), which provides that CEQA only applies to projects which have the potential for causing a significant effect on the environment, and thus where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

SECTION 3. Amending Sections 10.08.010 and 10.08.020, and Adding Section 10.08.030 to Chapter 10.08 of Title 10 of the City of St. Helena Municipal Code.

Sections 10.08.010 and 10.08.020 to Chapter 10.08 of Title 10 of the City of St. Helena Municipal Code are hereby amended, and Section 10.08.030 to Chapter 10.08 of Title 10 of the City of St. Helena Municipal Code is hereby added to read as set forth in the attached Exhibit A.

SECTION 4. Severability.

The City Council hereby declares every section, paragraph, sentence, cause and phrase of this ordinance is severable. If any section, paragraph, sentence, clause or phrase of this ordinance is for any reason found to be invalid or unconstitutional, such invalidity, or unconstitutionality shall not affect the validity or constitutionality of the remaining sections, paragraphs, sentences, clauses or phrases.

SECTION 5. Effective Date.

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

SECTION 6. General Plan Consistency.

This ordinance is consistent with the City of St. Helena General Plan.

THE FOREGOING ORDINANCE was introduced at a regular meeting of the St. Helena City Council on the 24th day of September, 2019, and was adopted at a regular meeting of the St. Helena City Council on the 8th day of October, 2019, by the following vote:

Mayor Ellsworth:	_____
Vice Mayor Dohring	_____
Councilmember Koberstein:	_____
Councilmember Chouteau:	_____
Councilmember Knudsen:	_____

APPROVED:

Geoff Ellsworth, Mayor

ATTEST:

CITY OF ST. HELENA

Cindy Tzafoopoulos, City Clerk

I, CINDY TZAFPOULOS, CITY CLERK of the City of St. Helena, California, do hereby certify that the foregoing Ordinance was regularly introduced and placed upon its first reading at a regular meeting of the City Council on the 24th day of September, 2019. That thereafter said Ordinance was duly adopted and passed at a regular meeting of the City Council on the 8th day of October, 2019 by the following vote:

Mayor Ellsworth:	_____
Vice Mayor Dohring	_____
Councilmember Koberstein:	_____
Councilmember Chouteau:	_____
Councilmember Knudsen:	_____

Exhibit A

10.08.010 Prima facie speed limit of twenty-five miles per hour on city streets.

A. Except as may otherwise be determined and declared pursuant to this chapter, the prima facie speed limit on all public streets of the city is declared to be twenty-five (25) miles per hour.

B. The prima facie speed limit on Main Street (State Highway 29) shall be as established by the state.

C. Except as may otherwise be determined and declared pursuant to this code, the prima facie speed limit on private roads open for public use as established in Section 10.20.020 of this code shall be twenty-five (25) miles per hour.

10.08.020 Establishment of prima facie speed limits on certain streets by ordinance. The prima facie speed limit on public streets and private roads open for public use may be established by ordinance of the City Council of the City of St. Helena in accordance with California Vehicle Code sections 22357 and 22358.

10.8.30 Establishment of prima facie speed limits on certain streets by resolution.

The prima facie speed limit on public streets and private roads open for public use may be established by resolution of the City Council of the City of St. Helena in accordance with California Vehicle Code sections 22357.1, 22358.3 and 22358.4.

ATTACHMENT 2
CITY OF ST. HELENA
RESOLUTION NO.
2019-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ST. HELENA, CALIFORNIA, RESCINDING ALL PRIOR RESOLUTIONS ADOPTED BY THE CITY COUNCIL OF THE CITY OF ST HELENA ESTABLISHING SPEED LIMITS WITHIN THE CITY OF ST. HELENA, INCLUDING BUT NOT LIMITED TO RESOLUTION NO. 2005-099, ESTABLISHING A PRIMA FACIE SPEED LIMIT OF 15 MPH ALONG STREETS WITHIN THE VICINITY OF SCHOOLS PER CALIFORNIA VEHICLE CODE SECTION 22358.4, AND ESTABLISHING A PRIMA FACIE SPEED LIMIT OF 25 MPH ALONG POPE STREET IN PROXIMITY TO JACOB MEILY PARK AND WAPPO PARK DURING HOURS OF THE DAY WHEN CHILDREN ARE EXPECTED TO USE THE FACILITIES PER CALIFORNIA VEHICLE CODE 22357.1

RECITALS

WHEREAS, the California Vehicle Code establishes a prima facie speed limit of twenty- five (25) miles per hour upon all local streets and authorizes the City Council to establish differing prima facie speed limits, depending on the circumstances, either via the adoption of an ordinance or of an ordinance or resolution; and

WHEREAS, in order to provide clarity regarding the allowable procedure to follow for purposes of establishing the prima facie speed limit on local streets, the City Council of the City of St. Helena adopted an ordinance to amend and add provisions to the City of St. Helena Municipal Code to identify those instances, consistent with state law, in which prima facie speed limits must be established by ordinance and those which may be established by resolution; and

WHEREAS, generally, an increase in the prima facie speed limit above twenty-five (25) miles per hour, or a decrease to a previous increase to the prima facie speed limit, must be adopted by enactment of an ordinance, whereas, a decrease in the prima facie speed limit below twenty-five (25) miles per hour may be adopted by either ordinance or resolution; and

WHEREAS, section 10.08.030 of Chapter 10.08 of Title 10 of the City of St. Helena Municipal Code provides that the prima facie speed limit on public streets and private roads open for public use may be established by resolution of the City Council of the City of St. Helena in accordance with California Vehicle Code sections 22357.1, 22358.3 and 22358.4; and

WHEREAS, California Vehicle Code Section 22358.4(b)(1)(A) provides that,

even in the absence of an engineering or traffic survey, the City Council may establish by resolution a prima facie speed limit of fifteen (15) miles per hour in a residence district when approaching, at a distance of less than 500 feet from, or passing, a school building or the grounds of a school building, contiguous to a street and posted with a school warning sign that indicates a speed limit of 15 miles per hour, while children are going to or leaving the school, either during school hours or during the noon recess period. The prima facie limit shall also apply when approaching, at a distance of less than 500 feet from, or passing, school grounds that are not separated from the street by a fence, gate, or other physical barrier while the grounds are in use by children and the street is posted with a school warning sign that indicates a speed limit of 15 miles per hour; and

WHEREAS, California Vehicle Code Section 22357.1 provides that the City Council may, by ordinance or resolution, set a prima facie speed limit of 25 miles per hour on any street, other than a state highway, adjacent to any children's playground in a public park but only during particular hours or days when children are expected to use the facilities and that the 25 mile per hour speed limit shall be effective when signs giving notice of the speed limit are posted; and

WHEREAS, the City Council of the City of St. Helena desires to affirm and establish prima facie speed limits in accordance with California Vehicle Code Section 22358.4(b)(1)(A) on local streets in proximity to local school buildings and grounds and to rescind all prior resolutions adopted by the City; and

WHEREAS, the City Council of the City of St. Helena desires to affirm and establish prima facie speed limits in accordance with California Vehicle Code Section 22357.1 on pope Street adjacent to any children's playground in a public park but only during particular hours or days when children are expected to use the facilities; now, therefore, be it

RESOLVED, that the City Council of the City of St. Helena hereby determines as follows:

1. For purposes of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.), a "project" is defined in State CEQA Guidelines Section 15378 (a) as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment". The City Council hereby finds that the action to adopt this resolution will not result in any change in the environment and thus is not a project subject to the requirements of CEQA. Further, even if the action to adopt this resolution was deemed to be a project subject to CEQA, the City Council finds the proposed resolution is exempt from CEQA under the common sense exemption set forth in Section 15061(b)(3), which provides that CEQA only applies to projects which have the potential for causing a significant effect on the environment, and thus where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to

CEQA; and

2. All prior resolutions adopted by the City Council of the City of St. Helena establishing speed limits within the City of St. Helena, including but not limited to Resolution No. 2005-099, are hereby rescinded; and

3. The City Council hereby establishes a prima facie speed limit of fifteen (15) miles per hour in accordance with California Vehicle Code Section 22358.4(b)(1)(A) while children are going to or leaving the school, either during school hours or during the noon recess period, provided said portions of said streets are (a) no more than a maximum of two traffic lanes and (b) the posted prima facie speed limit immediately prior to and after the school zone is no more than thirty (30) miles per hour along the following streets:

- Grayson Avenue from Main Street to South Crane
- South Crane from Grayson Avenue to Crane Park
- Elmhurst Avenue from Main Street to Spring Mountain Road
- Spring Mountain Road from Elmhurst Avenue to Hillview Avenue
- Hillview Avenue from Spring Mountain Road to Oak Avenue
- Oak Avenue from Hillview Avenue to Spring Street
- Adams Street from Oak Avenue to Stockton Street
- Tainter Street from Oak Avenue to Stockton Street
- College Avenue from 880 College Avenue to Pope Street

4. The City Council hereby establishes a prima facie speed limit of twenty five (25) miles per hour in accordance with California Vehicle Code Section 22357.1 along Pope Street in proximity to Jacob Meily Park and Wappo Park during hours of the day when children are expected to use the facilities.

5. This resolution shall not be effective until appropriate signs giving notice of the aforementioned speed limits are erected upon the aforementioned local streets. Signs establishing a prima facie speed limit of fifteen (15) miles per hour in accordance with California Vehicle Code Section 22358.4(b)(1)(A) may be placed at a distance up to 500 feet away from school grounds.

APPROVED AND ADOPTED, by the City Council of the City of St. Helena at a Regular Meeting held on October 8, 2019 by the following vote:

Mayor Ellsworth: _____
Vice Mayor Dohring: _____
Councilmember Chouteau: _____
Councilmember Knudsen: _____
Councilmember Koberstein: _____

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzaopoulos, City Clerk



Technical Memorandum

May 28, 2019

To: Public Works Department, City of St Helena

Thru: Theron Roschen, Municipal Services

From: David Yatabe, Traffic Engineer, Municipal Services

Subject: Speed Survey Project

Interwest Consulting Group (ICG) has prepared this technical memorandum to review speed survey data and recommend posted speed limits for twelve segments City-wide.

Background

Posted speed limits for local agencies in California must follow the guidelines and criteria set forth in the following California Vehicle Code (CVC) Sections 627, 21400, 22358, and 22358.5, and the California Manual on Uniform Traffic Control Devices (CA MUTCD) Section 2B.13. The sections from each document outline the process local agencies must follow to set posted speed limits, following these guidelines allows law enforcement to provide enforcement utilizing electronic radar/laser equipment.

Findings

St Helena Police Department staff collected speed surveys and National Data Services (NDS) is currently collecting 24 hour traffic volume counts for the following segments:

- Grayson Avenue near St Helena Primary School
- Madrona Avenue near Stockton Street
- Madrona Avenue near Hudson Avenue
- Pope Street near Paulson Court
- Railroad Avenue near Adams Street
- Spring Street near Valley View Street
- Spring Street near Crane Avenue
- Spring Street near Stockton Street
- Spring Mountain Road near Elmhurst Avenue
- S Crane Avenue near Grayson Avenue
- Sulphur Springs Avenue near Arrowhead Drive
- Valley View Street near Olive Avenue

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City of St Helena
Speed Survey Project 2019
May 28, 2019

Attachment 1 provides a table of the streets surveyed, boundaries, existing posted speed limit, recommended speed limit, 85% speed, 10 mph pace range, % vehicles in the pace, and survey date. Also attached are the individual speed surveys for each segment which provides information on adjacent land use, parking, roadway geometry, and general field observations, and can be submitted to the courts for their use.

Recommendation

Based upon the review of the results of the surveys, field conditions, and applicable CVC and CA MUTCD guidelines the following recommendations are provided:

The following segments are recommended to retain its existing posted speed limit based upon the results of the speed survey and following Section 2B.13 of the CA MUTCD:

- Madrona Avenue-Scott Street to end of street, 30 mph
- Railroad Avenue-Hunt Avenue to Fulton Lane, 25 mph

The following segments are recommended to retain their existing posted speed limit based upon the results of the speed surveys taken, and CVC Section 21400 (b) which allows for the use of the 5 mph increment below the 85% speed since no additional reduction is being requested:

- Grayson Avenue-Main Street to S Crane Avenue, 25 mph
- Spring Street-Valley View Street to Crane Avenue, 25 mph

The following segments are recommended to retain their existing posted speed limit based upon the results of their speed surveys, and CVC Sections 627 and 22358.5, which allows for a 5 mph reduction in the posted speed limit based upon field conditions:

- Madrona Avenue Main Street to Scott Street, 25 mph
- Spring Street-Sylvaner Avenue to Valley View Street, 25 mph
- Spring Street-Main Street to Crane Avenue, 25 mph
- Spring Mountain Road-Madrona Avenue to City Limits, 25 mph
- S Crane Avenue-Sulphur Springs Avenue to Grayson Avenue, 25 mph
- Sulphur Springs Avenue-Main Street to end of street, 25 mph
- Valley View Street-Grayson Avenue to Spring Street, 25 mph

The following segments are recommended to have their posted speed limits increased by 5 mph from existing based upon the results of their speed surveys:

- Pope Street-Main Street to Silverado Trail, 30 mph

The segment with a recommended increase in the posted speed limit would also require a City Council Resolution to adopt the new limit. One alternative would be to have additional speed surveys taken on the segment to see if the results meets the criteria to keep the existing posted speed limits of 25 mph. The segment has been surveyed twice, by the St Helena Police Department and by Interwest staff with both justifying a 30 mph speed limit. A second alternative would be to keep the existing 25 mph speed limit, but this would create a speed limit that would not be enforceable by radar or lidar.

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City of St Helena
Speed Survey Project 2019
May 28, 2019

The recommended posted speed limits are also shown on the attached Speed Survey Data Summary sheet. The individual surveys for each segment will be stamped/ signed and included with the final report.

Please feel free to contact Theron Roschen if you have any questions or would like additional information.

City of St. Helena

Speed Survey Project 2019

Attachment 1

5/1/2019

Speed Survey Data Summary

Street	Boundary Streets:		Existing Speed Limit	Recommended Speed Limit	Speed Survey Data			
					85% Speed	10 mph Pace	% in Pace	Survey Date
Grayson Avenue	Main Street	S Crane Avenue	25	25*	29	21-30	95.7	8/31/2018
Madrona Avenue	Main Street	Scott Street	25	25**	30	21-30	86.2	9/23/2018
Madrona Avenue	Scott Street	End of Street	30	30*	30	23-32	90.7	9/1/2018
Pope Street	Main Street	Silverado Trail	25	30***	33	26-35	93.0	4/23/2019
Railroad Avenue	Hunt Avenue	Fulton Lane	25	25*	26	21-30	99.2	9/25/2018
Spring Street	Sylvaner Avenue	Valley View Street	25	25**	30	21-30	87.6	9/23/2018
Spring Street	Valley View Street	Crane Avenue	25	25*	29	22-31	89.9	8/31/2018
Spring Street	Main Street	Crane Avenue	25	25**	30	21-30	88.9	9/23/2018
Spring Mountain Road	Madrona Avenue	City Limits	25	25**	30	21-30	88.9	9/25/2018
S Crane Avenue	Sulphur Springs Avenue	Grayson Avenue	25	25**	30	22-31	87.6	9/25/2018
Sulphur Springs Avenue	Main Street	End of Street	25	25**	31	22-31	89.2	4/23/2019
Valley View Street	Grayson Avenue	Spring Street	25	25**	30	21-30	87.9	9/25/2018

*-Per CVC Section 21400 (b) Posted Speed Limit recommended for 5 mph increment below 85% speed, no reduction is requested

**_Per CVC Sections 627 and 22358.5, 5 mph reduction based upon field conditions

***-Posted speed limit increased by 5 mph from existing, Resolution by City Council required for recommended changes.

CITY OF ST HELENADepartment of Public Works
1572 Railroad Avenue**Radar Speed Survey****SURVEY**LOCATION: **Grayson Ave****SURVEY**

DATE: 8/31/2018

LIMITS: Main St to S Crane Ave

TIME: 9:06 -10:10

VEHICLE SPEED (MPH)	TOTAL VEHICLE	POSTED SPEED LIMIT:	25	WEATHER:	Clear	OBSERVER:	St Helena PD
69			85th PERCENTILE	29 MPH	AVERAGE SPEED	25.5 MPH	
68							
67			10 MPHPACE SPEED	FROM	21 MPH	TO	30 MPH
66			%UNDER PACE	0.0%	% IN PACE	95.7%	% OVERPACE 4.3%
65							
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30	5						
29	9						
28	7						
27	21						
26	10						
25	6						
24	15						
23	12						
22	21						
21	5						
20							
TOTAL	116						

25	WEATHER:	Clear	OBSERVER:	St Helena PD
85th PERCENTILE	29 MPH	AVERAGE SPEED	25.5 MPH	
10 MPHPACE SPEED	FROM	21 MPH	TO	30 MPH
%UNDER PACE	0.0%	% IN PACE	95.7%	% OVERPACE 4.3%

ROADSIDE CONDITIONS**PREDOMINANT LAND USE**SINGLE FAMILY RESIDENTIAL
MULTI-FAMILY RESIDENTIAL
COMMERCIAL
OFFICE
INDUSTRIAL
SCHOOL
PARK
PLACE OF WORSHIPGJ
D
D
D
D
D
D
D**ON STREETPARKING**HEAVY
MODERATE
LIGHT
NO PARKINGGJ
GJ
D
D**ROADWAY GEOMETRY**SEGMENT LENGTH (FEET): 2660'
WIDTH (FEET) 30-40' varies
MEDIAN: None
NUMBER OF LANES: 2
BIKE LANES No**AVERAGEDAILY
TRAFFIC**

1681

COLLISION HISTORYNUMBER OF COLLISIONS
COLLISIONS DUE TO SPEEDING

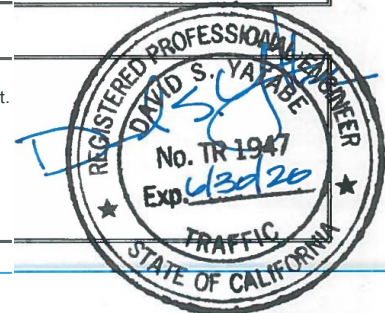
2016 2017

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COMMENTS:

Based upon the 85% speed of 29 mph, retain 25 mph speed limit.



1/28/2013

CITY ST HELENA

Department of Public Works

1572 Railroad Avenue

Radar Speed Survey**SURVEY**LOCATION: **Madrona Ave****SURVEY**

DATE: 9/23/2018

LIMITS: Main St to Scott St

TIME: 11:20 - 12:02

VEHICLE SPEED (MPH)	TOTAL VEHICLE	POSTED SPEED LIMIT:	25	WEATHER:	Clear	OBSERVER:	St Helena PD
69			85th PERCENTILE	30 MPH	AVERAGE SPEED	26.8 MPH	
68			10 MPH PACE SPEED	FROM	21 MPH	TO	30MPH
67			%UNDER PACE	0.0%	%IN PACE	86.2%	%OVER PACE 13.8%
66							
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36	3						
35	2						
34							
33							
32	3						
31	5						
30	2						
29	10						
28	13						
27	17						
26	17						
25	13						
24	9						
23	5						

ROADSIDE CONDITIONS			
PREDOMINANT LAND USE			
SINGLE FAMILY RESIDENTIAL			GJ
MULTI-FAMILY RESIDENTIAL			D
COMMERCIAL			D
OFFICE			D
INDUSTRIAL			D
SCHOOL			D
PARK			D
PLACE OF WORSHIP			D
ON STREET PARKING			
HEAVY			D
MODERATE			GJ
LIGHT			Q
NO PARKING			D
ROADWAY GEOMETRY			
SEGMENT LENGTH (FEET): 2370'			
WIDTH (FEET) 33-40' varies			
MEDIAN: None			
NUMBER OF LANES: 2			
BIKE LANES No			

AVERAGE DAILY TRAFFIC	COLLISION HISTORY	2016	2017
5594	NUMBER OF COLLISIONS		0
	COLLISIONS DUE TO SPEEDING	0	0

COMMENTS:

The 85th speed of 30 mph would typically justify a posted speed limit of 30 mph, but due to the residential nature of the segment, numerous driveways, and proximity of an elementary and middle school justifies a 5 mph reduction in the posted speed limit. The recommended posted speed limit is 25 mph.

22	
21	7
20	
TOTAL	116

1/28/2013

CITY ST HELENA
Department of Public Works
1572 Railroad Avenue
Radar Speed Survey

SURVEY
LOCATION: **Madrona Ave**

SURVEY
DATE: 9/1/2018

LIMITS: Scott St to end of street

TIME: 9:58 - 11:35

VEHICLE SPEED (MPH)	TOTAL VEHICLE	POSTED SPEED LIMIT:	30	WEATHER:	Clear	OBSERVER:	St Helena PD
69			85th PERCENTILE	30 MPH	AVERAGE SPEED	27. MPH	
68			10 MPH PACE SPEED	FROM	23 MPH	TO	32 MPH
67			%UNDER PACE	5.6%	% IN PACE	90.7%	% OVER PACE 3.7%
66							
65							
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ROADSIDE CONDITIONS

PREDOMINANT LAND USE

SINGLE FAMILY RESIDENTIAL
MULTI-FAMILY RESIDENTIAL
COMMERCIAL
OFFICE
INDUSTRIAL
SCHOOL
PARK
PLACE OF WORSHIP

GJ
D
D
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ON STREET PARKING

HEAVY
MODERATE
LIGHT
NO PARKING

D
D
GJ
D

ROADWAY GEOMETRY

SEGMENT LENGTH (FEET): 2620'
WIDTH (FEET) 20-30' varies
MEDIAN: None
NUMBER OF LANES: 2
BIKE LANES No

AVERAGE DAILY TRAFFIC	COLLISION HISTORY	2016	2017
	NUMBER OF COLLISIONS	0	0
	COLLISIONS DUE TO SPEEDING	0	0

COMMENTS:

Based upon the 85% speed of 30 mph, retain posted speed limit of 30 mph.



22	3
21	3
20	
TOTAL	107

1/28/2013

CITY ST HELENA
Department of Public Works
1572 Railroad Avenue
Radar Speed Survey

SURVEY
LocA110N: **Pope St**

SURVEY
DATE: 4/23/2019

LIMITS: Allison Ave to Silverado Trail

TIME: 2:00-3:00 pm

VEHICLE SPEED (MPH)	TOTAL VEHICLE	POSTED SPEED LIMIT:	30	WEATHER:	Clear	OBSERVER:	J Sabile
69			85th PERCENTILE	34 MPH	AVERAGE SPEED	30.4 MPH	
68							
67			10 MPH PACE SPEED	FROM	26MPH	TO	35MPH
66			% UNDER PACE	7.0%	% IN PACE	93.0%	%OVER PACE 0.0%
65							
64							
63							
62							
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36							
35	7						
34	18						
33	20						
32	5						
31	11						
30	5						
29	7						
28	12						
27	13						
26	8						
25	5						
24	3						
23							
22							
21							
20							

ROADSIDE CONDITIONS			
PREDOMINANT LAND USE			
SINGLE FAMILY RESIDENTIAL			G
MULTI-FAMILY RESIDENTIAL			D
COMMERCIAL			D
OFFICE			D
INDUSTRIAL			D
SCI=IOOI.			E
PARK			D
PLACE OF WORSHIP			D
ON STREET PARKING			
HEAVY			D
MODERATE			D
LIGHT			D
NO PARKING			D
ROADWAY GEOMETRY			
SEGMENT LENGTH (FEET):	4565'		
WIDTH (FEET)	25-44' varies		
MEDIAN:	None		
NUMBER OF LANES:	2		
BIKE LANES	Yes		

AVERAGE DAILY TRAFFIC	COLLISION HISTORY	2016	2017
	NUMBER OF COLLISIONS	3	4
	COLLISIONS DUE TO SPEEDING	0	

COMMENTS:
Based upon the 85% speed of 34 mph, the recommended posted speed limit is 30 mph.

TOTAL 114

1/28/2013

CITY ST HELENA
 Department of Public Works
 1572 Railroad Avenue
Radar Speed Survey

SURVEY
LOCATION: **Railroad Ave**

SURVEY
DATE: 9/25/2018

LIMITS: Hunt Ave to Fulton Ln

TIME: 4:36 - 5:03

VEHICLE SPEED (MPH)	TOTAL VEHICLE	POSTED SPEED LIMIT:	25	WEATHER:	Clear	OBSERVER:	St Helena PD
69				85th PERCENTILE	26 MPH	AVERAGE SPEED	23.5 MPH
68				10 MPH PACE SPEED	FROM	21 MPH	TO
67				%UNDER PACE	0.0%	% IN PACE	99.2%
66						% OVER PACE	0.8%
65							
64							
63							
62							
61							
60							
59							
58							
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38							
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36							
35							
34							
33							
32							
31							
30	3						
29							
28	3						
27	10						
26	10						
25	9						
24	11						
23	20						
22	25						
21	28						
20							
TOTAL	120						

ROADSIDE CONDITIONS			
PREDOMINANT LAND USE			
	SINGLE FAMILY RESIDENTIAL		D
	MULTI-FAMILY RESIDENTIAL		D
	COMMERCIAL		Q
	OFFICE		Q
	INDUSTRIAL		D
	SCHOOL		D
	PARK		D
	PLACE OF WORSHIP		D
ON STREET PARKING			
	HEAVY		Q
	MODERATE		G
	LIGHT		J
	NO PARKING		D
ROADWAY GEOMETRY			
	SEGMENT LENGTH (FEET): 1670'		
	WIDTH (FEET)	Varies-33'-50'	
	MEDIAN:	None	
	NUMBER OF LANES:	2	
	BIKE LANES	No	
AVERAGE DAILY TRAFFIC			
COLLISION HISTORY		2016	2017
NUMBER OF COLLISIONS		3	
COLLISIONS DUE TO SPEEDING			0

COMMENTS:
 Based upon the 85% speed of 26 mph, retain 25 mph speed limit



CITY ST HELENA
Department of Public Works
1572 Railroad Avenue
Radar Speed Survey

SURVEY
LocAT10N: **Spring St**

SURVEY
DATE: 8/31/2018

LIMITS: Valley View St to Crane Ave

TIME: 10:30 - 11:15

VEHICLE SPEED (MPH)	TOTAL VEHICLE	POSTED SPEED LIMIT:	25	WEATHER:	Clear	OBSERVER:	St Helena PD
69			85th PERCENTILE		29 MPH	AVERAGE SPEED 26.3 MPH	
68			10 MPH PACE SPEED		FROM 22 MPH	TO 31 MPH	
67			% UNDER PACE		4.4%	% IN PACE	89.9%
66						% OVER PACE	5.7%
65							
64							
63							
62							
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39							
38							
37							
36							
35							
34							
33	2						
32	5						
31	8						
30	6						
29	10						
28	20						
27	22						
26	25						
25	11						
24	12						

		ROADSIDE CONDITIONS	
		PREDOMINANT LAND USE	
		SINGLE FAMILY RESIDENTIAL	GJ
		MULTI-FAMILY RESIDENTIAL	D
		COMMERCIAL	D
		OFFICE	D
		INDUSTRIAL	D
		SCHOOL	D
		PARK	D
		PLACE OF WORSHIP	D
		ON STREET PARKING	
		HEAVY	D
		MODERATE	D
		LIGHT	GJ
		NO PARKING	D
		ROADWAY GEOMETRY	
		SEGMENT LENGTH (FEET):	1155'
		WIDTH (FEET)	40'
		MEDIAN:	None
		NUMBER OF LANES:	2
		BIKE LANES	No

AVERAGED DAILY TRAFFIC	COLLISION HISTORY	2016	2017
2520	NUMBER OF COLLISIONS		0
	COLLISIONS DUE TO SPEEDING	0	0

COMMENTS:
Based upon the 85% speed of 29 mph, retain 25 mph posted speed limit.



23	18
22	10
21	7
20	
TOTAL	158

CITY ST HELENA
 Department of Public Works
 1572 Railroad Avenue
Radar Speed Survey

SURVEY
LOCATION: **Spring St**

SURVEY
DATE: 9/3/2018

LIMITS: Sylvaner Ave to Valley View St

TIME: 11:40 - 12:45

VEHICLE
SPEED
(MPH)

TOTAL
VEHICLE

POSTED
SPEED
LIMIT:

25

WEATHER:

Clear

OBSERVER:

St Helena PD

85th PERCENTILE	30 MPH	AVERAGE SPEED	25.6 MPH
10 MPH PACE SPEED	FROM 21 MPH	TO 30MPH	
%UNDER PACE	0.0%	%IN PACE	87.6%
		%OVER PACE	12.4%

ROADSIDE CONDITIONS

PREDOMINANT LAND USE

SINGLE FAMILY RESIDENTIAL
 MULTI-FAMILY RESIDENTIAL
 COMMERCIAL (vineyard, cemetery)
 OFFICE
 INDUSTRIAL
 SCHOOL
 PARK
 PLACE OF WORSHIP

GJ
 D
 GJ
 D
 D
 D
 D
 D
 GJ

ON STREET PARKING

HEAVY
 MODERATE
 LIGHT
 NO PARKING

D
 D
 GJ
 D

ROADWAY GEOMETRY

SEGMENT LENGTH (FEET): 2280'
 WIDTH (FEET) 28-42' varies
 MEDIAN: No
 NUMBER OF LANES: 2
 BIKE LANES No

**AVERAGE DAILY
 TRAFFIC**

8481

COLLISION HISTORY

2016

2017

NUMBER OF COLLISIONS

0

0

COLLISIONS DUE TO SPEEDING

0

0

COMMENTS:

The 85th speed of 30 mph would typically justify a posted speed limit of 30 mph, but due to the residential nature of the segment, numerous driveways, and proximity of an elementary and middle school justifies a 5 mph reduction in the posted speed limit. The recommended posted speed limit is 25 mph.

69	
68	
67	
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39	
38	
37	
36	
35	
34	
33	2
32	5
31	7
30	5
29	10
28	6
27	15
26	11
25	6
24	13
23	12

22	22
21	13
20	
TOTAL	129

1/28/2013

CITY ST HELENA
Department of Public Works
1572 Railroad Avenue
Radar Speed Survey

SURVEY
LOCATION: **Spring St**

SURVEY
DATE: 9/23/2018

LIMITS: Main St to Crane Ave

TIME: 10:05-11:00

VEHICLE
SPEED
(MPH)

TOTAL
VEHICLE

POSTED
SPEED
LIMIT:

25 WEATHER: Clear OBSERVER: St Helena PD

85th PERCENTILE 30 MPH AVERAGE SPEED 27. MPH

10 MPH PACE SPEED	FROM	21 MPH	TO	30MPH
%UNDER PACE	0.0%	%IN PACE	88.9%	%OVER PACE 11.1%

ROADSIDE CONDITIONS

PREDOMINANT LANDUSE

SINGLE FAMILY RESIDENTIAL
MULTI-FAMILY RESIDENTIAL
COMMERCIAL
OFFICE
INDUSTRIAL
SCHOOL
PARK
PLACE OF WORSHIP

G
J
D
D
D
D
D
D
Q

ON STREET PARKING

HEAVY
MODERATE
LIGHT
NOPARKING

D
D
G
J
D

ROADWAY GEOMETRY

SEGMENT LENGTH (FEET): 2125'
WIDTH (FEET) 32-40' varies
MEDIAN: None
NUMBER OF LANES: 2
BIKE LANES No

AVERAGE DAILY TRAFFIC	COLLISION HISTORY	
	2016	2017
7183	0	0
	COLLISIONS DUE TO SPEEDING	0

COMMENTS:

The 85% speed of 30 mph would typically justify a posted speed limit of 30 mph, but due to the residential nature of the segment, numerous driveways, church, and proximity of an elementary justifies a 5 mph reduction in the posted speed limit. The recommended posted speed limit is 25 mph.

69	
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41	
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39	
38	
37	
36	
35	3
34	
33	
32	3
31	3
30	10
29	8
28	15
27	14
26	17
25	13
24	3
23	5

22	7
21	4
20	
TOTAL	108

1/28/2013

TOTAL 108

1/28/2013

CITY ST HELENA
 Department of Public Works
 1572 Railroad Avenue
Radar Speed Survey

SURVEY
LOCATION: South Crane Ave

SURVEY
DATE: 9/25/2018

LIMITS: Sulphur Springs Ave to Grayson Ave

TIME: 3:40- 4:21

VEHICLE SPEED (MPH)	TOTAL VEHICLE	POSTED SPEED LIMIT:	25	WEATHER:	Clear	OBSERVER:	St Helena PD
69				85th PERCENTILE	30 MPH	AVERAGE SPEED	26.9 MPH
68				10 MPH PACE SPEED	FROM 22 MPH	TO 31 MPH	
67				% UNDER PACE	0.9%	% IN PACE	87.6%
66						% OVER PACE	11.5%
65							
64							
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37							
36							
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34							
33	3						
32	6						
31	3						
30	2						
29	9						
28	11						
27	22						
26	10						
25	20						
24	10						
23	2						

ROADSIDE CONDITIONS

PREDOMINANT LAND USE

SINGLE FAMILY RESIDENTIAL
 MULTI-FAMILY RESIDENTIAL
 COMMERCIAL (vineyard)
 OFFICE
 INDUSTRIAL
 SCHOOL
 PARK
 PLACE OF WORSHIP

GJ
 D
 GJ
 D
 D
 GI
 GI
 D

ON STREET PARKING

HEAVY
 MODERATE
 LIGHT
 NO PARKING

D
 D
 GI
 GJ

ROADWAY GEOMETRY

SEGMENT LENGTH (FEET): 2370'
 WIDTH (FEET) 24-40' varies
 MEDIAN: None
 NUMBER OF LANES: 2
 BIKE LANES No

AVERAGE DAILY TRAFFIC	COLLISION HISTORY	2016	2017
480	NUMBER OF COLLISIONS	0	0
	COLLISIONS DUE TO SPEEDING	0	0

COMMENTS:

The 85th speed of 30 mph would typically justify a posted speed limit of 30 mph, but due to the residential units, driveways, park, adjacent high school, and primary school frontage justifies a 5 mph reduction in the posted speed limit. The recommended posted speed limit is 25 mph.

22	10
21	1
20	
TOTAL	113

1/28/2013

CITY of ST HELENADepartment of Public Works
1572 Railroad Avenue**Radar Speed Survey****SURVEY**LOCATION: **Sulpher Springs Ave****SURVEY**

DATE: 4/23/2019

LIMITS: Main St to end of street

TIME: 3:00 - 4:00 pm

VEHICLE SPEED (MPH)	TOTAL VEHICLE	POSTED SPEED LIMIT:	25	WEATHER:	Clear	OBSERVER:	J Sabile
69			85th PERCENTILE	31 MPH	AVERAGE SPEED	27.3 MPH	
68			10 MPH PACE SPEED	FROM	22 MPH	TO	31 MPH
67			%UNDER PACE	2.9%	%IN PACE	89.2%	%OVER PACE 7.8%
66							
65							
64							
63							
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43							
42							
41							
40							
39							
38							
37							
36							
35	3						
34							
33	2						
32	2						
31	10						
30	5						
29	7						
28	18						
27	14						
26	8						
25	16						
24	5						
23	5						

ROADSIDE CONDITIONS**PREDOMINANT LANDUSE**

SINGLE FAMILY RESIDENTIAL
 MULTI-FAMILY RESIDENTIAL
 COMMERCIAL (vineyard)
 OFFICE
 INDUSTRIAL
 SCHOOL
 PARK
 PLACE OF WORSHIP

GJ
 D
 GJ
 D
 D
 D
 D
 D

ROADWAY GEOMETRY

SEGMENT LENGTH (FEET): 7340'
 WIDTH (FEET) 22-40' varies
 MEDIAN: None
 NUMBER OF LANES: 2
 BIKE LANES No

D
 D
 GJ
 D

**AVERAGE DAILY
TRAFFIC****COLLISION HISTORY**

2016

2017

NUMBER OF COLLISIONS

0

COLLISIONS DUE TO SPEEDING

0

0

COMMENTS:

The 85% speed of 31 mph would typically justify a posted speed limit of 30 mph, but due to the residential units, driveways, and adjacent access to high school and primary schools justifies a 5 mph reduction in the posted speed limit. The recommended posted speed limit is 25 mph.

22	
21	
20	3
TOTAL	102

CITY ST HELENA
 Department of Public Works
 1572 Railroad Avenue
Radar Speed Survey

SURVEY
LOCATION: Valley View Ave

SURVEY
DATE: 9/25/2018

LIMITS: Grayson Ave to Spring St

TIME: 11:27 - 12:07

VEHICLE SPEED (MPH)	TOTAL VEHICLE	POSTED SPEED LIMIT:	25	WEATHER:	Clear	OBSERVER:	St Helena Pd
69			85th PERCENTILE	30 MPH	AVERAGE SPEED	26.9 MPH	
68			10 MPH PACE SPEED	FROM	21 MPH	TO	30MPH
67			%UNDER PACE	0.0%	%IN PACE	87.9%	%OVER PACE 12.1%
66							
65							
64							
63							
62							
61							
60							

ROADSIDE CONDITIONS

PREDOMINANT LAND USE

SINGLE FAMILY RESIDENTIAL	GJ
MULTI-FAMILY RESIDENTIAL	D
COMMERCIAL (vineyard)	GJ
OFFICE	D
INDUSTRIAL	D
SCHOOL	D
PARK	D
PLACE OF WORSHIP	D
ON STREET PARKING	
HEAVY	D
MODERATE	D
LIGHT	GJ
NO PARKING	D

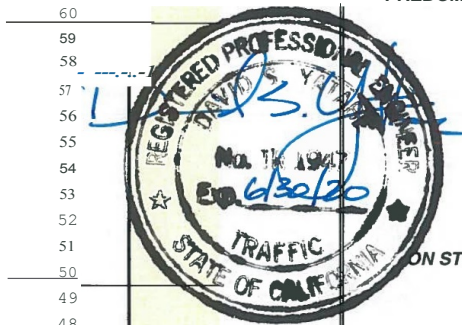
ROADWAY GEOMETRY

SEGMENT LENGTH (FEET):	1975'
WIDTH (FEET)	32-36' varies
MEDIAN:	None
NUMBER OF LANES:	2
BIKE LANES	Yes (from Grayson Ave 640' north)

AVERAGE DAILY TRAFFIC	COLLISION HISTORY	2016	2017
	NUMBER OF COLLISIONS	0	0
	COLLISIONS DUE TO SPEEDING	0	0

COMMENTS:

The 85th speed of 30 mph would typically justify a posted speed limit of 30 mph, but due to the residential nature of the segment, numerous driveways, bike lanes and bike route, and proximity to a park, primary and high school justifies a 5 mph reduction in the posted speed limit. The recommended posted speed limit is 25 mph.



22	
21	5
20	
TOTAL	116

1/28/2013

CITY OF ST. HELENA

RESOLUTION NO. 2005-99

**ESTABLISHING A CONTINUOUS 25 MPH SPEED LIMIT
ON POPE STREET
BETWEEN MAIN STREET (STATE HIGHWAY 29)
AND THE POPE STREET BRIDGE
IN THE CITY OF ST. HELENA**

RECITALS

The Police Chief and the Director of Public Works/City Engineer have conducted the appropriate engineering and traffic surveys and recommend that the vehicular speed limit for Pope Street between Main Street (State Highway 29) and the Pope Street Bridge be 25 miles per hour.

RESOLUTION

1. On the basis of the attached engineering and traffic surveys, the speed limit for vehicles on Pope Street between Main Street (State Highway 29) and the Pope Street Bridge is hereby established as 25 miles per hour.

Passed and adopted at a regular meeting of the City Council held on October 11, 2005 by the following vote:

AYES: Councilmembers Novak, Schoch, Sklar, Mayor Britton

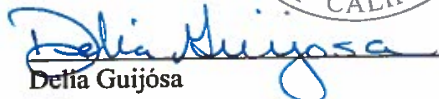
NOES: None

ABSENT: Councilmember Potter

APPROVED:

ATTEST:


Delford Britton
Mayor


Delia Guijosa
City Clerk



LOCAL STREETS AND ROADS ENGINEERING AND TRAFFIC SURVEY

JURISDICTION St. Helena

RESIDENTIAL AREA OR SUBDIVISION _____

VEHICLE SPEED DATA						
LOCATION <u>POPE / PAULSON W/B</u>				WEATHER <u>CLEAR</u>		
RECORDER <u>W. J. J. J. J.</u>				DATE <u>8/10/05</u> BEGIN <u>12:22 PM</u> END <u>12:53 PM</u>		
MPH	NUMBER OF VEHICLES					OBSERVED AT EACH SPEED
	5	10	15	20	25	
40 & OVER	/	/				2
35	/	/				2
30	/	/	/	/	/	14
25	/	/	/	/	/	13
20	/	/	/	/	/	11
15 & UNDER	/	/	/	/	/	8
TOTAL NUMBER OF VEHICLES OBSERVED <u>101</u>						

CRITICAL SPEED CALCULATION

Total 101 divided by 6 = 16.83

Count this number of vehicles down from the highest speed observed to determine the critical speed.

CRITICAL SPEED = 31 mph

Recommend 25 mph

Other Considerations

Accident history: IN 2004 THERE WERE ELEVEN ACCIDENTS ON POPE ST. IN 2003 THERE WAS A FATAL PEDESTRIAN ACCIDENT.

Unusual conditions: NEW CITY PARK OPEND IN 2004.
BUS STOP AND ELDERLY PEDESTRIANS
SUPPORT. A 25 MPH ZONE.

Date 8/10/05 Signed R. W. J. J. Title CHIEF OF POLICE

City of St. Helena

Ordinance 2006-10

AMENDING TITLE 10, VEHICLES AND TRAFFIC, OF THE ST. HELENA MUNICIPAL CODE TO REDUCE THE PRIMA FACIE SPEED LIMIT AT POPE STREET BETWEEN MARIPOSA AVENUE AND PEPPERTREE CIRCLE; AND TO ESTABLISH A PRIMA FACIE SPEED LIMIT FOR PRIVATE ROADS OPEN FOR PUBLIC USE

The City Council hereby finds as follows:

1. California Vehicle Code Section 22352 establishes a prima facie speed limit of 25 miles per hour in any business or residence district unless a different speed is determined by local authority.
2. St. Helena Municipal Code Section 10.08.20 (A) increased the prima facie speed limit on certain streets, including on Pope Street between Mariposa Avenue and Peppertree Circle, to 30 miles per hour. With Resolution 2005-99 of October 11, 2005 the City of St. Helena has determined on the basis of a Traffic Survey and in recognition of conditions warranting a limit of less than the documented critical speed that in the interest of the public safety, health and welfare, the speed limit on Pope Street between Mariposa Avenue and Peppertree Circle should be reduced to the prima facie speed limit of 25 miles per hour.
3. Further, in the interest of the public safety, health, and welfare, the prima facie speed limit on Private Roads Open for Public Use as established in Title 10, Section 10.20.020, shall be twenty-five (25) miles per hour.

Therefore, the City Council of the City of St. Helena does ordain as follows:

1. Section 10.08.020, Increase of prima facie speed limits on certain streets, shall be amended to remove subsection (A) 1. Pope Street between Mariposa Avenue and Peppertree Circle.
2. Section 10.08.010, Prima facie speed limit of twenty-five (25) miles per hour on city streets, shall be amended to add subsection C to read as follows:
 - C. Except as may otherwise be determined and declared in this Chapter, the prima facie speed limit on Private Roads Open for Public Use as established in Section 10.20.020 of this Chapter shall be twenty-five (25) miles per hour.

The foregoing ordinance was passed and adopted at a regular meeting of the City Council of the City of St. Helena, State of California, held on the 12th day of December, 2006.

AYES: Councilmembers Sklar, Novak, Schoch, Potter, Mayor Britton

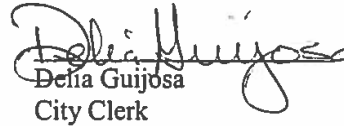
NOES: None

APPROVED:



Delford Britton
Mayor

ATTEST:



Delia Guijosa
City Clerk



Introduced: 11-28-06
Adopted: 12-12-06
Published: 12-21-06

Cindy Tzaopoulos

From: Erica Ahmann Smithies
Sent: Monday, September 30, 2019 5:24 PM
To: Cindy Tzaopoulos; Mark Prestwich
Subject: FW: Pope St Speed limit and Pope St Bridge issues

FYI

From: Trudy Bouligny <tbouligny@gmail.com>
Sent: Monday, September 30, 2019 5:20 PM
To: Geoff Ellsworth <Gellsworth@cityofsthelena.org>; Paul Dohring <PDohring@cityofsthelena.org>; Anna Chouteau <AChouteau@cityofsthelena.org>; David Knudsen <DKnudsen@cityofsthelena.org>; Mary Koberstein <MKoberstein@cityofsthelena.org>
Cc: Erica Ahmann Smithies <ESmithies@cityofsthelena.org>; Clayton Church <CChurch@cityofsthelena.org>
Subject: Pope St Speed limit and Pope St Bridge issues

Reference: Pope Street speeding and the Pope St Bridge.

Dear Mayor Jeff and City Council Members

Thank you for giving me the opportunity to speak out about the proposed speed limit increase from 25 to 30 mph on Pope St. Your vote to reject the suggestion from the Public Works Dept is much appreciated. Safety is a major factor as was eloquently addressed by several speakers and I understand in emails you received prior to the meeting.

I would like to reiterate that mitigating measures can be made to slow down the speed of traffic without the need for police presence:

- A stop sign at Starr and Pope would slow traffic driving in either direction. Starr Ave has become a favorite cut through to Safeway, the Library and north end of St Helena. Coming out from Starr Ave onto Pope St towards the Trail, visibility is very poor as there is a slight bend in the street and obstruction by trees and a utility pole on the late Russ Aves property.

- A solar powered speed sign at a mid point for traffic going towards the Trail like the one in the inbound direction gives a visual reminder of how fast a driver is going..

The Pope St Bridge:

The speed limit sign just before the bridge is a "caution" yellow sign of 10mph which is helpful. However many locals speed over the bridge giving those unfamiliar with its narrow width a panic reaction and, as the scrapes along the stonework attest, damage to wing mirrors and sides of vehicles. It is sad to see the bridge being damaged.

On the east side of the bridge the markings for STOP and the hatch marks which guide south bound traffic onto the bridge in a more direct position have almost worn away. Perhaps Public Works can put this on their To Do list to be corrected soon.

I know that the Pope St Bridge is an issue for many reasons - its poor approaches for vehicles in both directions; its narrow width makes it a poor choice for getting out of town in case of a serious emergency - fire, flood, earthquake.; awkward and dangerous situations for turning north onto the Trail - perhaps the time has come to look again at the idea of extending Adams to the Trail. It could provide a modern, wide bridge from a commercial; street from the center of

town that meets the Trail where it is straight and so has better visibility. The junction could be straight across from Meadowood Lane.

Traffic is the bane of life in this part of the Valley. There are no easy solutions however I do appreciate your attention to it and your efforts to improve life here for community members of all ages.

Sincerely,

Trudy Bouligny

*Trudy Bouligny
497 Silverado Trail S
St Helena CA 94574
707-963-0814
707-738-1230 M*



Report to the City Council
Council Meeting of October 8, 2019

Agenda Section: Consent

Subject: Consideration of approval of a Resolution approving out-of-state travel for Accounting Technician Jennifer Weeks to attend the Government Finance Officers Association (GFOA) conference in New Orleans, Louisiana from May 17-20, 2020

CEQA Determination: **Not a CEQA project**

Prepared By: April Mitts, Finance Director

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

DISCUSSION

The GFOA Conference hosts thousands of local government finance professionals and provides an opportunity to encourage and prepare them to take a leadership role within their organization. Through a variety of sessions and keynote addresses, attendees will learn best practices, policies, and procedures to apply to their particular governments as well as learn techniques and skills to enhance their professional development.

Topics covered during the conference include many aspects of finance including accounting, auditing and financial reporting, budgeting and financial planning, capital finance, debt management, leadership and management, pension and benefit administration, risk management and security, and treasury and investment management. Additional sessions are offered on ethics, fiscal sustainability, disaster management, skill building, personal development, transparency, and a host of networking sessions. St. Helena City Council Resolution 85-44 requires City Council approval for out-of-state travel.

The cost of the conference including registration, transportation, hotel, and incidentals is expected to be approximately \$2,500 and funds for the GFOA Conference have been included in the FY 2019-20 adopted budget.

FISCAL IMPACT

Fiscal impact is estimated to be approximately \$2,500. Funds are available in the FY 2019-20 adopted budget for attendance of a staff member at the GFOA Conference.

RECOMMENDED ACTION

City Staff recommends City Council approve a resolution authorizing out-of-state travel for Accounting Technician Jennifer Weeks to attend the Government Finance Officer Association (GFOA) Annual Conference in New Orleans, Louisiana from May 17-20, 2020.

ATTACHMENTS

[Resolution - Out-of-state travel J. Weeks](#)

CITY OF ST. HELENA

RESOLUTION NO. 2019-__

Resolution Authorizing Out-of-State Travel for Jennifer Weeks to Attend the Government Finance Officers Association (GFOA) Conference in New Orleans, Louisiana from May 17-20, 2020.

RECITALS

- A. City Council Resolution 85-44 requires City Council approval for staff to attend out-of-state meetings and training; and
- B. GFOA is recognized as the premier training organization for government finance professionals; and
- C. The Finance Director is recommending Accounting Technician Jennifer Weeks attend the GFOA Conference in New Orleans, Louisiana from May 17-20, 2020; and
- D. The total approximate Conference costs to the City is \$2,500 which includes registration for airfare, hotel, ground transportation, and per diem costs; and
- E. Funds for the Conference are included in the FY 2019-20 adopted budget.

RESOLUTION

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

- 1. Travel is not a CEQA project; and
- 2. Approves out-of-state travel for Accounting Technician Jennifer Weeks to attend the GFOA Conference in New Orleans, Louisiana from May 17-20, 2020.

Approved at a Regular Meeting of the St. Helena City Council on September 10, 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 October 8, 2019

Agenda Section: Consent

Subject: Consideration and approval of a Resolution of the City Council of the City of St. Helena Setting a Hearing for 6:00 p.m., Tuesday, November 26, 2019 to Consider Objections to the Proposed Annexation of Territory, known as 1057 Pratt Avenue, St Helena, CA. 94574 (APN 009-142-003), into the St Helena Municipal Sewer District No. 1, MSD Annexation No. 137.

CEQA Determination: Not a CEQA project

Prepared By: Yoseline Chavez-Toscano, Administrative Assistant

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

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

Josephine Lei Chan and Erick Tai, owners of 1057 Pratt Avenue, St Helena, CA. 94574, Napa County Assessor Parcel Number (APN) 009-142-003 ("Property"), have applied to be annexed into the St. Helena Municipal Sewer District No. 1 ("District"), MSD Annexation No. 137. City Council approval of the annexation is the formal administrative process to change the property's tax rate area code from septic to sanitary sewer for tax purposes. A location map and description for the property is shown in an Attachment 1.

On August 18, 2015, the Planning Commission held a noticed public hearing for Resolution PC2015-027, Demolition Permit and Design Review No. PL15-032 of 1057 Pratt Avenue conditioning the property owner to annex into the City of St. Helena Municipal Sewer District No. 1, pay all annexation, connection, and impact fees prior to building their project. On September 20, 2016, the Planning Commission reviewed and approved Resolution PC2016-035 extending the project approval. The project was provided an additional time extension since the property owner was denied connection to the sewer by the Public Works Director until such time that the Crinella Pump Station

force main pipeline was upgraded to 6" in 2017. Both Resolutions are included as attachments (Attachments 5 and 6).

DISCUSSION

The attached resolution (Attachment 7) ordering the public hearing is the first step of the process to annex the Property into the District. The resolution requires a vote of at least two-thirds of all the members of the City Council (at least four affirmative votes) to order the public hearing. (Health and Safety. Code § 4643^[1].) Further, per Section 4644, the resolution is required to contain the following information and finding:

- (a) Describe the boundaries of the territory proposed to be annexed.
- (b) Designate the proposed annexation by an appropriate number.
- (c) Declare that the area to be annexed to the district will be benefited by such annexation.
- (d) Name the time and place for the hearing of objections by any person interested in the proposed annexation, to the inclusion in the district of any land described in the resolution.

Once adopted, the resolution, together with the names of the members of the City Council voting for and against it, must be published, posted, and mailed as provided in Sections 4610 and 4610.5.

As noted, Section 4610 requires the resolution, together with the names of the members of the City Council voting for and against it to be published once a week for at least two successive weeks in a newspaper of general circulation printed and published in the city. The first publication shall not be more than 60 nor less than 30 days prior to the date fixed for the hearing.

Accordingly, if the City Council adopts the enclosed resolution (Attachment 7) on October 8th, the 1st publication of the hearing notice can't be any sooner than 30 days thereafter and the notice must be published once a week for 2 successive weeks. Thus, to comply with the publication requirements, the hearing to consider objections to the proposed annexation is proposed to be set for Tuesday, November 26, 2019 (assuming the City Council will hold that meeting before Thanksgiving on Thursday the 28th), and staff will cause the first notice to be published on November 12th and the second notice on November 19th. Alternatively, if the City Council does not hold its regular meeting on November 26th, then the hearing to consider objections to the proposed annexation can be set in the resolution for December 10th and publish the first notice on November 26th and the second on December 3rd.

Also, per Section 4610.5, copies of the resolution shall also be posted in three public places within the area to be annexed not earlier than the 60th day or later than the 30th day prior to the hearing. Not earlier than 60 nor later than 30 days prior to the hearing, a copy of the resolution shall also be mailed, postage prepaid, to each person to whom land in the area to be annexed is assessed as such owner is shown on the last

equalized county assessment roll, at the address as shown upon the roll, and to each person who has any interest in any land within the area to be annexed whose name and address and a designation of the land in which they are interested is on file in the office of the city clerk. Essentially, the resolution needs to be posted at 3 locations on the Property in question and mailed to the property owner.

At the time established for the hearing (i.e. November 26, 2019), the City Council will hear and consider any objections to the annexation and exclude any territory which in the Council's opinion will not be benefited by the annexation. (See Section 4646). After making changes to the boundaries of the area to be annexed, if any, the City Council may then adopt a resolution approving the annexation of the Property into the District (which will also require at least four affirmative votes) upon a determination by the Council that the Property will be benefited by the annexation; certified copies of the resolution will then be recorded and filed in the manner and with the same force and effect as provided in Section 4613. (See Section 4647). Upon recordation of the resolution the Property annexed becomes a part of the District and is subject to all the liabilities and entitled to all the benefits of the District. (See Section 4648).

If the City Council approves the resolution following the hearing on November 26, 2019, City staff will then process the annexation with Napa County and the State Board of Equalization to change the tax rate area code for the property. Staff will work with the applicant to obtain required encroachment and building permits.

[1] Unless otherwise noted, all further section references are to the California Health and Safety Code.

FISCAL IMPACT

The Applicant is responsible to construct the sewer lateral and connect to the house; pay annexation, connection, and impact fees in addition to any applicable Building Department fees.

RECOMMENDED ACTION

Staff recommends the City Council adopt a Resolution Setting a Hearing for 6:00 p.m. on Tuesday, November 26, 2019, to consider objections to the proposed Annexation of Territory, known as 1057 Pratt Avenue, St Helena, CA. 94574 (APN 009-142-003), into the St Helena Municipal Sewer District No. 1, MSD Annexation No. 137.

ATTACHMENTS

[Attachment 1: 1057 Pratt Ave Map & Legal Description](#)

[Attachment 2: 1057 Pratt Ave Sewer Annexation Fees](#)

[Attachment 3: 1057 Pratt Ave Sewer Impact Fees](#)

[Attachment 4: 1057 Pratt Sewer Annexation App](#)

[Attachment 5: RESO PC2015-027 1057 PRATT D.R. 081815](#)

[Attachment 6: RESO PC2016-035 1057 PRATT AVE D.R. EXTENSION 09-20-16](#)

[Attachment 7: Resolution.10.08.2019](#)

NEW ALBION SURVEYS

CONSULTING LAND SURVEYORS

1113 Hunt Avenue, St. Helena, CA 94574
(707) 963-1217 ♦ FAX (707) 963-1829
E-Mail: jwebb@albionsurveys.com

3584-00
June 27, 2019

EXHIBIT "A"

Lands of Chan

Real property situated in the City of St. Helena, County of Napa, State of California, being a portion of Rancho Carne Humana, and being a that certain tract of land described in the Grant Deed to Josephine Lei Chan and Erick Tai, recorded as instrument number 2018-0012566 on June 26, 2018 in the Office of the County Recorder of said County of Napa, being more particularly described as follows:

BEGINNING at the most westerly corner of said lands, said corner being an angle point on the Existing Sewer District Boundary; thence along the exterior boundaries of said lands the following four (4) courses:

- 1) North 30°00'00" East 120.00 feet, thence
- 2) South 60°00'00" East 131.56 feet, thence
- 3) South 29°42'58" East 120.00 feet, thence
- 4) North 60°00'00" West 132.15 feet to the point of beginning of this description.

Containing 0.36 acres, more or less.

For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.

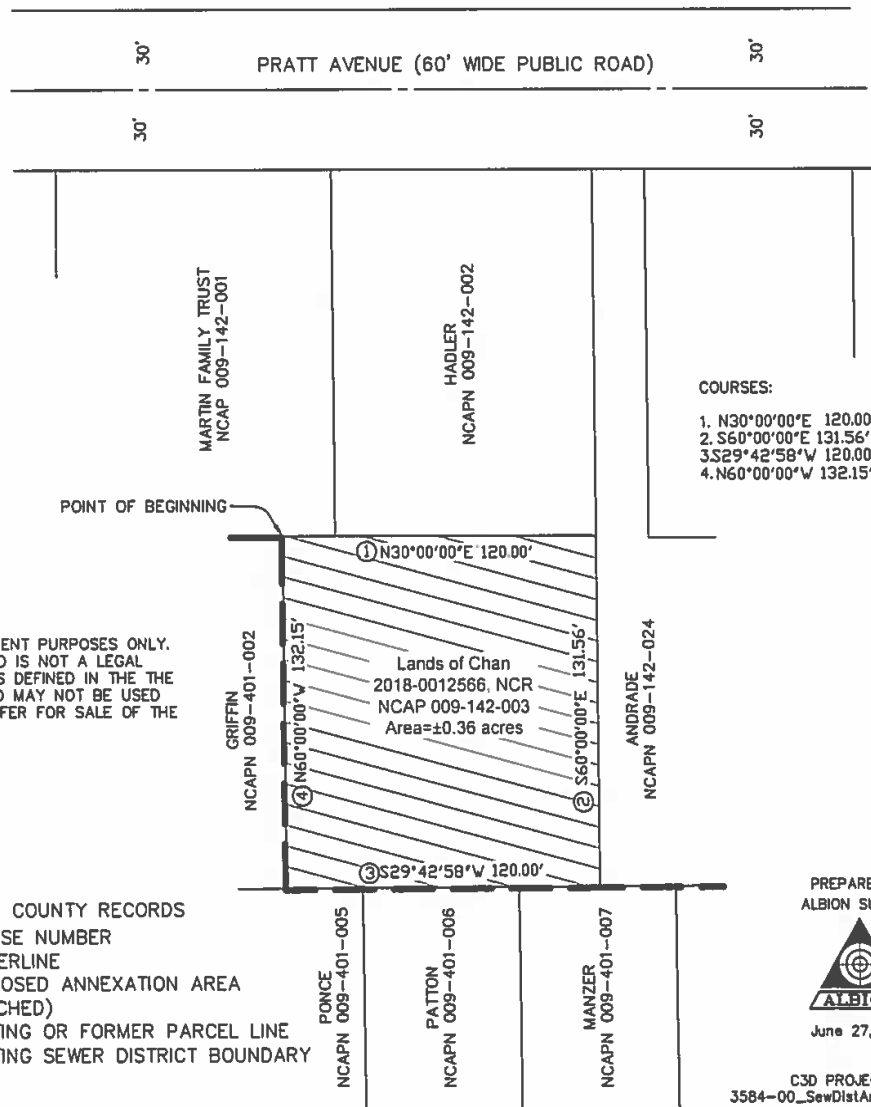
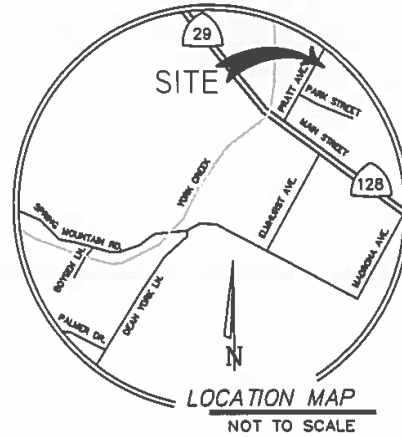
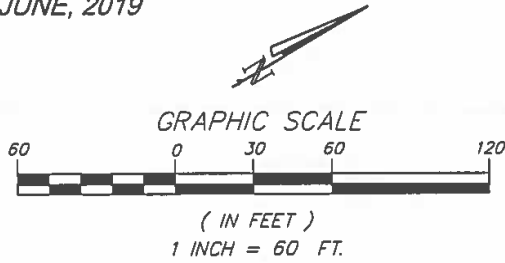
Jon M Webb

Jon M. Webb
Professional Land Surveyor No. 6709
License Renewal: June 30, 2020



MAP OF ANNEXATION TO CITY OF ST. HELENA

FOR THE LANDS OF CHAN
LOCATED AT 1057 PRATT AVENUE
ST. HELENA, CALIFORNIA
JUNE, 2019



DISCLAIMER: "FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED"

LEGEND

- NCR NAPA COUNTY RECORDS
- ① COURSE NUMBER
- CENTERLINE
- PROPOSED ANNEXATION AREA (HATCHED)
- EXISTING OR FORMER PARCEL LINE
- EXISTING SEWER DISTRICT BOUNDARY

PREPARED BY
ALBION SURVEYS



June 27, 2019

C3D PROJECT 3584
3584-00_SewDistAnnex.dwg

CITY OF ST. HELENA
1480 Main St.
St. Helena, CA 94574

Date: 07/17/2019 Time: 16:40
Receipt No. 00195033

Account: CR 3,300.00

Sewer Annexati
on Fees - 1057
Pratt Ave 2,000.00
Sewer Connecti
on App Fee - 1
057 Pratt Ave 900.00
Sewer Connecti
on Inspect - 1
057 Pratt Ave 400.00

Total 3,300.00
Check 14 3,300.00
Cash 0.00

Total 3,300.00
Change 0.00

Bal Forward:

Josephine Chan
Customer #: 019421
116 27th Street

San Francisco, CA 94110

Cashier: mbeltran
Station: SKINGWORKS

CITY OF ST. HELENA
1480 Main St.
St. Helena, CA 94574

Date: 08/15/2019 Time: 14:33
Receipt No. 00197325

Account:CR 2,029.29

Sewer Impact F
ees - 1057 Pra
tt Ave 2,029.29

Total 2,029.29
Credit Car Vi 2,029.29
Cash 0.00

Total 2,029.29
Change 0.00

Bal Forward:

Erick Tai
Customer #: 019692
563 Alvarado St

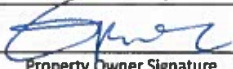
San Francisco, CA 94114

Cashier: mbeltran
Station: SKINGWORKS



CITY OF ST. HELENA
DEPARTMENT OF PUBLIC WORKS
 1572 RAILROAD AVENUE, ST. HELENA, CA. 94574
 707-968-2658

Application for Sewer Annexation and/or Connection

APPLICANT INFORMATION			
Applicant(s) Name Josephine Lei Chan and Erick Tai			Phone (408) 876-7779
Applicant(s) Street Address 563 Alvarado St.		City San Francisco	State CA
		Zip 94107	
Property Owner Name (same)			Phone
PROPERTY INFORMATION			
Property Address seeking sewer annexation 1057 Pratt Ave		City St. Helena	State CA
		Zip 94574	
Assessor's Parcel No (APN) 009-142-003	Dwelling Square Footage 3,979 sq. feet	Existing Land Use Residential	
Subsequent Development Plans, if any, and Timing Proposed single family dwelling, detached garage and second dwelling unit.			
REQUIRED SIGNATURE			
I hereby certify that this application and all other documents submitted are true and correct to the best of my knowledge and belief. I also certify that I am the owner of the above property and have full legal rights to the property.			
 Property Owner Signature		7/8/19 Date	
**** FOR OFFICE USE ONLY ****			
Application Received By		Date Application Received	
Present Zoning		General Plan Designation	
Application Checklist	Date Completed	Fee Calculation Worksheet	
St. Helena Application for Sewer Annexation		Sewer Connection Application Fee (St. Helena)	\$900
Statement of Boundary Change Application: BOE		Annexation Process (St. Helena)	\$2000
Fees submitted		Connection Fee Inspection (St. Helena)	\$400
Staff Report/Resolution Drafted		Sewer Impact Fee (St. Helena)	
City Council Approved		State Board of Equalization (BOE) Fee	
Legal Description and Map		Napa County Mapping Flat Fee	\$162
Confirm Tax Area Rate		Total Due at Application	
Submission to BOE		Sewer Impact Fee: \$ _____ * X _____ (Habitable SF)	
Submission to Napa County Auditor		(18/19) *PER SF \$.51 SFR \$.77 MFR \$.51 Office \$.69 Industrial \$1.02 Com/Retail \$1.01 Lodging	
Submission to Napa County Assessor's office			
Napa County Tax Rate Area Change Received		Total Collected with Application	
Grading Permits Approved		Pending Amount Due	
Encroachment Permits Approved		Fees to other agencies:	
Finance Notified		State Board of Equalization Fee (Check # _____)	
Date Service Began		Napa County Mapping Flat Fee (Check # _____)	\$162.00

Please note there may be additional Building Department fees due for final hookup.
 Contact the City of St Helena Building Department at 707.967.2779 with questions.

Updated 09/2018

CITY OF ST. HELENA PLANNING COMMISSION

RESOLUTION PC2015-027

**DEMOLITION PERMIT AND DESIGN REVIEW NO. PL15-032
CITY OF ST. HELENA, STATE OF CALIFORNIA
GRANTED TO 1057 PRATT AVENUE**

PROPERTY OWNER: Donna & Rusty Hinds

APN: 009-142-003

Recitals

1. Request by Donna & Rusty Hinds for a demolition permit and design review approval to demolish existing structures in order to construct a new two-story, 3,021-sf single-family residence with an 849-sf second unit, 624-sf detached garage, and 120-sf shed on the property located at 1057 Pratt Avenue in the MR: Medium Density Residential district.
2. The Planning Commission of the City of St. Helena, State of California, held a noticed public hearing on August 18, 2015.

Resolution

- A. The Planning Commission hereby finds that the project is exempt from CEQA pursuant to Section 15301, which exempts demolition of accessory structures and Section 15303, which exempts the construction or conversion of small structures including single-family residences, garages, pools, etc.
- B. For the Demolition Permit, the Planning Commission determines that the project is in compliance with Municipal Code Section 17.164.050(E) in:
 1. *That, based on the public record and testimony presented at a public hearing, the building is determined not to be a significant architectural or historical building.*
 2. *That the demolition does not eliminate elements that are required to maintain the essential character of the neighborhood.*
- C. The Planning Commission determines the project is in compliance with the following Design Review criteria of Municipal Code Section 17.164.030:
 1. *Consistency and compatibility with applicable elements of the general plan;*
 2. *Compatibility of design with the immediate environment of the site;*
 3. *Relationship of the design to the site;*
 4. *Determination that the design is compatible in areas considered by the board as having a unified design or historical character;*
 5. *Whether the design promotes harmonious transition in scale and character in areas between different designated land use;*
 6. *Compatibility with future construction both on and off the site;*
 7. *Whether the architectural design of structures and their materials and colors are appropriate to the function of the project;*

1057 Pratt Avenue
Design Review Conditions
August 18, 2015

8. *Whether the planning and siting of the various functions and buildings on the site create an internal sense of order and provide a desirable environment for occupants, visitors and the general community;*
9. *Whether the amount and arrangement of open space and landscaping are appropriate to the design and the function of the structures;*
10. *Whether sufficient ancillary functions are provided to support the main functions of the project and whether they are compatible with the project's design concept;*
11. *Whether access to the property and circulation systems are safe and convenient for pedestrians, cyclists and vehicles;*
12. *Whether natural features are appropriately preserved and integrated with the project;*
13. *Whether the materials, textures, colors and details of construction are an appropriate expression of its design concept and function and whether they are compatible with the adjacent and neighboring structure and functions;*
14. *In areas considered by the board as having a unified design character or historical character, whether the design is compatible with such character;*
15. *Whether the landscape design concept for the site, as shown by the relationship of plant masses, open space, scale, plant forms and foliage textures and colors create a desirable and functional environment and whether the landscape concept depicts an appropriate unity with the various buildings on the site;*
16. *Whether plant material is suitable and adaptable to the site, capable of being properly maintained on the site, and is of a variety which is suitable to the climate of St. Helena;*
17. *Whether sustainability and climate protection are promoted through the use of green building practices such as appropriate site/architectural design, use of green building materials, energy efficient systems and water efficient landscape materials.*

Planning Department Conditions of Approval

- D. The Planning Commission approves design review for the above-described project with the following conditions of approval. The project shall be in conformance with all city ordinances, rules, regulations and policies in effect at the time of issuance of a building permit. The conditions noted below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.
1. The design review shall be vested within one (1) year from the date of final action. A building permit for the use allowed under this approval shall have been obtained within one (1) year from the effective date of this action or the approval shall expire, provided however that the approval may be extended for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 17.08.130, Extension of Permits and Approvals. Any request for an extension of this approval shall be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.
2. The approvals shall not become effective until fourteen (14) calendar days after approval, providing that the action is not appealed by the City Council or any other interested party within that 14-day period.

1057 Pratt Avenue
Design Review Conditions
August 18, 2015

3. All required fees, including planning fees, development impact fees, residential in-lieu housing fees, building fees, toilet retrofit fees, and St. Helena Unified School District fees shall be paid prior to issuance of a building permit. Fees shall be those in effect at the time of the issuance of the building permit.
4. In any action or proceeding to attack, challenge, invalidate, set aside, void or annul the City's approval of applicant's Project, in whole or in part, applicant shall defend, at its own expense and without any cost to the City, and with counsel acceptable to the City, and shall fully and completely indemnify and hold the City, its agents, officers, and employees harmless from and against any and all claims, causes of action, damages, costs, attorney's fees and liability of any kind, so long as the City reasonably promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.
5. Provided they are in general compliance with this approval, minor modifications may be approved by the Planning Director.
6. Pursuant to St. Helena Municipal Code Section 17.08.110, this permit shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.
7. The primary purpose of this review is for compliance with the General Plan and Zoning Ordinance. The property owners or their designee shall be responsible for meeting with the Building Official, Fire Inspector and or Public Works Department to review compliance with Building Codes, Fire Codes and specific Public Works Standards including fire protection systems and any applicable accessibility standards of Title 24.
8. Construction shall be in compliance with plans submitted and reviewed by the Planning Commission on August 18, 2015, except as modified herein. The Planning Director may also authorize minor modifications to the plans.
9. The garage as shown on the submitted plans shall be reduced in height to 15 feet or less to comply with Municipal Code Section 17.40.060(A)(4).
10. Exterior lighting shall be directed or shielded to prevent glare onto the public roadway or adjacent properties.
11. To reduce disturbance of residents in the project vicinity, construction activities which generate noise that can be heard at the property line of any parcel of real property within the City limits shall be limited to 8:00 a.m. to 5:00 p.m. Monday through Saturday. Delivery of materials/equipment and cleaning and servicing of machines/equipment shall be limited to 7:00 a.m. to 6:00 p.m. Exceptions to these time restrictions may be granted by the Public Works Director for one of the following reasons: (1) inclement weather affecting work, (2) emergency work, or (3) other work, if work and equipment will not create noise that may be unreasonably offensive to neighbors as to constitute a nuisance. The City Engineer must be notified and give approval in advance of such work. No construction activities shall occur on Sundays or

federal or local holidays that generate noise that can be heard at the property line of any parcel of real property within the City limits.

Public Works Department Conditions of Approval

1. Approval of this project shall be subject to the requirements of, and all improvements shall be designed and constructed in accordance with, the most current version at the time of improvement plan submittal, Caltrans Standards and Specifications, the City of St. Helena Municipal Code, the St. Helena Water and Sewer Standards, the St. Helena Street, Storm Drain and Sidewalk Standards, and all current federal, state and county codes governing such improvements.
2. For any improvements outside the existing building envelope, a grading and drainage plan showing topographic data, all easements, infrastructure onsite and directly adjoining, and an erosion control plan shall be submitted for review and approval by the City Engineer prior to the issuance of a building permit. If the project entails more than 50 cubic yards of soil disturbance, 10,000 square feet of disturbance area, a cut or fill of 3 feet or more, or alteration of any drainage pattern, a grading permit shall be required.
3. Drainage needs to be routed to prevent inundation of neighboring properties. Grading and/or site improvement plans shall show how 2-year and 10-year storm flows shall be infiltrated on site and/or diverted at the property lines to prevent inundation of neighboring properties. All stormwater and erosion control plans shall conform to the latest State and City codes at a minimum.
4. Prepare and implement a Stormwater Control Plan as required by the Bay Area Stormwater Management Agencies Association (BASMAA) Post-Construction Manual, dated July 14, 2014.
5. The applicant shall incorporate water conservation practices into the proposed project per the Theoretical Water Use Report prepared by James McCalligan of JMA Architecture, dated June 15, 2015, including installing 1.28 gal toilets, 1.5 gpm faucets, and 2.0 gpm low flow showerheads. Any and all non-conforming appliances and plumbing fixtures shall be removed from the premises. The water conservation requirements shall be replicated in full on the architectural plans.
6. Site plan shall show location of any trees within the project area.
7. The applicant shall install an approved backflow device behind the existing water meter prior to Certificate of Occupancy. Any new and modified existing water laterals, meters and backflow prevention devices shall be required and constructed in accordance with the current requirements of the City of St. Helena's Water Standards and the California Department of Health Standards. Existing meter boxes

1057 Pratt Avenue
Design Review Conditions
August 18, 2015

located within a driveway shall be retrofitted with a traffic-rated box. New laterals shall be located perpendicular to the water main and outside any driveway/drive aisle.

8. Remodels or new construction which require fire sprinklers shall install an appropriately-sized water service with appropriate backflow and meter devices prior to Certificate of Occupancy. Fire system calculations shall be submitted with the Grading and Drainage Plan to verify fire service lateral and meter sizing. Deferred submittals are not accepted.
9. Annex into the City of St Helena Municipal Sewer District No. 1, and pay all annexation, connection, and impact fees.
10. Construct a concrete driveway approach, including sidewalk, per current City and ADA standards prior to Certificate of Occupancy.
11. The applicant shall repair all public improvements that are damaged by the construction process in accordance with the City Water/Sewer/Street/Storm Drain/Sidewalk Standards prior to Certificate of Occupancy.
12. Existing streets being cut by new utility services will require edge grinding and an A.C. overlay per City standards, extent to be determined by the Public Works Department.
13. An encroachment permit shall be required for any work performed in the public right of way.

Building Department Conditions of Approval

1. Prior to commencing with any construction activities the applicant shall procure all required Building, Plumbing, Electrical and Mechanical permits.
2. The applicant will be required to comply with the codes adopted at the time a building permit application is submitted. Currently the City of St. Helena has adopted the 2013 editions of California Title 24, part 1 Administrative, part 2 Building, part 3 Electrical, part 4, Mechanical, part 5 Plumbing, part 6 Energy, part 11 Green Building and part 12 Referenced Standards Codes, Part 2.5 California Residential Code.
3. The demolition work is significant and will require a "J-number" from the Bay Area Air Quality Management District (*BAAQMD).
4. The rebuild is significantly larger than the original residence and garage, more than 50% new. The structure shall be considered a new residence and shall comply with all the applicable codes for a new home.
5. This project will require approval from the Napa County Department of Environmental Management Department if the septic is to be used.

1057 Pratt Avenue
Design Review Conditions
August 18, 2015

- a. If the septic system is to be abandoned the Napa County Department of Environmental Management approval will be required.

I HEREBY CERTIFY that the foregoing design review was duly and regularly approved by the Planning Commission of the City of St. Helena at a regular meeting of said Planning Commission held on August 18, 2015 by the following roll call vote:

AYES: *Commissioners Monnette, Kistner, Koberstein, Sweeney, and Chair Parker*

NOES:

ABSENT:

ABSTAIN:

APPROVED:



Sarah Parker
Chair, Planning Commission

ATTEST:



Noah Housh
Planning Director

CITY OF ST. HELENA PLANNING COMMISSION

RESOLUTION PC2016-035

**DESIGN REVIEW EXTENSION NO. PL16-057
GRANTED TO 1057 PRATT AVENUE**

PROPERTY OWNER: Donna & Rusty Hinds

APN: 009-142-003

Recitals

1. Request by Donna & Rusty Hinds for a one-year design review approval extension in order to construct a new two-story, 3,021-sf single-family residence with an 849-sf second unit, 624-sf detached garage, and 120-sf shed on the property located at 1057 Pratt Avenue in the MR: Medium Density Residential district.
2. This is the first of two possible extensions and this extension will expire on September 2, 2017.
3. The Planning Commission of the City of St. Helena, State of California, held a duly noticed public hearing on September 20, 2016.

Resolution

- A. The Planning Commission hereby finds that the project is exempt from CEQA pursuant to Section 15303, which exempts the construction or conversion of small structures including single-family residences, garages, pools, etc.
- B. The Planning Commission determines the project is in compliance with the following Design Review criteria of Municipal Code Section 17.164.030:
 1. *Consistency and compatibility with applicable elements of the general plan;*
 2. *Compatibility of design with the immediate environment of the site;*
 3. *Relationship of the design to the site;*
 4. *Determination that the design is compatible in areas considered by the board as having a unified design or historical character;*
 5. *Whether the design promotes harmonious transition in scale and character in areas between different designated land use;*
 6. *Compatibility with future construction both on and off the site;*
 7. *Whether the architectural design of structures and their materials and colors are appropriate to the function of the project;*
 8. *Whether the planning and siting of the various functions and buildings on the site create an internal sense of order and provide a desirable environment for occupants, visitors and the general community;*
 9. *Whether the amount and arrangement of open space and landscaping are appropriate to the design and the function of the structures;*
 10. *Whether sufficient ancillary functions are provided to support the main functions of the project and whether they are compatible with the project's design concept;*

1057 Pratt Avenue
Design Review Extension
September 20, 2016

11. *Whether access to the property and circulation systems are safe and convenient for pedestrians, cyclists and vehicles;*
12. *Whether natural features are appropriately preserved and integrated with the project;*
13. *Whether the materials, textures, colors and details of construction are an appropriate expression of its design concept and function and whether they are compatible with the adjacent and neighboring structure and functions;*
14. *In areas considered by the board as having a unified design character or historical character, whether the design is compatible with such character;*
15. *Whether the landscape design concept for the site, as shown by the relationship of plant masses, open space, scale, plant forms and foliage textures and colors create a desirable and functional environment and whether the landscape concept depicts an appropriate unity with the various buildings on the site;*
16. *Whether plant material is suitable and adaptable to the site, capable of being properly maintained on the site, and is of a variety which is suitable to the climate of St. Helena;*
17. *Whether sustainability and climate protection are promoted through the use of green building practices such as appropriate site/architectural design, use of green building materials, energy efficient systems and water efficient landscape materials.*

Planning Department Conditions of Approval

- C. The Planning Commission approves the design review extension for the above-described project with the following conditions of approval. The project shall be in conformance with all city ordinances, rules, regulations and policies in effect at the time of issuance of a building permit. The conditions noted below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.
 1. The design review shall be vested within one (1) year from the date of final action. A building permit for the use allowed under this approval shall have been obtained within one (1) year from the effective date of this action or the approval shall expire, provided however that the approval may be extended for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 17.08.130, Extension of Permits and Approvals. Any request for an extension of this approval shall be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.
 2. The approvals shall not become effective until fourteen (14) calendar days after approval, providing that the action is not appealed by the City Council or any other interested party within that 14-day period.
 3. All required fees, including planning fees, development impact fees, residential in-lieu housing fees, building fees, toilet retrofit fees, and St. Helena Unified School District fees shall be paid prior to issuance of a building permit. Fees shall be those in effect at the time of the issuance of the building permit.
 4. In any action or proceeding to attack, challenge, invalidate, set aside, void or annul the City's approval of applicant's Project, in whole or in part, applicant shall defend, at its

1057 Pratt Avenue
Design Review Extension
September 20, 2016

own expense and without any cost to the City, and with counsel acceptable to the City, and shall fully and completely indemnify and hold the City, its agents, officers, and employees harmless from and against any and all claims, causes of action, damages, costs, attorney's fees and liability of any kind, so long as the City reasonably promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.

5. Provided they are in general compliance with this approval, minor modifications may be approved by the Planning Director.
6. Pursuant to St. Helena Municipal Code Section 17.08.110, this permit shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.
7. The primary purpose of this review is for compliance with the General Plan and Zoning Ordinance. The property owners or their designee shall be responsible for meeting with the Building Official, Fire Inspector and or Public Works Department to review compliance with Building Codes, Fire Codes and specific Public Works Standards including fire protection systems and any applicable accessibility standards of Title 24.
8. Construction shall be in compliance with plans submitted and reviewed by the Planning Commission on September 20, 2016, except as modified herein.
9. The garage as shown on the submitted plans shall be reduced in height to 15 feet or less to comply with Municipal Code Section 17.40.060(A)(4).
10. Exterior lighting shall be directed or shielded to prevent glare onto the public roadway or adjacent properties.
11. To reduce disturbance of residents in the project vicinity, construction activities which generate noise that can be heard at the property line of any parcel of real property within the City limits shall be limited to 8:00 a.m. to 5:00 p.m. Monday through Saturday. Delivery of materials/equipment and cleaning and servicing of machines/equipment shall be limited to 7:00 a.m. to 6:00 p.m. Exceptions to these time restrictions may be granted by the Public Works Director for one of the following reasons: (1) inclement weather affecting work, (2) emergency work, or (3) other work, if work and equipment will not create noise that may be unreasonably offensive to neighbors as to constitute a nuisance. The City Engineer must be notified and give approval in advance of such work. No construction activities shall occur on Sundays or federal or local holidays that generate noise that can be heard at the property line of any parcel of real property within the City limits.

Public Works Department Conditions of Approval

12. Approval of this project shall be subject to the requirements of, and all improvements shall be designed and constructed in accordance with, the most current version at the time of improvement plan submittal, Caltrans Standards and

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Specifications, the City of St. Helena Municipal Code, the St. Helena Water and Sewer Standards, the St. Helena Street, Storm Drain and Sidewalk Standards, and all current federal, state and county codes governing such improvements.

13. For any improvements outside the existing building envelope, a grading and drainage plan showing topographic data, all easements, infrastructure onsite and directly adjoining, and an erosion control plan shall be submitted for review and approval by the City Engineer prior to the issuance of a building permit. If the project entails more than 50 cubic yards of soil disturbance, 10,000 square feet of disturbance area, a cut or fill of 3 feet or more, or alteration of any drainage pattern, a grading permit shall be required.
14. Drainage needs to be routed to prevent inundation of neighboring properties. Grading and/or site improvement plans shall show how 2-year and 10-year storm flows shall be infiltrated on site and/or diverted at the property lines to prevent inundation of neighboring properties. All stormwater and erosion control plans shall conform to the latest State and City codes at a minimum.
15. Prepare and implement a Stormwater Control Plan as required by the Bay Area Stormwater Management Agencies Association (BASMAA) Post-Construction Manual, dated July 14, 2014.
16. The applicant shall incorporate water conservation practices into the proposed project per the Theoretical Water Use Report prepared by James McCalligan of JMA Architecture, dated June 15, 2015, including installing 1.28 gal toilets, 1.5 gpm faucets, and 2.0 gpm low flow showerheads. Any and all non-conforming appliances and plumbing fixtures shall be removed from the premises. The water conservation requirements shall be replicated in full on the architectural plans.
17. Site plan shall show location of any trees within the project area.
18. The applicant shall install an approved backflow device behind the existing water meter prior to Certificate of Occupancy. Any new and modified existing water laterals, meters and backflow prevention devices shall be required and constructed in accordance with the current requirements of the City of St. Helena's Water Standards and the California Department of Health Standards. Existing meter boxes located within a driveway shall be retrofitted with a traffic-rated box. New laterals shall be located perpendicular to the water main and outside any driveway/drive aisle.
19. Remodels or new construction which require fire sprinklers shall install an appropriately-sized water service with appropriate backflow and meter devices prior to Certificate of Occupancy. Fire system calculations shall be submitted with the Grading and Drainage Plan to verify fire service lateral and meter sizing. Deferred submittals are not accepted.

20. Annex into the City of St Helena Municipal Sewer District No. 1, and pay all annexation, connection, and impact fees.
21. Construct a concrete driveway approach, including sidewalk, per current City and ADA standards prior to Certificate of Occupancy.
22. The applicant shall repair all public improvements that are damaged by the construction process in accordance with the City Water/Sewer/Street/Storm Drain/Sidewalk Standards prior to Certificate of Occupancy.
23. Existing streets being cut by new utility services will require edge grinding and an A.C. overlay per City standards, extent to be determined by the Public Works Department.
24. An encroachment permit shall be required for any work performed in the public right of way.

Building Department Conditions of Approval

25. The applicant will be required to comply with the codes adopted at the time the applicant applies for a building permit. At this time the City of St. Helena utilizes the 2013 Title 24 codes.
26. When submitting plans for a building permit, the plans shall include all documentation listed on the building permit application checklist.
27. The applicant shall provide a construction waste management plan with the building permit application.
28. The plans for construction shall include a checklist for compliance with the California Green Buildings Standards Code, mandatory measures. Provide a reference on the checklist indicating where the mandatory measures can be found on the plans.
29. When submitting plans, the title page shall include all information referenced on the building permit application checklist Title Page requirements.
30. Building Permit application materials and plans shall include any documentation pertaining to special loads applicable to the design and the specified section of the code that addresses the condition; special inspections for any systems or components requiring special inspection; requirements for seismic resistance; and a complete list of deferred submittals at time of application. Any deferral of the required submittal items shall have prior approval of the Building Official however deferral of fire sprinkler design is not allowed.

I HEREBY CERTIFY that the foregoing design review extension was duly and regularly approved by the Planning Commission of the City of St. Helena at a regular meeting of said Planning Commission held on September 20, 2016 by the following roll call vote:

*1057 Pratt Avenue
Design Review Extension
September 20, 2016*

AYES: Commissioners Koberstein, Sweeney, Monnette and Kistner

NOES: None

ABSENT: Commissioner Parker

RECUSED: None

APPROVED:



Grace Kistner
Chair, Planning Commission

ATTEST:



Noah Housh
Planning Director

RESOLUTION NO. 2019

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ST. HELENA SETTING A HEARING FOR 6:00 P.M., TUESDAY, NOVEMBER 26, 2019 TO CONSIDER OBJECTIONS TO THE PROPOSED ANNEXATION OF TERRITORY, KNOWN AS 1057 PRATT AVENUE, ST HELENA, CA. 94574 (APN 009-142-003), INTO THE ST HELENA MUNICIPAL SEWER DISTRICT NO. 1, MSD ANNEXATION NO. 137

RECITALS

- A. The owner of 1057 Pratt Avenue, St Helena, CA (APN 009-142-003-000) ("Property") has requested annexation into the St. Helena Municipal Sewer District No. 1 ("District"); and
- B. The legal description and boundary for the Property to be annexed is described in the attached Exhibit A – Annexation Description; and
- C. The proposed annexation is hereby designated as MSD Annexation No. 137.

RESOLUTION

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

- 1. The Property, as legally described and depicted in Exhibit A – Annexation Description, will benefit from the proposed annexation into the District; and
- 2. A hearing to consider any objections to the proposed annexation of the Property into the District is hereby set for Tuesday, November 26, 2019, commencing at 6:00 p.m. or as soon thereafter as the matter can be heard, at the Vintage Hall Board Room, 465 Main Street, St. Helena, California; and
- 3. The City Clerk shall cause a certified copy of this Resolution, together with the names of the members of the City Council voting for and against it, to be published once a week for at least two successive weeks in a newspaper of general circulation printed and published in the city, and the first publication shall not be more than 60 nor less than 30 days prior to the date fixed for the hearing in accordance with Health and Safety Code Section 4310; and
- 4. The City Clerk shall cause a certified copy of this Resolution to be posted in three public places within the area to be annexed not earlier than the 60th day or later than the 30th day prior to the hearing in accordance with Health and Safety Code Section 4310.5; and

5. The City Clerk shall cause a certified copy of this Resolution to be mailed, postage prepaid, to each person to whom land in the area to be annexed is assessed as such owner is shown on the last equalized county assessment roll, at the address as shown upon the roll, and to each person who has any interest in any land within the area to be annexed whose name and address and a designation of the land in which they are interested is on file in the office of the city clerk in accordance with Health and Safety Code Section 4310.5.

Approved at a Regular Meeting of the St. Helena City Council held on Tuesday, October 8, 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
Regular City Council - 08 Oct 2019 - AMENDED 10-4-19

Agenda Section: NEW BUSINESS

Subject: Consideration and proposed approval of a resolution authorizing the fifth amendment to the Unrepresented Compensation Program for Mid-Managers and Department Heads to amend Section 8: Executive Leave to include the Assistant to the City Manager position as an eligible position to receive 40 additional hours of executive leave per the same conditions as at-will executive positions and amend Section 1.3 C. to include the Assistant to the City Manager as a Confidential Mid-Manager.

CEQA Determination: Not a CEQA project

Prepared By: Kathy Robinson, Human Resources & IT Director

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

In March of 2019, the City embarked on a recruitment for the newly created position of Assistant to the City Manager. It is necessary to designate the position as eligible for 40 or up to 80 hours of annual executive leave.

DISCUSSION

The Assistant to the City Manager position, while a mid-manager, does participate in the weekly executive staff meetings and is a classification likely to be occupied by a candidate with multiple years of prior public agency work experience. Therefore, to enhance the City's ability to recruit and retain talented staff in this classification, it is recommended the City Council authorize the City Manager to grant up to an additional 40 hours of additional executive leave for the Assistant to the City Manager classification, consistent with other executive staff positions. The additional executive leave is awarded annually in July and is to be used by the end of the year.

FISCAL IMPACT

There is no net impact to the budget with the amendment.

RECOMMENDED ACTION

Approve resolution authorizing the fifth amendment to the Unrepresented Compensation Program for Mid-Managers and Department Heads to amend Section 8: Executive Leave to include the Assistant to the City Manager position as an eligible position to receive 40 additional hours of executive leave per the same conditions as at-will executive positions and amend Section 1.3 C. to include the Assistant to the City Manager as a Confidential Mid-Manager.

ATTACHMENTS

[Attachment 1 - Resolution Approving Fifth Amendment to Unrepresented Compensation Program](#)

[Attachment 2 - Unrepresented Comp Program Amendment #5](#)

CITY OF ST. HELENA

RESOLUTION NO. 2019-_____

Authorizing approval of the fifth amendment to Unrepresented Compensation Program for Mid-Managers and Department Heads to amend Section 8: Executive Leave to include the Assistant to the City Manager position as an eligible position to receive 40 additional hours of executive leave per the same conditions as at-will executive positions and to amend Section 1.3 C. to include the Assistant to the City Manager.

RECITALS

- A. On March 8, 2016, City Council approved Resolution 2016-36 establishing a new Unrepresented Compensation Program for Mid-Managers and Department Heads with an effective date from March 8, 2016 through December 31, 2016; and
- B. On June 14, 2016, City Council approved Resolution 2016-75 an amendment to the Unrepresented Compensation Program for Mid-Managers and Department Heads; and
- C. On September 13, 2016, City Council approved Resolution 2016-124 an amendment to the Unrepresented Compensation Program for Mid-Managers and Department Heads; and
- D. On June 27, 2017, City Council approved Resolution 2017-93 approving Amendment #3 of the Unrepresented Compensation Program for Mid-Managers and Department Heads; and
- E. On May 8, 2018, City Council approved Resolution 2018-57 approving Amendment #4 to the Unrepresented Compensation Program for Mid-Managers and Department Heads covering the period of January 1, 2018 through June 30, 2020.

RESOLUTION

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

- 1. Approves the fifth amendment to the Unrepresented Compensation Program for Mid-Managers and Department Heads to amend Section 8: Executive Leave to include the Assistant to the City Manager position as an eligible position to receive 40 additional hours of executive leave per the same conditions as at-will executive positions; and
- 2. To amended Section 1.3 C. Covered Employees to include the Assistant to the City Manager as a listed position under C. Confidential Mid-manager.

Approved at a Regular Meeting of the St. Helena City Council on October 8, 2019, by the following vote:

Mayor Geoff Ellsworth:

Vice Mayor Paul Dohring:

Councilmember Koberstein:

Councilmember Anna Chouteau:

Councilmember David Knudsen:

APPROVED:

Geoff Ellsworth, Mayor

ATTEST:

Cindy Tzafopoulos, City Clerk

**UNREPRESENTED COMPENSATION
PROGRAM
(~~Fifth~~^{Fourth} Amendment)**

January 1, 2018 – June 2020

Approved ~~May~~^{October} 8, 201~~8~~⁹

**CITY OF ST. HELENA
UNREPRESENTED EMPLOYEE COMPENSATION PROGRAM**

SECTION 1: INTRODUCTION

- [Section 1.1 Employee Definitions](#)
- [Section 1.2 Purpose of the Unrepresented Employee Compensation Program](#)
- [Section 1.3 Employees Covered](#)
- [Section 1.4 Exempt Status of Management Employees Covered](#)

SECTION 2: EMPLOYMENT CONTRACTS

SECTION 3: EMPLOYEE SALARY COMPENSATION

- [Section 3.1 Annual Salary Adjustments](#)
- [Section 3.2 Salary Schedule](#)
- [Section 3.3 Confidential Pay Differential](#)
- [Section 3.4 Bi-lingual Pay](#)
- [Section 3.5 Out-of-Class Pay](#)

SECTION 4: RETIREMENT BENEFITS

- [Section 4.1 Tier One: Pension Formulas](#)
- [Section 4.2 Tier Two: Pension Formulas](#)
- [Section 4.3 Tier Three: PEPRA Pension Formulas](#)
- [Section 4.4 Cost Sharing Implementation – All Tiers](#)
- [Section 4.5 Converting Sick Leave Balance](#)
- [Section 4.6 Other Options Included in CalPERS Contract](#)
- [Section 4.7 Implementation of Internal Revenue Code Section 414\(h\)\(2\)](#)
- [Section 4.8 All Provisions Subject to Requirements of Law](#)

SECTION 5: INSURANCE BENEFITS

- [Section 5.1 General Provisions](#)
- [Section 5.2 Life Insurance](#)
- [Section 5.3 Short-term Disability](#)
- [Section 5.4 Vision Care](#)

SECTION 6: HOLIDAYS

SECTION 7: VACATION LEAVE

- [Section 7.1 Vacation Entitlement](#)
- [Section 7.2 Vacation Accrual](#)
- [Section 7.3 Vacation usage](#)

SECTION 8: EXECUTIVE LEAVE

SECTION 9: OTHER LEAVES OF ABSENCE

<u>Section 9.1</u>	<u>Sick Leave</u>
<u>Section 9.2</u>	<u>Family Care</u>
<u>Section 9.3</u>	<u>Bereavement Leave</u>
<u>Section 9.4</u>	<u>Industrial Accident Leave</u>
<u>Section 9.5</u>	<u>Miscellaneous Leave With Pay</u>
<u>Section 9.6</u>	<u>FLMA and CFRA Leaves</u>
<u>Section 9.7</u>	<u>Leave for Pregnancy, Childbirth and Related Medical Conditions</u>
<u>Section 9.8</u>	<u>Leave of Absence Without Pay</u>
<u>Section 9.9</u>	<u>Military leave</u>

SECTION 10: TRAINING AND PROFESSIONAL GROWTH

<u>Section 10.1</u>	<u>Professional Seminars and Training</u>
<u>Section 10.2</u>	<u>Professional Membership Fees</u>
<u>Section 10.3</u>	<u>College Tuition Reimbursement</u>

SECTION 11: OTHER BENEFITS

<u>Section 11.1</u>	<u>Vehicle Allowance for Unrepresented Employees</u>
<u>Section 11.2</u>	<u>Deferred Compensation Plan</u>
<u>Section 11.3</u>	<u>Health Club Membership</u>
<u>Section 11.4</u>	<u>Sick Leave Payout</u>
<u>Section 11.5</u>	<u>St. Helena Charity Based Events</u>
<u>Section 11.6</u>	<u>Uniform Allowance</u>

SECTION 12: TERMINATION ALLOWANCE

<u>Section 12.1</u>	<u>Severance Pay</u>
<u>Section 12.2</u>	<u>Allowance Schedule</u>

SECTION 1: INTRODUCTION

All provisions of this resolution only apply to At-will Executive Management, Mid-Management, and Confidential employees (together “Employees”) as defined herein.

1.1 Employee Definitions:

At-Will Executive Management Employee – an employee who serves at the will of the City Manager and who has responsibility for formulating, administering, and/or managing City policies and programs. In the City, this would typically be department heads.

Mid-Management Employee – an employee whose position is just below the department heads or City Manager and is responsible for managing a distinct responsibility area. Mid-Managers are in regular City service and are not at-will.

Confidential Employee – a Mid-Management employee, who in the course of his or her duties, has access to confidential information relating to the City’s administration of employer-employee relations. This access may include instances of an occasional but critical nature or due to the employee whose position requires the incumbent to provide direct administrative support to a manager who has such access.

1.2 Purpose of the Unrepresented Employee Compensation Program:

For At-will Executive Management, Mid-Management, and Confidential employees (together “Employees”), this resolution is adopted to promote the development of a stronger, more effective Management Team, not merely for purposes of employer-employee relations but also as a means of recognizing outstanding management performance in all public service areas. These general purposes may be achieved through several means, notably: training, more effective communication among departments, and clear identification of goals and objectives. Also inherent in such a program is the means of retaining good department heads and mid-managers and strengthening the managers (if any) who’s effectiveness and performances fall short of reasonable levels of expectation. This resolution is also referred to herein as the “Unrepresented Program.” This resolution sets forth all of the compensation and benefits for the positions set forth in section 1.3.

1.3 Employees Covered:

Employees covered under this program shall include the following:

- A. At-Will Executive Management
- Finance Director
- Fire Chief
- Library Director
- Planning/Community Development Director
- Police Chief
- Public Works Director

Recreation Director
Human Resources & Information Technology Director
City Clerk

B. Mid-Management

Assistant Public Works Director
Chief Building Official
Grant & Finance Manager
Library Manager
Police Lieutenant
Management Analyst
Public Works Manager
Senior Management Analyst (non-Confidential)
Senior Planner
Water Conservation Coordinator
Utilities Operations Manager

C. Confidential

Administrative Services Manager
Assistant to the City Manager
Senior HR/IT Analyst

Additional job classes may be added to the Unrepresented Program from time to time, based upon the creation of additional City departments/divisions, the addition of new positions, or by the reclassification of existing positions to either At-will Management, Mid-Management, or Confidential based upon the nature of the work.

1.4 Exempt Status of Employees Covered:

The City has reviewed the salaries and duties of the Employees covered under the Unrepresented Program and has determined that these employees are exempt from the overtime provisions of the federal Fair Labor Standards Act.

SECTION 2: EMPLOYMENT CONTRACTS

The Executive Management employees as designated in Section 1.3(A) shall be "At Will" employees, and shall enter into an employment contract, confirming the "At Will" status of the employee and setting forth any special pay or benefits such as severance pay. Employment contracts with all At-will Executive Management employees will be approved by the City Manager, or, in the case of the City Manager's employment contract, approved by the Council, pursuant to the terms of the City of St. Helena Municipal Code, authorizing the City Manager to appoint all At-will Executive Management employees except the City Attorney.

SECTION 3: EMPLOYMEE SALARY COMPENSATION

3.1 Annual Salary Adjustment:

3.1.1 Effective in July 2018 on the first full payroll period of Fiscal 2018-19, unrepresented employees will receive a three and one-half (3 ½) percent salary increase.

3.1.2 Upon completion of the Citywide Classification and Compensation study and any City Council action that is taken as a result of recommendations identified from the study, unrepresented members and the City will commence a reopener for Fiscal Year 2019/2020.

3.2 Salary Schedule:

The salary ranges for Employees covered by this Unrepresented Compensation Program are set forth in Exhibit 1, attached to this resolution, and made a part hereof by reference.

3.3 Confidential Pay Differential:

Each Confidential employee will receive a 3% pay differential to be added to the employee's base pay. This 3% pay differential will not be added to the salary range for that job class. If at any time that a currently designated Confidential employee who receives the confidential differential is deemed to be Non-Confidential, the 3% confidential differential will cease at that time, and the City will take appropriate steps to reclassify the position.

3.4 Bilingual Pay:

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

3.5 Out-Of-Class Pay

Pay for Performing Full Duties of Higher Class: When, because of the absence of a Department Head, Executive Management, Mid-Management, or Confidential personnel, an Employee performs substantially all of the functions (full-time) of a higher Classification, the Employee will receive an increase of ten percent (10%) of his/her base wage. The increase will be effective after the third (3rd) week of the assumption of those duties and continue during the period those duties are being performed by the employee on a full-time basis. Out-Of-

Class-Pay must be pre-approved, in writing, by the City Manager, and will be reportable to CalPERS as special compensation to the extent permitted by CalPERS rules and regulations.

Pay for Performing Partial Duties of Higher Class: When an Employee is temporarily assigned to perform substantial functions of a higher classification for at least a period of one month, but does not perform those additional duties on a full-time basis and/or the Employee assigned to the position normally responsible for the duties is not absent, the City Manager has the discretion to provide an increase of up to five percent (5%) of the Employee's normal base wage effective on the first day of assumption of the substantial additional duties and continuing until the City Manager determines that the assignment of the additional duties ceases. This additional pay is provided at the City Manager's sole discretion and must be pre-approved in writing. Under current CalPERS rules and regulations, this pay for performing partial duties of the higher class is not reportable special compensation.

SECTION 4: RETIREMENT BENEFITS

Management Employees are provided retirement benefits under the California Public Employee Retirement System (CalPERS) as described in this Section 4.

4.1 Tier One: 2% at 55 Retirement Program (Miscellaneous Group) and 3% at 50 (Safety Group) – Employees Hired Before July 1, 2012 (Tier One Classic Members)

This section 4.1 (including subsections) shall apply to miscellaneous employees hired before July 1, 2012.

4.1.1 2% at 55 or 3% at 50 Pension Formulas: The "2% @ 55" (for miscellaneous employees) or "3% @ 50" (for safety employees) retirement programs will be available to members covered by this Section 4.1.

4.1.2 Final Compensation Based On 12-Month Period: For the purposes of determining a retirement benefit, final compensation for members covered by this Section 4.1 shall mean the highest twelve (12) consecutive month period as specified in Government Code Section 20042.

4.1.3 Required Member Contributions:

4.1.3.1 Members covered by this Section 4.1 shall continue to pay, through payroll deduction, the full 7.0% member contribution for Miscellaneous Group and 9.0% member contribution for the Safety Group.

4.1.3.2 Miscellaneous Member Pension Cost Sharing: Beginning on the effective date of the amendment to the CalPERS contract providing for cost sharing (estimated date, Spring 2016), miscellaneous members covered by this Section 4.1 shall pay, through payroll deduction, the full 7.0% employee contribution plus an additional 1% of compensation earnable toward the City's costs for a total contribution of 8% toward the normal cost of pension benefits as permitted by Government Code Section 20516.

4.2 Tier Two: 2% at 60 Retirement Program (Miscellaneous Group) or 3% at 55 (Safety Group) for Members Hired On or After July 1, 2012, and Before December 31, 2012, and Unit Members Qualified for Reciprocity (Tier Two Classic Members):

This Section 4.2 (including subsections) shall apply to members hired on or after July 1, 2012, and before January 1, 2013. In addition, this Section 4.2 shall apply to members hired on or after January 1, 2013, who are qualified for pension reciprocity as stated in Government Code Section 7522.02(c) and related CalPERS reciprocity (Classic Member) requirements:

4.2.1 2% at 60 or 3% at 55 Pension Formulas: The “2% @ 60” (for miscellaneous) or “3% @ 55” (for safety) retirement programs will be available to members covered by this Section 4.2.

4.2.2 Final Compensation Based On 36-Month Period: For the purposes of determining a retirement benefit, final compensation for members covered by this Section 4.2 shall mean the highest annual average pensionable compensation earned during thirty-six (36) consecutive months of service.

4.2.3 Required Member Contributions

4.2.3.1 Employees covered by this Section 4.2 shall continue to pay, through payroll deduction, the full 7.0% member contribution for Miscellaneous Group and 9.0% member contribution for the Safety Group.

4.2.3.2 Miscellaneous Member Pension Cost Sharing: Beginning on the effective date of the amendment to the CalPERS contract providing for cost sharing (estimated date, Spring 2016), miscellaneous employees covered by this Section 4.2 shall pay, through payroll deduction, the full 7.0% member contribution plus an additional 1% of compensation earnable towards the City’s costs for a total contribution of 8% toward the normal cost of pension benefits as permitted by Government Code Section 20516.

4.3 Tier Three: 2% at 62 PEPPRA Retirement Tier (Miscellaneous Group) or 3% at 57 (Safety Group) is Required For Members Hired On or After January 1, 2013 and Not Qualified For Reciprocity (Not a Classic Member):

This Section 4.3 (including subsections) shall apply to members who were hired on or after January 1, 2013, and who do not qualify for pension reciprocity (not a Classic Member) as stated in Government Code Section 7522.02(c).

4.3.1 2% at 62 or 3% at 57 Pension Formulas: The “2% @ 62” (for miscellaneous) or “3% @ 57” (for safety) retirement programs will be available to members covered by this Section 4.3.

4.3.2 Final Compensation Based On 36-Months: Effective January 1, 2013, for the purposes of determining a retirement benefit, final compensation for members covered by this Section 4.3 shall mean the highest annual average pensionable compensation earned during thirty-six (36) consecutive months of service as required by Government Code Section 7522.32.

4.3.3 Required Member Contributions

4.3.3.1 Required 50% of Normal Costs: As required by Government Code Section 7522.04(g), effective January 1, 2013, members covered by this Section 4.3 shall pay, through payroll deduction,

fifty percent (50%) of normal costs.

4.3.3.2 Miscellaneous Member Pension Cost Sharing: Beginning on the effective date of the amendment to the CalPERS contract providing for cost sharing (expected Spring of 2016), in addition to paying 50% of normal costs as described above, employees covered by this Section 4.3 shall pay, through payroll deduction, an additional 1.0% of pensionable compensation toward the City's cost of pension benefits as permitted by Government Code Section 20516.

4.4 Cost Sharing Implementation – All Tiers:

CalPERS mandates an election of employees, separate from adoption of this resolution, to provide for this cost sharing pursuant to Government Code Section 20516. As soon as practicable, the City will initiate the contract amendment process for miscellaneous employee cost sharing. Upon completion of the City's amendment to the CalPERS contract, miscellaneous member contributions will be made pursuant to Government Code Section 20516, Member Cost Sharing of Additional Benefits. The City will consider cost sharing for the Fire Chief at a future date.

4.5 Converting Sick Leave Balance:

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

4.6 Other Options Included In CalPERS Contract: Employees shall be eligible for other options included in the City's contract with CalPERS as stated in that contract, and allowed by law.

4.7 Implementation of Internal Revenue Code Section 414(h)(2):

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

4.8 All Provisions Subject to Requirements of Law:

The City is required to comply with all requirements of law governing the CalPERS retirement program, including, but not limited to eligibility and reporting requirements. In implementing this Unrepresented Compensation Program Resolution and related practices, the City will comply with the requirements of law, and those legal requirements prevail over any inconsistent prior practices or prior resolutions.

SECTION 5: INSURANCE BENEFITS

5.1 General Provisions:

The City will pay the full cost of the employee's health insurance plan to cover both the employee and the employee's dependents. The City will pay the full cost for dental

coverage for the employee and her/his dependents. When an employee commences work with the City, the effective date of coverage of his/her benefits distribution selection shall be established by the individual carrier. In most cases, coverage begins the first of the month following date of hire.

Employees will choose from available insurance programs and/or health and welfare plans at the time of hire or as carriers allow during Open Enrollment periods. Dependent coverage may be added or deleted between Open Enrollment periods subject to conditions imposed by the selected carriers.

5.2 Life Insurance:

The City will provide term life insurance for each employee, not to exceed \$50,000.

Employees may elect to increase the value of their life insurance policy by \$20,000 at their own expense for a total policy value of \$70,000. Employees opting for the additional coverage will have the cost of that coverage deducted from their pay.

5.3 Short-term Disability Insurance: The City will pay for the employee's cost to participate in the State Disability Insurance (SDI) program.

5.4 Vision Care: The City will pay for vision care benefits, for the employee and all dependents through VSP Vision Care Insurance.

SECTION 6: HOLIDAYS

All Unrepresented employees shall receive 12 paid holidays per year, as follows:

<u>Holiday</u>	<u>Day Observed</u>
New Year's Day	January 1
Martin Luther King, Jr. Birthday	3 rd Monday in January
President's Day	3 rd Monday in February
Cesar Chavez Birthday	March 31 st
Memorial Day	Last Monday in May
Independence Day	July 4 th
Labor Day	1 st Monday in September
Veteran's Day	November 11 th
Thanksgiving Day	4 th Thursday in November
Day after Thanksgiving	Friday following Thanksgiving
Christmas Eve Day	December 24 th
Christmas Day	December 25 th

It is the intent of this resolution that all full-time employees receive 12 paid holidays regardless of their assigned workweek. When a holiday falls on a Saturday, the preceding Friday shall be deemed a holiday. When a holiday falls on a Sunday, the following Monday shall be deemed a holiday. When an employee is required to work on

a holiday, s/he may select another day as holiday leave with pay during the fiscal year with the consent of the City Manager.

Floating Holidays: Except for the calendar year they are hired, on January 1st of each year, employees earn 16 hours of floating holiday for use during that calendar year, taken in at least 8-hour increments. The hours must be used by the end of the calendar year and does not accrue. After five years of service, employees earn 40 hours of floating holiday.

SECTION 7: VACATION LEAVE

7.1 Vacation Entitlement:

Employees shall accumulate vacation in accordance with the following vacation entitlement schedule:

<u>Years of Continuous Service</u>	<u>Vacation Days Earned/Year</u>
1 – 5 years	10
6 th year	15
7 th year	16

This pattern continues until 20 days per year is reached. On the employee's 25th anniversary and every five years thereafter, one additional day will be awarded on that year.

7.2 Vacation Accrual:

Employees shall begin earning vacation upon the first day of employment. Vacation leave time shall be accrued as it is earned; odd fractions rounded to the nearest tenth. Vacation time shall not be taken until earned and shall be subject to other provisions of this resolution. When an employee is on a leave without pay status, s/he shall not be entitled to earn vacation.

For purposes of calculating vacation earned upon termination, the employee's final accrual will be prorated, based on the days worked in the employee's last month of employment. Upon termination of an employee's service with the City, s/he shall be paid a lump sum for all earned vacation not taken, at the employee's hourly rate then in effect.

An employee who was a member of the unrepresented compensation program before May 8, 2018 may accrue a maximum of 380 vacation hours. An employee who is hired or promoted into an unrepresented compensation position on or after May 8, 2018 may accrue a maximum of 280 vacation hours.

7.3 Vacation Usage:

An employee may take vacation at a time approved by the employee's direct supervisor, or, in the case of the City Manager, after notification of the City Council. It is the policy

of the City that employees take their normal provided vacation leave each year.

Employees should not be earning vacation leave once their accrued vacation balance has reached 380 hours. All employees who have accrued at least 380 hours of vacation shall expend at least 80 hours of vacation leave per calendar year with at least 40 hours being consecutive.

SECTION 8: EXECUTIVE LEAVE

In recognition of the extra hours required to perform at the level of management, including attendance at numerous meetings outside normal working hours and the fact that employees who are exempt from FLSA are not compensated for overtime work, the following executive leave policy shall be implemented:

Each FLSA-exempt, unrepresented employee may receive up to five (5) days Executive Leave annually at the discretion of the City Manager provided on January 1st of each year. On January 1st of each year, all hours not taken in the prior year will be lost unless an extension of time is granted by the City Manager. Additionally, at-will executive staff and the Assistant to the City Manager may receive up to another five (5) days Executive Leave annually at the discretion of the City Manager provided on July 1st of each year, and all hours not taken by December 31st of the same year will be lost unless an extension of time is granted by the City Manager.

Newly hired employees shall have Executive Leave awarded to them in the following pro-rated manner:

If the employee is hired from:

January – March	40 hours awarded on the date of hire
April – June	30 hours awarded on the date of hire
July – September	20 hours awarded on the date of hire, 40 hours additional at-will <u>and the Assistant to the City Manager</u>
October – December	10 hours awarded on the date of hire, 20 hours additional at-will <u>and the Assistant to the City Manager</u>

SECTION 9: OTHER LEAVES OF ABSENCE

9.1 Sick Leave:

Employees shall accrue and use sick leave in accordance with City of St. Helena Personnel/Administrative on Sick Leave.

9.2 Family Care:

Except as otherwise required by state or federal law, sick leave may be used to care for the employee's child, spouse, or domestic partner who is incapacitated by a serious health condition as defined by state or federal Law. Sick leave utilized for Family Care shall not exceed forty-eight (48) hours per occurrence.

9.3 Bereavement Leave:

Leave with pay up to 3 days per year in state/5 days out of state shall be granted by the City Manager to employees in case of the death of spouse or domestic partner regardless of gender, parent or step-parent, grand-parent, child, or stepchild, brother or sister, parent-in-law, brother/sister-in-law, son/daughter-in-law, or any relative in the immediate household of the employee. Bereavement leave shall not be charged against any accumulated leave. Additional time off (vacation, executive leave) may be taken if approved by the City Manager.

9.4 Industrial Accident Leave:

The City shall provide paid leave and benefits consistent with the State's Worker's Compensation laws.

9.5 Miscellaneous Leave With Pay:

Employees shall be granted a leave of absence with full pay for jury duty; subpoena of the employee as a witness; or attendance in court resulting from the employee's official duties as assigned by the City Manager. Any compensation received by the employee for the above, except for travel reimbursement, shall be promptly remitted to the City by the employee.

9.6 Leave Pursuant to the Family and Medical Care Leave Act and the California Family Rights Act:

Employees shall be entitled to take leave in response to the birth or adoption of a child, or the placement of a child with the employee for foster care; the employee's own serious health condition, or to care for a child, parent or spouse of the employee who has a serious health condition; for a "qualifying exigency" arising from the foreign deployment of the employee's spouse, son, daughter, or parent with the Armed Forces; or to care for a servicemember with a serious injury or illness if the employee is the servicemember's spouse, son, daughter, parent or next of kin, as specified in the federal Family and Medical Care Leave Act (FMLA) and the California Family Rights Act (Government Code Section 12945.2). Employees may use their accrued leave balances during such leave.

If the period of leave exceeds the employer's accrued leave balances, the employee shall take the balance of the leave as unpaid leave.

9.7 Leave for Pregnancy, Childbirth and Related Medical Conditions (California Government Code Section 12945):

In addition to leave authorized by Section 9.6, eligible employees may take leave based on pregnancy, childbirth, or related medical conditions pursuant to California

Government Code Section 12945. Generally, this leave should not exceed six (6) weeks for a normal pregnancy, childbirth, or related conditions, but may be taken for a period of up to a total of four (4) months if the employee is disabled due to pregnancy, childbirth, or other medical conditions. The need for leave beyond six (6) weeks due to disability shall be verified in writing by the employee's physician. The employee may use accrued leave balances during leave taken pursuant to this Section. If the period of leave exceeds the employee's accrued leave balances, the balance of the leave shall be taken as unpaid leave.

9.8 *Leave of Absence Without Pay:*

Upon the written request of any employee, the City Manager may approve in writing a leave of absence without pay for a period up to thirty (30) calendar days. Except in the cases of illness or maternity, an employees' request for Leave Without Pay shall be submitted to the City Manager, accompanied by a recommendation or an explanation from the manager as to how an adequate level of service can be maintained during her/his absence. Such leave may be extended up to one calendar year by action of the City Council.

9.9 *Military Leave:*

An employee called to active duty in any reserve component of the Armed Forces of the United States or the National Guard shall be granted a leave of absence for the duration of said active duty. Any full-time employee on a military leave of absence shall be compensated as outlined in the City's Personnel Policies Manual if the employee provides proper documentation from the Commanding Officer concerning their active duty; or, if the employee is a Commanding Officer, with a copy of the order to report to active duty and any applicable extension orders.

SECTION 10: TRAINING AND PROFESSIONAL GROWTH

10.1 *Professional Seminars and Training:*

To promote continued development of skills, knowledge, and abilities among the Employee, the City Manager may grant time off to employee(s) for educational leave. Such leave may be received in order to attend professional, technical, or managerial workshops, courses, conferences, conventions, seminars, or related activities. The cost of attendance at these activities, including travel, per diem, registration, tuition, materials or other reasonable costs, are legitimate City expenditures as provided for in the annual City Budget.

10.2 *Professional Membership Fees:*

Most At-will Executive Management, Mid-Management, and Confidential personnel are expected to maintain membership in appropriate professional organizations. These memberships serve to acquaint the City with the current state-of-the-art in these professional areas by means of publications and special activities. The City will include the costs of these membership fees in the respective department budgets, subject to approval by the City Manager.

10.3 College Tuition Reimbursement:

An employee who is taking courses in a field related to his/her employment may receive reimbursement for tuition and/or materials up to \$1,500 per year of the reasonable cost for books and tuition per fiscal year.

SECTION 11: OTHER BENEFITS**11.1 Vehicle Reimbursement:**

Covered employees to a far greater extent than most other City employees are required to travel throughout the City and the County to fulfill their job requirements. This travel is frequently required outside of normal working hours. In recognition of this employment requirement, the City may provide either the use of a City vehicle or pay an auto allowance of \$200 per month. In addition, if travel is required by the employee in his/her personal vehicle beyond the County line, mileage shall be reimbursed at the same rate as set by the IRS.

11.2 Deferred Compensation Plan:

Employees may elect payroll deductions in an amount permissible under IRS regulations, to be placed in a deferred compensation program administered at no cost to the City. To the extent allowed by law, such monies deposited would become tax deferred and would be subject to income taxation in the year they are withdrawn from the deferred compensation program. The City shall match up to \$200 per month to the employee's contribution into the City's deferred compensation program.

11.3 Health Club Membership:

The City will pay a one-time membership fee of \$25.00 towards employee enrollment in a health clubs.

11.4 Sick Leave Payout:

11.4.1 Payout upon separation, the City will pay out 50% of accrued sick leave for an employee who was an unrepresented compensation member before May 8, 2018. An employee who is hired or promoted into an unrepresented compensation position on or after May 8, 2018 will not be eligible for any sick leave pay out.

11.4.2 Retirees conversion, upon meeting REMIFs retiree eligibility to participate in retiree benefits, an employee who was an unrepresented compensation member before May 8, 2018, will have the option of using 100% of their accrued sick leave towards health premiums. An employee who is hired or promoted into an unrepresented compensation position on or after May 8, 2018 will not be eligible to convert any of their accrued sick leave towards health premiums.

11.5 St. Helena Charity Based Events:

In recognition of the importance of being engaged with the St. Helena community, Unrepresented Employees are eligible to be reimbursed for charity event tickets related

to their employment. To be eligible for reimbursement, the event must be held within the County of Napa and directly benefit the St. Helena community. Event tickets may be purchased only for the employee up to a total reimbursable amount of \$750.00 per calendar year.

11.6 Uniform Allowance:

Sworn Personnel that are members of the unrepresented compensation program shall receive an annual uniform allowance in the amount of \$750. The Uniform Allowance will be paid twice a year: in December and June, in equal amounts.

SECTION 12: TERMINATION ALLOWANCE

12.1 Severance Pay:

In order to foster job security within a professional climate, At-will Executive Management employees who receive no protection from the City's Personnel System may be entitled to severance pay when they are discharged from the City service. At-will Management employees terminated for cause are not eligible for severance benefits.

12.2 Allowance Schedule:

At-will Executive Management employees shall generally be entitled to two (2) months' salary, excluding fringe benefits. All specific severance pay terms and conditions must be included in the employee's Employment Contract, as noted in section 2 (Employment Contracts). In no event shall an employee receive a severance that is greater than the employee's salary multiplied by the number of months left on the unexpired term of the employee's employment contract, and all severance provisions shall comply with all other requirements of law.



Report to the City Council
Council Meeting of October 8, 2019

Agenda Section: Consent

Subject: Second Reading and Proposed Approval of an Ordinance Amending Sections 13.04.030, 13.04.080, 13.04.100, and 13.04.170 of Article 1, Chapter 13.04, Title 13 of the St. Helena Municipal Code and Section 13.20.020 of Chapter 13.20, Title 13 of the St. Helena Municipal Code Regarding Changes to Utility Billing Cycle for Water Service and Sewer Service from Monthly to Bi-Monthly Billing.

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

On August 5, 2019, a special meeting of the City Council was held to discuss and provide direction on three operational recommendations by the City Manager. (1) Public Works reorganization, (2) transition to bi-monthly utility billing, and (3) revision of the City's purchase order limits. Each operational recommendation was intended to improve accountability of specific functions and create additional operational capacity within the departments. Following discussion by the City Council, a resolution was adopted acknowledging and supporting the City Manager's recommendation for the Public Works reorganization and direction was provided to the City Manager to proceed with revising the City's Municipal Code as it relates to utility billing cycles and purchase order limits.

The City Council conducted and approved the first reading at the regular City Council meeting of September 24, 2019.

DISCUSSION

Based on City Council direction, two recommended changes to Title 13 of the City's Municipal Code are being presented to City Council for consideration.

The recommended change to return to a bi-monthly billing cycle effective January 1, 2020, will improve staff capacity and reduce customer complaints that result from shutoff notices and overlapping timing with the current monthly billing cycle. It is important to emphasize that this change has a net-zero impact on customer costs as the amount paid remains the same, but is collected six times per year rather than 12 times.

Today, the City Public Works Department staff personally delivers approximately 45-60 monthly water shutoff notices to customers requiring bills to be paid within 72 hours. This requires driving to each customer's address and placing a door hanger notice on the front door. Generally, this procedure prompts payment and fewer than 10 customers experience a water shutoff each month. In addition to the Public Works staff time involved in distributing this volume of monthly notices, these notices generally result in many telephone calls to the Finance Department. With the transition to bi-monthly billing, staff expects to reduce the number of shutoff notices by at least 50% as well as a corresponding number of telephone calls to the Finance Department.

In addition to reducing the number of water shutoff notices by half, the extended billing period will improve alignment of due dates and payments as well as improve billing statement accuracy by allowing ample time for payments to be posted to the accounts. Improved billing accuracy will reduce customer complaints that are currently received due to payments not shown on the billing statement because of the current overlap of the due date and bill period. Under this revised model, the new bill will now reflect past due fees incurred during the previous bill period which will ensure the customer has an accurate record of their account balance. The City is not currently able to do this because the new bill is generated prior to the due date of the previous bill and prior to the assessment of late fees for the previous month which often results in frustration and/or confusion for the customer.

Senate Bill 998. Please note that staff will need to return to the City Council at a future meeting to address the mandates of Senate Bill 998 which prohibits the discontinuance of residential water service under certain circumstances, effective February 1, 2020. A copy of SB 998 (Attachment A) is enclosed for the Council's information.

Customer Transition Plan. In order to provide awareness of the recommended transition to bi-monthly billing, monthly bills through the end of December will include a notice of the planned changes. The City will also utilize the various approaches in its communication checklist to inform customers of the change, Council meeting notices, etc. Included in the mailing will be information on the Level Pay Plan including an enrollment form and contact information for any questions.

Level Pay Plan. For customers that experience a burden from the transition to bi-monthly billing and payment cycle, the City will offer a one-time opt-in option to a Level

Pay Plan which would treat the billings for these customers as monthly. Due to the intricacies of this model these customers would be required to opt-in to automatic payments processed through the City. The automatic payments may either be established with a credit card, checking or savings account, and must be processed directly by the City. The Policy for the Level Pay Plan will be presented to City Council at a later date.

For customers who opt-in to the Level Pay Plan, an account would be established in the utility billing software with rates that reflect monthly amounts rather than bi-monthly amounts based on averages from the previous year. Level billing amounts will be generated for a six-month period. The monthly amount to be billed will average the same six-month period from the prior year plus 5% in order to account for rate increases and fluctuations in usage that may occur. The amount calculated will automatically be deducted monthly for a six-month billing cycle using autopay.

At the end of six months, a “true billing” will be calculated for Level Pay Plan customers based on the actual readings from the meters. The “true billing” will record the variance between the Level Pay Plan billing and the actual charges and record an amount due from the customer or credit owed to the customer. At the end of the six-month period a new budget billing will be calculated using the same methodology above and will factor any amounts due by the customer or any credits owed to the customer into the new Level Pay Plan calculation.

New Billing Cycles

Under the bi-monthly billing cycle the last full monthly bill will be issued mid-December for the period of November 9, 2019 to December 8, 2019. Payment will be due 30 days from the issue date of the bill. A partial bill, prior to the full transition, will be issued mid-January for the period of December 9, 2019 to December 31, 2019. Payment will be due 30 days from the issue date.

Customers will receive their first bi-monthly bill mid-March for the period of January 1 to February 29, 2020. Payment will be due 30 days from the issue date of the bill, in accordance with the St. Helena Municipal Code.

Billing Schedule for Calendar Year 2020:

Billing Period	Issue Date of Bill	Due Date of Bill
January 1 to February 29, 2020	Mid-March 2020	30 days from date of bill issue
March 1 to April 30, 2020	Mid-May 2020	30 days from date of bill issue
May 1 to June 30, 2020	Mid-July 2020	30 days from date of bill issue
July 1 to August 31, 2020	Mid-September 2020	30 days from date of bill issue
September 1 to October 31,	Mid-November 2020	30 days from date of bill

2020		issue
November 1 to December 31, 2020	Mid-January 2021	30 days from date of bill issue

It is also important to note that Public Works staff will continue their monthly practice of meter reading (accomplished by driving City streets) in order to identify and alert any customers with 24 hours of continuous water use. This practice helps identify potential water leaks and preserves City water resources.

The changes will update the City's Municipal Code billing structure for utilities (Water and Wastewater) from monthly billing to a bi-monthly billing cycle.

Finally, one change is recommended to section 13.04.030 of Article 1, Chapter 13.04, title 13 of the St. Helena Municipal Code to require an applicant for water service to provide their current California drivers' license or identification card that will facilitate the City's ability to collect accounts that have defaulted. The recommended language changes are set forth in the attached redline document (Attachment B); the Ordinance (Attachment C) incorporates the changes reflected in the redline document.

FISCAL IMPACT

There is no direct fiscal impact associated with the recommended changes to St. Helena Municipal Code. If the City Council adopts the ordinance, at least a 50% reduction in the amount of staff time to process monthly billing and shut off notices is anticipated.

RECOMMENDED ACTION

Staff recommends the City Council conduct the second reading and adopt the Ordinance (Attachment C) amending Sections 13.04.030, 13.04.080, 13.04.100, and 13.04.170 of Article 1, Chapter 13.04, Title 13 of the St. Helena Municipal Code and Section 13.20.020 of Chapter 13.20, title 13 of the St. Helena Municipal Code regarding changes to the utility billing cycle for water and sewer service from monthly billing to bi-monthly billing.

ATTACHMENTS

[Attachment A - SB 998](#)

[Attachment B - Ordinance with Redline](#)

[Attachment C - Ordinance with Exhibit A and Exhibit B clean](#)

ATTACHMENT A



Senate Bill No. 998

CHAPTER 891

An act to add Chapter 6 (commencing with Section 116900) to Part 12 of Division 104 of the Health and Safety Code, relating to water.

[Approved by Governor September 28, 2018. Filed with
Secretary of State September 28, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

SB 998, Dodd. Discontinuation of residential water service: urban and community water systems.

Existing law, the California Safe Drinking Water Act, requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Existing law declares it to be the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including water corporations. Existing law requires certain notice to be given before a water corporation, public utility district, municipal utility district, or a municipally owned or operated public utility furnishing water may terminate residential service for nonpayment of a delinquent account, as prescribed.

This bill would require an urban and community water system, defined as a public water system that supplies water to more than 200 service connections, to have a written policy on discontinuation of water service to certain types of residences for nonpayment available in prescribed languages. The bill would require the policy to include certain components, be available on the system's Internet Web site, and be provided to customers in writing, upon request. The bill would provide for enforcement of these provisions, including making a violation of these provisions punishable by a civil penalty issued by the board in an amount not to exceed \$1,000 for each day in which the violation occurs, and would require the enforcement moneys collected by the board to be deposited in the Safe Drinking Water Account. The bill would prohibit an urban and community water system from discontinuing residential service for nonpayment until a payment by a customer has been delinquent for at least 60 days. The bill would require an urban and community water system to contact the customer named on the account and provide the customer with the urban and community water system's policy on discontinuation of residential service for nonpayment no less than 7 business days before discontinuation of residential service, as prescribed.

This bill would prohibit residential service from being discontinued under specified circumstances. The bill would require an urban and community

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— 2 —

water system that discontinues residential service to provide the customer with information on how to restore service. The bill would require an urban and community water system to waive interest charges on delinquent bills for, and would limit the amount of a reconnection of service fee imposed on, a residential customer who demonstrates, as prescribed, to the urban and community water system household income below 200% of the federal poverty line. The bill would require an urban and community water system that furnishes individually metered residential service to residential occupants of a detached single-family dwelling, a multiunit structure, mobilehome park, or permanent residential structure in a labor camp, and that the owner, manager, or operator of the dwelling, structure, or park is the customer of record, to make every good faith effort to inform the residential occupants by written notice that service will be terminated and that the residential occupants have the right to become customers, as specified. The bill would require an urban and community water system to report the number of annual discontinuations of residential service for inability to pay on its Internet Web site and to the board, and the bill would require the board to post on its Internet Web site the information reported. The bill would require an urban water supplier, as defined, or an urban and community water system regulated by the commission, to comply with the bill's provisions on and after February 1, 2020, and any other urban and community water system to comply with the bill's provisions on and after April 1, 2020. The bill would provide that the provisions of the bill are in addition to the provisions in existing law duplicative of the bill and that where the provisions are inconsistent, the provisions described in the bill apply.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares as follows:

- (a) All Californians have the right to safe, accessible, and affordable water as declared by Section 106.3 of the Water Code.
- (b) It is the intent of the Legislature to minimize the number of Californians who lose access to water service due to inability to pay.
- (c) Water service discontinuations threaten human health and well-being, and have disproportionate impact on infants, children, the elderly, low-income families, communities of color, people for whom English is a second language, physically disabled persons, and persons with life-threatening medical conditions.
- (d) When there is a delinquent bill, all Californians, regardless of whether they pay a water bill directly, should be treated fairly, and fair treatment includes the ability to contest a bill, seek alternative payment schedules, and demonstrate medical need and severe economic hardship.
- (e) The loss of water service causes tremendous hardship and undue stress, including increased health risks to vulnerable populations.
- (f) It is the intent of the Legislature that this act provide additional procedural protections and expand upon the procedural safeguards contained

in the Public Utilities Code and Government Code as of January 1, 2018, relating to utility service disconnections.

SEC. 2. Chapter 6 (commencing with Section 116900) is added to Part 12 of Division 104 of the Health and Safety Code, to read:

CHAPTER 6. DISCONTINUATION OF RESIDENTIAL WATER SERVICE

116900. This chapter shall be known, and may be cited, as the Water Shutoff Protection Act.

116902. For the purposes of this chapter, the following definitions apply:

(a) "Board" means the State Water Resources Control Board.

(b) "Public water system" has the same meaning as defined in Section 116275.

(c) "Residential service" means water service to a residential connection that includes single-family residences, multifamily residences, mobilehomes, including, but not limited to, mobilehomes in mobilehome parks, or farmworker housing.

(d) "Urban and community water system" means a public water system that supplies water to more than 200 service connections.

(e) "Urban water supplier" has the same meaning as defined in Section 10617 of the Water Code.

116904. (a) An urban water supplier not regulated by the Public Utilities Commission shall comply with this chapter on and after February 1, 2020.

(b) An urban and community water system regulated by the Public Utilities Commission shall comply with this chapter on and after February 1, 2020. The urban and community water system regulated by the Public Utilities Commission shall file advice letters with the commission to conform with this chapter.

(c) An urban and community water system not described in subdivision (a) or (b) shall comply with this chapter on and after April 1, 2020.

116906. (a) An urban and community water system shall have a written policy on discontinuation of residential service for nonpayment available in English, the languages listed in Section 1632 of the Civil Code, and any other language spoken by at least 10 percent of the people residing in its service area. The policy shall include all of the following:

(1) A plan for deferred or reduced payments.

(2) Alternative payment schedules.

(3) A formal mechanism for a customer to contest or appeal a bill.

(4) A telephone number for a customer to contact to discuss options for averting discontinuation of residential service for nonpayment.

(b) The policy shall be available on the urban and community water system's Internet Web site, if an Internet Web site exists. If an Internet Web site does not exist, the urban and community water system shall provide the policy to customers in writing, upon request.

(c) (1) The board may enforce the requirements of this section pursuant to Sections 116577, 116650, and 116655. The provisions of Section 116585

and Article 10 (commencing with Section 116700) of Chapter 4 apply to enforcement undertaken for a violation of this section.

(2) All moneys collected pursuant to this subdivision shall be deposited in the Safe Drinking Water Account established pursuant to Section 116590.

116908. (a) (1) (A) An urban and community water system shall not discontinue residential service for nonpayment until a payment by a customer has been delinquent for at least 60 days. No less than seven business days before discontinuation of residential service for nonpayment, an urban and community water system shall contact the customer named on the account by telephone or written notice.

(B) When the urban and community water system contacts the customer named on the account by telephone pursuant to subparagraph (A), it shall offer to provide in writing to the customer the urban and community water system's policy on discontinuation of residential service for nonpayment. An urban and community water system shall offer to discuss options to avert discontinuation of residential service for nonpayment, including, but not limited to, alternative payment schedules, deferred payments, minimum payments, procedures for requesting amortization of the unpaid balance, and petition for bill review and appeal.

(C) When the urban and community water system contacts the customer named on the account by written notice pursuant to subparagraph (A), the written notice of payment delinquency and impending discontinuation shall be mailed to the customer of the residence to which the residential service is provided. If the customer's address is not the address of the property to which residential service is provided, the notice also shall be sent to the address of the property to which residential service is provided, addressed to "Occupant." The notice shall include, but is not limited to, all of the following information in a clear and legible format:

- (i) The customer's name and address.
- (ii) The amount of the delinquency.
- (iii) The date by which payment or arrangement for payment is required in order to avoid discontinuation of residential service.
- (iv) A description of the process to apply for an extension of time to pay the delinquent charges.
- (v) A description of the procedure to petition for bill review and appeal.
- (vi) A description of the procedure by which the customer may request a deferred, reduced, or alternative payment schedule, including an amortization of the delinquent residential service charges, consistent with the written policies provided pursuant to subdivision (a) of Section 116906.

(2) If the urban and community water system is unable to make contact with the customer or an adult occupying the residence by telephone, and written notice is returned through the mail as undeliverable, the urban and community water system shall make a good faith effort to visit the residence and leave, or make other arrangements for placement in a conspicuous place of, a notice of imminent discontinuation of residential service for nonpayment and the urban and community water system's policy for discontinuation of residential service for nonpayment.

(b) If an adult at the residence appeals the water bill to the urban and community water system or any other administrative or legal body to which such an appeal may be lawfully taken, the urban and community water system shall not discontinue residential service while the appeal is pending.

116910. (a) An urban and community water system shall not discontinue residential service for nonpayment if all of the following conditions are met:

(1) The customer, or a tenant of the customer, submits to the urban and community water system the certification of a primary care provider, as that term is defined in subparagraph (A) of paragraph (1) of subdivision (b) of Section 14088 of the Welfare and Institutions Code, that discontinuation of residential service will be life threatening to, or pose a serious threat to the health and safety of, a resident of the premises where residential service is provided.

(2) The customer demonstrates that he or she is financially unable to pay for residential service within the urban and community water system's normal billing cycle. The customer shall be deemed financially unable to pay for residential service within the urban and community water system's normal billing cycle if any member of the customer's household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the household's annual income is less than 200 percent of the federal poverty level.

(3) The customer is willing to enter into an amortization agreement, alternative payment schedule, or a plan for deferred or reduced payment, consistent with the written policies provided pursuant to subdivision (a) of Section 116906, with respect to all delinquent charges.

(b) (1) If the conditions listed in subdivision (a) are met, the urban and community water system shall offer the customer one or more of the following options:

(A) Amortization of the unpaid balance.

(B) Participation in an alternative payment schedule.

(C) A partial or full reduction of the unpaid balance financed without additional charges to other ratepayers.

(D) Temporary deferral of payment.

(2) The urban and community water system may choose which of the payment options described in paragraph (1) the customer undertakes and may set the parameters of that payment option. Ordinarily, the repayment option offered should result in repayment of any remaining outstanding balance within 12 months. An urban and community water system may grant a longer repayment period if it finds the longer period is necessary to avoid undue hardship to the customer based on the circumstances of the individual case.

(3) Residential service may be discontinued no sooner than 5 business days after the urban and community water system posts a final notice of intent to disconnect service in a prominent and conspicuous location at the property under either of the following circumstances:

(A) The customer fails to comply with an amortization agreement, an alternative payment schedule, or a deferral or reduction in payment plan for delinquent charges for 60 days or more.

(B) While undertaking an amortization agreement, an alternative payment schedule, or a deferral or reduction in payment plan for delinquent charges, the customer does not pay his or her current residential service charges for 60 days or more.

116912. An urban and community water system that discontinues residential service for nonpayment shall provide the customer with information on how to restore residential service.

116914. (a) For a residential customer who demonstrates to an urban and community water system household income below 200 percent of the federal poverty line, the urban and community water system shall do both of the following:

(1) Set a reconnection of service fee for reconnection during normal operating hours at fifty dollars (\$50), but not to exceed the actual cost of reconnection if it is less. Reconnection fees shall be subject to an annual adjustment for changes in the Consumer Price Index beginning January 1, 2021. For the reconnection of residential service during nonoperational hours, an urban and community water system shall set a reconnection of service fee at one hundred fifty dollars (\$150), but not to exceed the actual cost of reconnection if it is less. Reconnection fees shall be subject to an annual adjustment for changes in the Consumer Price Index beginning January 1, 2021.

(2) Waive interest charges on delinquent bills once every 12 months.

(b) An urban and community water system shall deem a residential customer to have a household income below 200 percent of the federal poverty line if any member of the household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the household's annual income is less than 200 percent of the federal poverty level.

116916. (a) This section applies if there is a landlord-tenant relationship between the residential occupants and the owner, manager, or operator of the dwelling.

(b) If an urban and community water system furnishes individually metered residential service to residential occupants of a detached single-family dwelling, a multiunit residential structure, mobilehome park, or permanent residential structure in a labor camp as defined in Section 17008, and the owner, manager, or operator of the dwelling, structure, or park is the customer of record, the urban and community water system shall make every good faith effort to inform the residential occupants, by means of written notice, when the account is in arrears that service will be terminated at least 10 days prior to the termination. The written notice shall further inform the residential occupants that they have the right to become

customers, to whom the service will then be billed, without being required to pay any amount which may be due on the delinquent account.

(c) The urban and community water system is not required to make service available to the residential occupants unless each residential occupant agrees to the terms and conditions of service and meets the requirements of law and the urban and community water system's rules and tariffs. However, if one or more of the residential occupants are willing and able to assume responsibility for the subsequent charges to the account to the satisfaction of the urban and community water system, or if there is a physical means legally available to the urban and community water system of selectively terminating service to those residential occupants who have not met the requirements of the urban and community water system's rules and tariffs, the urban and community water system shall make service available to those residential occupants who have met those requirements.

(d) If prior service for a period of time is a condition for establishing credit with the urban and community water system, residence and proof of prompt payment of rent or other credit obligation acceptable to the urban and community water system for that period of time is a satisfactory equivalent.

(e) Any residential occupant who becomes a customer of the urban and community water system pursuant to this section whose periodic payments, such as rental payments, include charges for residential water service, where those charges are not separately stated, may deduct from the periodic payment each payment period all reasonable charges paid to the urban and community water system for those services during the preceding payment period.

(f) In the case of a detached single-family dwelling, the urban and community water system may do any of the following:

(1) Give notice of termination at least seven days prior to the proposed termination.

(2) In order for the amount due on the delinquent account to be waived, require an occupant who becomes a customer to verify that the delinquent account customer of record is or was the landlord, manager, or agent of the dwelling. Verification may include, but is not limited to, a lease or rental agreement, rent receipts, a government document indicating that the occupant is renting the property, or information disclosed pursuant to Section 1962 of the Civil Code.

116918. An urban and community water system shall report the number of annual discontinuations of residential service for inability to pay on the urban and community water system's Internet Web site, if an Internet Web site exists, and to the board. The board shall post on its Internet Web site the information reported.

116920. (a) The Attorney General, at the request of the board or upon his or her own motion, may bring an action in state court to restrain by temporary or permanent injunction the use of any method, act, or practice declared in this chapter to be unlawful.

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(b) For an urban and community water system regulated by the Public Utilities Commission, the commission may bring an action in state court to restrain by temporary or permanent injunction the use by an urban and community water system regulated by the commission of any method, act, or practice declared in this chapter to be unlawful.

116922. All written notices required under this chapter shall be provided in English, the languages listed in Section 1632 of the Civil Code, and any other language spoken by 10 percent or more of the customers in the urban and community water system's service area.

116924. Where provisions of existing law are duplicative of this chapter, compliance with one shall be deemed compliance with the other. Where those provisions are inconsistent, the provisions of this chapter shall apply. Nothing in this chapter shall be construed to limit or restrict the procedural safeguards against the disconnection of residential water service existing as of December 31, 2018.

116926. This chapter does not apply to the termination of a service connection by an urban and community water system due to an unauthorized action of a customer.

Attachment B – Redline Changes to Sections 13.04.030, 13.04.080, 13.04.100, and 13.04.170 of Article 1, Chapter 13.04, Title 13 of SHMC and Section 13.202.020 of Chapter 13.20, Title 13 of the SHMC.

Chapter 13.04 WATER SERVICE SYSTEM

Article 1

General Provisions

13.04.030 Application for water service—Deposit.

A. To Be Signed and in Writing. Every person desiring a water supply from the department shall make written application at the office of the department. Such application shall be signed by the applicant and accompanied by a copy of the California drivers' license or identification card. The application shall contain the stipulations, terms and provisions applicable to all water accounts as defined by resolution or the code. A printed application form shall be provided by the department, when requested. Water service will be turned on by a city representative during normal working hours, defined as after eight a.m. and prior to three-thirty p.m., Monday through Friday excluding legal holidays. Water service turn-on shall not be made after three-thirty p.m. or prior to eight a.m., Monday through Friday, nor on Saturday, Sunday or legal holidays unless the customer agrees to pay the appropriate fee as set by resolution for such after-hours service.

B. Nonowner's Deposit. Whenever an application is made for the furnishing of water to premises and the applicant is not the owner in fee of such premises, a deposit shall be made with the department at the time such application is made in the amount prescribed by resolution of the city council. Such deposit shall be held by the department as a guarantee for the payment of all water consumed, and payment of all other charges owing from the applicant to the department. Whenever any applicant removes from such premises owing nothing for water by him or her used, or any other charges of the department, or whenever the applicant shall become the owner in fee of such premises, the deposit shall be returned to the applicant making the same. Otherwise, the deposit shall be returned to the applicant less all charges owing by the applicant to the department. (Ord. 16-13 § 5 (Att. 6 (part)); Prior code § 18.3)

13.04.080 Water rates.

A. Charges Imposed. No water and no services of facilities of the water system shall be furnished to any consumer or to any person free of charge or in amounts less than those established by resolution of the city council. The city shall pay for all water furnished or made available by the water system for municipal purpose of the city. Customers shall pay for water service on ~~monthly-a regular~~ basis as determined by

[the city](#). In the event a customer is undercharged for water service, the city shall backbill the customer to recover the amounts due to the city.

B. Nontreated (Raw) Water from Lower Reservoir. City in its discretion may provide nontreated (raw) water from its lower reservoir to be used for grading, dust control, street, pipeline, or similar construction activities, as well as for irrigation. Nontreated (raw) water shall only be used within the St. Helena city limits, except for users of nontreated (raw) water pursuant to agreements with the city entered into prior to November 2016. A permit fee as established by council resolution is required for all persons utilizing nontreated water (raw), unless otherwise stated under a separate water agreement. All persons utilizing nontreated water through the permit process are also required to pay the use fee as identified by council resolution. (Ord. 16-13 § 5 (Att. 6 (part)): Ord. 11-4 § 2: Ord. 08-1 § 1; Ord. 05-5 § 1; Ord. 04-9 § 1; Ord. 04-1 § 1; Ord. 01-1 § 1: prior code § 18.8)

13.04.100 Rules and regulations generally.

A. Right of Access. Duly authorized representatives of the department shall have the right of access at all reasonable hours to any premises where water from the department's water system is used for the purpose of inspection and examination.

B. Persons Authorized to Make Connections. No person other than the duly authorized representatives of the department shall connect the consumer's service to or disconnect the same from the water mains of the department.

C. Shutoff Valves. Every water consumer shall install and maintain at his or her own expense a shutoff valve inside the property line at a location accessible in event of emergency.

D. Permission to Supply Additional Premises. No person whose premises are supplied with water shall furnish water to other premises, unless he or she shall first make application in writing to the department and secure approval in writing.

E. Agricultural Use. Water purchased from the department pursuant to the provisions of this chapter and Chapters [13.08](#) and [13.12](#) may not be used for any agricultural purpose except in one of the following conditions:

1. The products or results of such agricultural purpose are consumed or enjoyed solely by or on the premises of the water customer;
2. The water used for an agricultural purpose is recycled from some nonagricultural use by the water customer;

3. The city council has expressly granted permission to the water customer to use water for the agricultural purpose;
4. Water serving the premises has been used for an agricultural purpose during the six months preceding August 9, 1994, in which case only that particular agricultural use may continue and may not be expanded; or
5. Parcels are less than one-half acre in size.

F. Bills for Charges. All bills for water charges will be rendered by the city ~~bi~~-monthly. All bills shall become due and payable upon presentation and shall be paid at the office of the finance department.

G. Supplemental Rules. The city council may, by resolution, provide such supplementary rules and regulations as it deems necessary or advisable to accomplish the interest and purposes of this chapter and Chapters [13.08](#) and [13.12](#).

H. Previous Agreements. None of the provisions of this chapter and Chapters [13.08](#) and [13.12](#) shall apply to or in any manner affect any agreement for furnishing water, for extension of water mains or installation or maintenance of water service made before June 10, 1952, and to which the city is a party, but as to such agreements, the provisions and requirements of ordinances and resolutions in force at date of such agreement shall apply and any and all such agreements so made are ratified and confirmed. (Ord. 16-13 § 5 (Att. 6 (part)): Amended by city 4/17/13; Ord. 02-5 § 18 (part): prior code § 18.10)

13.04.170 Disposition of moneys—Funds.

All moneys received by the city under this chapter, excepting only all connection charges and portions of water bills refundable to consumers in respect of water main extensions pursuant to Section [13.04.070](#), shall be deposited by the director of finance in a timely manner ~~each month in the manner upon receipt~~ and for the purposes provided and with the fiscal agent designated and/or adopted as best practices.

All connection charges collected by the city under this chapter and Chapters [13.08](#) and [13.12](#) shall be deposited in a separate account entitled “water connection fund,” which is created and shall be applied in the manner and for the purposes provided for in this chapter and Chapters [13.08](#) and [13.12](#).

All portions of water bills refundable to consumers in respect of water main extensions pursuant to Section [13.04.070](#) shall be deposited in a separate account entitled “water main extension refund fund,” which is created and shall be applied in the manner and for the purposes provided for in Section [13.04.070](#). (Ord. 16-13 § 5 (Att. 6 (part)): Prior code § 18.17)

Chapter 13.20 SEWER SERVICE SYSTEM

13.20.020 Sewer charges.

A. Charges Imposed. Owners of property shall pay to the city a charge based on user categories for the connection of the property to the public sewage system in the amounts set forth by council resolution for every month or any fraction thereof. Properties which are susceptible to classification under two or more user categories shall be subject to charges of the higher classification.

B. Collection and Billing Generally.

1. Sewer charges to occupants of property not billed for water service by the municipal water department shall be billed ~~monthly~~ directly for such sewer charges at the same time interval as bills for water charges.

2. All other sewer charges shall be collected from the occupants with the charges for water of the municipal water department of the city and shall be billed upon the same bill.

C. Failure to Pay Bill. Bills are due and payable upon presentation and delinquent after thirty (30) days. Upon failure of any consumer billed or the owner of any premises to pay a sewer charge prior to the delinquency, the following action or actions shall be taken by the city to enforce such payment after such bill becomes delinquent:

1. Impose a penalty for delinquency of ten percent (10%) of the amount then delinquent;
2. Assess interest in the amount of one percent per month or fraction thereof on the amount delinquent from the date on which the bill first became delinquent until paid;
3. At the city's election, cause an action at law to be brought on behalf of the city against the person responsible for payment of such bill to recover the amount of such bill and the cost of such action, including reasonable attorney fees incurred in an amount fixed by the court.
4. Any person wishing to appeal penalties and interest imposed in this section shall adhere to provisions in accordance with Section [13.04.180](#), Appeals.

D. Delinquencies. In addition and as an alternative to any other remedy for the enforcement and collection of sewer charges, all delinquent sewer charges shall become a lien upon the real property upon which sewage is furnished or supplied, prior to all other liens, encumbrances or exemptions, other than state and county taxes, and shall have the force and effect of a tax lien, and shall be enforced as follows:

on or about September 1st of each year the city clerk shall note the amount of all delinquent sewer charges upon the assessment of such real property as shown upon the assessment roll of the city for the current fiscal year, and shall add the amount of such delinquent sewer charges to the tax assessed against such real property and the amount shall be collected with such taxes in the same manner and at the same time as city taxes, and if not so paid, the same penalties shall be added as are now, or may thereafter be added to delinquent taxes, and thereafter the real property upon which it is a lien, shall be sold and be subject to redemption in the same manner as real property is now, or may hereafter be sold for delinquent taxes.

E. Hardship Agreements. City finance department may in its discretion offer hardship agreements which create payment plans for delinquent bills. Such agreements are available at the finance department. All requests for hardship agreements and payment plans must be submitted in writing. Hardship agreements may be approved at the discretion of the finance director based on amount owed and payment history. (Ord. 16-13 § 5 (Att. 6 (part)): Ord. 11-4 § 3: Ord. 08-1 § 1; Ord. 04-9 § 2; Ord. 00-6 § 2: prior code § 12.3)

CITY OF ST. HELENA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ST. HELENA, CALIFORNIA, AMENDING SECTIONS 13.04.030, 13.04.080, 13.04.100, AND 13.04.170 OF ARTICLE 1, CHAPTER 13.04, TITLE 13 OF THE ST. HELENA MUNICIPAL CODE AND SECTION 13.20.020, OF CHAPTER 13.20, TITLE 13 OF THE ST. HELENA MUNICIPAL CODE REGARDING CHANGES TO UTILITY BILLING CYCLE FOR WATER SERVICE AND SEWER SERVICE FROM MONTHLY BILLING TO BI-MONTHLY BILLING

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

SECTION 1. Amendment of Sections 13.04.030, 13.04.080, 13.04.100, and 13.04.170 of Article 1, Chapter 13.04, Title 13 of the St. Helena Municipal Code.

Sections 13.04.030, 13.04.080, 13.04.100, and 13.04.170 of Article 1, Chapter 13.04, Title 13 of the St. Helena Municipal Code are hereby amended to read in their entirety as shown on Exhibit A, attached hereto and incorporated herein by reference.

SECTION 2. Amendment of Section 13.20.020 of Chapter 13.20, Title 13 of the St. Helena Municipal Code.

Section 13.20.020 of Chapter 13.20, Title 13 of the St. Helena Municipal Code is hereby amended to read in its entirety as shown on Exhibit B attached hereto and incorporated herein by reference.

SECTION 3. Compliance with CEQA.

The City Council hereby finds that the action to adopt this ordinance to amend Chapter 13.04 and Chapter 13.20, Title 13 of the St. Helena Municipal Code is not a Project subject to the provisions of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.) (CEQA). Further, even if the adoption of the ordinance is found to be a Project subject to CEQA, it is nevertheless exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) because the City Council hereby finds that it can be seen with certainty that there is no possibility the adoption and implementation of this Ordinance may have a significant effect on the environment.

SECTION 4. Severability.

The City Council hereby declares every section, paragraph, sentence, clause and phrase of this ordinance is severable. If any section, paragraph, sentence, clause or phrase of this ordinance is for any reason found to be invalid or unconstitutional, such invalidity, or unconstitutionality shall not affect the validity or constitutionality of the remaining sections, paragraphs, sentences, clauses or phrases.

SECTION 5. Inclusion in the St. Helena Municipal Code.

It is the intention of the St. Helena City Council that the text in Exhibit A and Exhibit B of this ordinance be made a part of the St. Helena Municipal Code and that the text may be renumbered or re-lettered and the word "Ordinance" may be changed to "Section," "Chapter," or such as appropriate word or phrase to accomplish this intention.

SECTION 6. Effective Date.

This ordinance shall take effect and be in force on January 1, 2020, and a summary of this ordinance shall be published once with the names of the members of the Council voting for and against the ordinance in the St. Helena Star, a newspaper of general circulation published in the City of St. Helena.

THIS ORDINANCE was introduced at a regular meeting of the St. Helena City Council on the 24th day of September 2019, and was adopted at a regular meeting of the St. Helena City Council on the ____th day of _____, 2019, by the following vote:

Mayor Ellsworth:

Vice Mayor Dohring:

Councilmember Koberstein:

Councilmember Chouteau:

Councilmember Knudsen:

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzafopoulos, City Clerk

I, CINDY TZAFPOULOS, CITY CLERK of the City of St. Helena, California, do hereby certify that the foregoing Ordinance was regularly introduced and passed upon its first reading at a regular meeting of the City Council on the 24th day of September, 2019. That thereafter said Ordinance was duly adopted and passed at a regular meeting of the City Council on the ____th day of _____, 2019, by the following vote:

Mayor Ellsworth:

Vice Mayor Dohring:

Councilmember Koberstein:

Councilmember Chouteau:

Councilmember Knudsen:

EXHIBIT A TO ORDINANCE**Chapter 13.04
WATER SERVICE SYSTEM**

Article 1

General Provisions

13.04.030 Application for water service—Deposit.

A. To Be Signed and in Writing. Every person desiring a water supply from the department shall make written application at the office of the department. Such application shall be signed by the applicant and accompanied by a copy of the California drivers' license or identification card. The application shall contain the stipulations, terms and provisions applicable to all water accounts as defined by resolution or the code. A printed application form shall be provided by the department, when requested. Water service will be turned on by a city representative during normal working hours, defined as after eight a.m. and prior to three-thirty p.m., Monday through Friday excluding legal holidays. Water service turn-on shall not be made after three-thirty p.m. or prior to eight a.m., Monday through Friday, nor on Saturday, Sunday or legal holidays unless the customer agrees to pay the appropriate fee as set by resolution for such after-hours service.

B. Nonowner's Deposit. Whenever an application is made for the furnishing of water to premises and the applicant is not the owner in fee of such premises, a deposit shall be made with the department at the time such application is made in the amount prescribed by resolution of the city council. Such deposit shall be held by the department as a guarantee for the payment of all water consumed, and payment of all other charges owing from the applicant to the department. Whenever any applicant removes from such premises owing nothing for water by him or her used, or any other charges of the department, or whenever the applicant shall become the owner in fee of such premises, the deposit shall be returned to the applicant making the same. Otherwise, the deposit shall be returned to the applicant less all charges owing by the applicant to the department. (Ord. 16-13 § 5 (Att. 6 (part)): Prior code § 18.3)

13.04.080 Water rates.

A. Charges Imposed. No water and no services of facilities of the water system shall be furnished to any consumer or to any person free of charge or in amounts less than those established by resolution of the city council. The city shall pay for all water furnished or made available by the water system for municipal purpose of the city. Customers shall pay for water service on -a regular basis as determined by the city. In the event a customer is undercharged for water service, the city shall backbill the customer to recover the amounts due to the city.

B. Nontreated (Raw) Water from Lower Reservoir. City in its discretion may provide nontreated (raw) water from its lower reservoir to be used for grading, dust control, street, pipeline, or similar construction activities, as well as for irrigation. Nontreated (raw) water shall only be used within the St. Helena city limits, except for users of nontreated (raw) water pursuant to agreements with the city entered into prior to November 2016. A permit fee as established by council resolution is required for all persons utilizing nontreated water (raw), unless otherwise stated under a separate water agreement. All persons utilizing nontreated water through the permit process are also required to pay the use fee as identified by council resolution. (Ord. 16-13 § 5 (Att. 6 (part)): Ord. 11-4 § 2: Ord. 08-1 § 1; Ord. 05-5 § 1; Ord. 04-9 § 1; Ord. 04-1 § 1; Ord. 01-1 § 1: prior code § 18.8)

13.04.100 Rules and regulations generally.

A. Right of Access. Duly authorized representatives of the department shall have the right of access at all reasonable hours to any premises where water from the department's water system is used for the purpose of inspection and examination.

B. Persons Authorized to Make Connections. No person other than the duly authorized representatives of the department shall connect the consumer's service to or disconnect the same from the water mains of the department.

C. Shutoff Valves. Every water consumer shall install and maintain at his or her own expense a shutoff valve inside the property line at a location accessible in event of emergency.

D. Permission to Supply Additional Premises. No person whose premises are supplied with water shall furnish water to other premises, unless he or she shall first make application in writing to the department and secure approval in writing.

E. Agricultural Use. Water purchased from the department pursuant to the provisions of this chapter and Chapters [13.08](#) and [13.12](#) may not be used for any agricultural purpose except in one of the following conditions:

1. The products or results of such agricultural purpose are consumed or enjoyed solely by or on the premises of the water customer;
2. The water used for an agricultural purpose is recycled from some nonagricultural use by the water customer;
3. The city council has expressly granted permission to the water customer to use water for the agricultural purpose;

4. Water serving the premises has been used for an agricultural purpose during the six months preceding August 9, 1994, in which case only that particular agricultural use may continue and may not be expanded; or

5. Parcels are less than one-half acre in size.

F. Bills for Charges. All bills for water charges will be rendered by the city bi-monthly. All bills shall become due and payable upon presentation and shall be paid at the office of the finance department.

G. Supplemental Rules. The city council may, by resolution, provide such supplementary rules and regulations as it deems necessary or advisable to accomplish the interest and purposes of this chapter and Chapters [13.08](#) and [13.12](#).

H. Previous Agreements. None of the provisions of this chapter and Chapters [13.08](#) and [13.12](#) shall apply to or in any manner affect any agreement for furnishing water, for extension of water mains or installation or maintenance of water service made before June 10, 1952, and to which the city is a party, but as to such agreements, the provisions and requirements of ordinances and resolutions in force at date of such agreement shall apply and any and all such agreements so made are ratified and confirmed. (Ord. 16-13 § 5 (Att. 6 (part))): Amended by city 4/17/13; Ord. 02-5 § 18 (part): prior code § 18.10)

13.04.170 Disposition of moneys—Funds.

All moneys received by the city under this chapter, excepting only all connection charges and portions of water bills refundable to consumers in respect of water main extensions pursuant to Section [13.04.070](#), shall be deposited by the director of finance in a timely manner upon receipt and for the purposes provided and with the fiscal agent designated and/or adopted as best practices.

All connection charges collected by the city under this chapter and Chapters [13.08](#) and [13.12](#) shall be deposited in a separate account entitled “water connection fund,” which is created and shall be applied in the manner and for the purposes provided for in this chapter and Chapters [13.08](#) and [13.12](#).

All portions of water bills refundable to consumers in respect of water main extensions pursuant to Section [13.04.070](#) shall be deposited in a separate account entitled “water main extension refund fund,” which is created and shall be applied in the manner and for the purposes provided for in Section [13.04.070](#). (Ord. 16-13 § 5 (Att. 6 (part))): Prior code § 18.17)

EXHIBIT B TO ORDINANCE

**Chapter 13.20
SEWER SERVICE SYSTEM**

13.20.020 Sewer charges.

A. Charges Imposed. Owners of property shall pay to the city a charge based on user categories for the connection of the property to the public sewage system in the amounts set forth by council resolution for every month or any fraction thereof. Properties which are susceptible to classification under two or more user categories shall be subject to charges of the higher classification.

B. Collection and Billing Generally.

1. Sewer charges to occupants of property not billed for water service by the municipal water department shall be billed directly for such sewer charges at the same time interval as bills for water charges.

2. All other sewer charges shall be collected from the occupants with the charges for water of the municipal water department of the city and shall be billed upon the same bill.

C. Failure to Pay Bill. Bills are due and payable upon presentation and delinquent after thirty (30) days. Upon failure of any consumer billed or the owner of any premises to pay a sewer charge prior to the delinquency, the following action or actions shall be taken by the city to enforce such payment after such bill becomes delinquent:

1. Impose a penalty for delinquency of ten percent (10%) of the amount then delinquent;
2. Assess interest in the amount of one percent per month or fraction thereof on the amount delinquent from the date on which the bill first became delinquent until paid;
3. At the city's election, cause an action at law to be brought on behalf of the city against the person responsible for payment of such bill to recover the amount of such bill and the cost of such action, including reasonable attorney fees incurred in an amount fixed by the court.
4. Any person wishing to appeal penalties and interest imposed in this section shall adhere to provisions in accordance with Section [13.04.180](#), Appeals.

D. Delinquencies. In addition and as an alternative to any other remedy for the enforcement and collection of sewer charges, all delinquent sewer charges shall become a lien upon the real property upon

which sewage is furnished or supplied, prior to all other liens, encumbrances or exemptions, other than state and county taxes, and shall have the force and effect of a tax lien, and shall be enforced as follows: on or about September 1st of each year the city clerk shall note the amount of all delinquent sewer charges upon the assessment of such real property as shown upon the assessment roll of the city for the current fiscal year, and shall add the amount of such delinquent sewer charges to the tax assessed against such real property and the amount shall be collected with such taxes in the same manner and at the same time as city taxes, and if not so paid, the same penalties shall be added as are now, or may thereafter be added to delinquent taxes, and thereafter the real property upon which it is a lien, shall be sold and be subject to redemption in the same manner as real property is now, or may hereafter be sold for delinquent taxes.

E. Hardship Agreements. City finance department may in its discretion offer hardship agreements which create payment plans for delinquent bills. Such agreements are available at the finance department. All requests for hardship agreements and payment plans must be submitted in writing. Hardship agreements may be approved at the discretion of the finance director based on amount owed and payment history. (Ord. 16-13 § 5 (Att. 6 (part)): Ord. 11-4 § 3; Ord. 08-1 § 1; Ord. 04-9 § 2; Ord. 00-6 § 2; prior code § 12.3)



Report to the City Council
Council Meeting of October 8, 2019

Agenda Section: Consent

Subject: Consideration and approval of a resolution authorizing the lease-purchase of a vehicle from Enterprise Fleet to replace the current Police Department Community Services Officer Vehicle #287 in an amount not-to-exceed \$33,650 over a five-year period, and authorizing the City Manager to execute all documents necessary for the lease-purchase

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

The Fiscal Year 2019-20 (FY 19-20) approved Operations Budget included appropriations for the lease-purchase of a new Community Services Officer (CSO) vehicle. On January 9, 2018, City Council authorized a Master Lease Agreement with Enterprise Fleet Management ("Enterprise") for the replacement of vehicles under their Governmental Fleet Management Program. In addition to having the ability to lease vehicles from Enterprise, this contract also allows for the direct purchase of a vehicle and service plan utilization for vehicles. Enterprise's Governmental Fleet Management Program meets the requirements of St. Helena Municipal Code Section 3.04.150 allowing the purchasing officer to "piggy-back" with the competitive bidding of other agencies, and waive the formal bid procedures.

DISCUSSION

The vehicle to be replaced is for the Police Department and is the Community Service Officer's (CSO) vehicle. The current vehicle is a 14-year old Chevy Colorado with 30,057 miles. The current vehicle's air conditioning no longer works, the brake system is faulty (if it is cold outside and the vehicle is placed in reverse, the brakes will lock up),

and repairs are exceeding the replacement value of the vehicle. The recommend new vehicle is a Ford F-150 with similar features as the existing vehicle. The cost of the new vehicle is not-to-exceed \$33,650, which includes a full maintenance program for five years. The vehicle is on a lease-purchase agreement for 60-months with monthly payments of \$561 for the term of the lease.

FISCAL IMPACT

The fiscal impact will be a total of \$33,650 over the 60-month lease term with monthly payments of \$561. Funds are included in the adopted FY 2019-20 operations budget.

RECOMMENDED ACTION

Staff recommends City Council approve a resolution authorizing the lease-purchase of a vehicle from Enterprise Fleet to replace the current Police Department Community Services Officer Vehicle #287 in an amount not-to-exceed \$33,650 over a five-year period, and authorizing the City Manager to execute all documents necessary for the lease-purchase.

ATTACHMENTS

[Attachment 1 - Ford F-150 CSO](#)

[Attachment 2 - CSO Vehicle Purchase Resolution](#)

FLEET
MANAGEMENT

Open-End (Equity) Lease Rate Quote

Quote No: 4403188

Prepared For: City of St. Helena
Mitts, AprilDate 09/19/2019
AE/AM KW3/JLT

Unit

Year 2019 Make Ford Model F-150

Series XL 4x2 Regular Cab Styleside 6.5 ft. box 122 in. WB

Vehicle Order Type In-Stock Term 60 State CA Customer# 579445

\$ 23,445.21 Capitalized Price of Vehicle¹

\$ 0.00 * Sales Tax 0.0000% State CA

\$ 0.00 * Initial License Fee

\$ 0.00 * Registration Fee

\$ 0.00 Other: Courtesy Delivery Fee

\$ 0.00 * Capitalized Price Reduction

\$ 0.00 * Tax on Capitalized Price Reduction

\$ 0.00 Gain Applied From Prior Unit

\$ 0.00 * Tax on Gain On Prior

\$ 0.00 * Security Deposit

\$ 0.00 * Tax on Incentive(Taxable Incentive Total : \$0.00)

\$ 23,445.21 Total Capitalized Amount (Delivered Price)

\$ 390.74 Depreciation Reserve @ 1.6666%

\$ 95.77 Monthly Lease Charge (Based on Interest Rate - Subject to a Floor)²

\$ 486.51 Total Monthly Rental Excluding Additional Services

Additional Fleet Management

Master Policy Enrollment Fees

\$ 0.00 Commercial Automobile Liability Enrollment

Liability Limit \$0.00

\$ 0.00 Physical Damage Management

Comp/Coll Deductible 0 / 0

\$ 34.17 Full Maintenance Program³ Contract Miles 50,000

OverMileage Charge \$ 0.0000 Per Mile

Incl: # Brake Sets (1 set = 1 Axle) 0

Tires 0

Loaner Vehicle Not Included

\$ 34.17 Additional Services SubTotal

\$ 40.14 Sales Tax 8.2500%

State CA

\$ 560.82 Total Monthly Rental Including Additional Services

\$ 0.81 Reduced Book Value at 60 Months

\$ 400.00 Service Charge Due at Lease Termination

All language and acknowledgments contained in the signed quote apply to all vehicles that are ordered under this signed quote.

Order Information

Driver Name

Exterior Color (0 P) Oxford White

Interior Color (0 I) Medium Earth Gray w/Vinyl 40/20/40 Fron

Lic. Plate Type Exempt

GVWR 0

Quote based on estimated annual mileage of 10,000

(Current market and vehicle conditions may also affect value of vehicle)

(Quote is Subject to Customer's Credit Approval)

Notes

Enterprise FM Trust will be the owner of the vehicle covered by this Quote. Enterprise FM Trust (not Enterprise Fleet Management) will be the Lessor of such vehicle under the Master Open - End (Equity) Lease Agreement and shall have all rights and obligations of the Lessor under the Master Open - End (Equity) Lease Agreement with respect to such vehicle.

ALL TAX AND LICENSE FEES TO BE BILLED TO LESSEE AS THEY OCCUR.

Lessee hereby authorizes this vehicle order, agrees to lease the vehicle on the terms set forth herein and in the Master Equity Lease Agreement and agrees that Lessor shall have the right to collect damages in the event Lessee fails or refuses to accept delivery of the ordered vehicle.

Lessee certifies that it intends that more than 50% of the use of the vehicle is to be in a trade or business of the Lessee.

LESSEE City of St. Helena

BY

TITLE

DATE

* INDICATES ITEMS TO BE BILLED ON DELIVERY.

¹ Capitalized Price of Vehicle May be Adjusted to Reflect Final Manufacturer's Invoice. Lessee Hereby Assigns to Lessor any Manufacturer Rebates And/Or Manufacturer Incentives Intended for the Lessee, Which Rebates And/Or Incentives Have Been Used By Lessor to Reduce the Capitalized Price of the Vehicle.

² Monthly Lease Charge Will Be Adjusted to Reflect the Interest Rate on the Delivery Date (Subject to a Floor).

³ The inclusion herein of references to maintenance fees/services are solely for the administrative convenience of Lessee. Notwithstanding the inclusion of such references in this [Invoice/Schedule/Quote], all such maintenance services are to be performed by Enterprise Fleet Management, Inc., and all such maintenance fees are payable by Lessee solely for the account of Enterprise Fleet Management, Inc., pursuant to that certain separate [Maintenance Agreement] entered into by and between Lessee and Enterprise Fleet Management, Inc.; provided that such maintenance fees are being billed by Enterprise FM Trust, and are payable at the direction of Enterprise FM Trust, solely as an authorized agent for collection on behalf of Enterprise Fleet Management, Inc.

Printed On 09/19/2019 06:45 PM

Page 1 of 4



Open-End (Equity) Lease Rate Quote

Quote No: 4403188

VEHICLE INFORMATION:

2019 Ford F-150 XL 4x2 Regular Cab Styleside 6.5 ft. box 122 in. WB - US

Series ID: F1C

Pricing Summary:

	INVOICE	MSRP
Base Vehicle	\$ 26,888.00	\$ 28,155.00
Total Options	\$ 1,023.09	\$ 1,118.09
Destination Charge	\$ 1,595.00	\$ 1,595.00
Total Price	\$ 29,506.09	\$ 30,868.09

SELECTED COLOR:

Exterior: YZ - (0 P) Oxford White

Interior: AG - (0 I) Medium Earth Gray w/Vinyl 40/20/40 Front Seat

SELECTED OPTIONS:

CODE	DESCRIPTION	INVOICE	MSRP
100A	Equipment Group 100A Base	NC	NC
122WB	122" Wheelbase	STD	STD
153	Front License Plate Bracket	NC	NC
422	California Emissions System	NC	NC
446	Transmission: Electronic 6-Speed Automatic	Included	Included
53B	Class IV Trailer Hitch Receiver	\$ 87.00	\$ 95.00
61X91K	MyKey	Included	Included
64C	Wheels: 17" Silver Steel	Included	Included
85A	XL Power Equipment Group	\$ 883.00	\$ 970.00
85AGTE	Power Tailgate Lock	Included	Included
85AILL	Illuminated Entry	Included	Included
85AMIR	Power Glass Sideview Mirrors w/Black Skull Caps	Included	Included
85APAL	Perimeter Alarm	Included	Included
85APLK	Power Door Locks	Included	Included
85APWN	Power Front Windows	Included	Included
93N	Dealer Order For California States Registration	NC	NC
99B	Engine: 3.3L V6 PDFI	Included	Included
A	Vinyl 40/20/40 Front Seat	NC	NC
AG_02	(0 I) Medium Earth Gray w/Vinyl 40/20/40 Front Seat	NC	NC
DLR ADV	Dealer Advertising	\$ 53.09	\$ 53.09
PAINT	Monotone Paint Application	STD	STD
STDGV	GVWR: 6,100 lbs Payload Package	Included	Included
STDRD	Radio: AM/FM Stereo w/4 Speakers	Included	Included
STDTR	Tires: P245/70R17 BSW A/S	Included	Included
X19	3.55 Axle Ratio	Included	Included
YZ_01	(0 P) Oxford White	NC	NC

CONFIGURED FEATURES:

Body Exterior Features:

Number Of Doors: 2
 Rear Cargo Door Type: tailgate
 Driver And Passenger Mirror: power remote manual folding side-view door mirrors
 Convex Driver Mirror: convex driver and passenger mirror
 Door Handles: black
 Front And Rear Bumpers: black front and rear bumpers with black rub strip
 Rear Step Bumper: rear step bumper
 Front License Plate Bracket: front license plate bracket
 Box Style: regular
 Body Material: aluminum body material
 : class IV trailering with harness, hitch
 Grille: black grille

Convenience Features:

Air Conditioning: manual air conditioning
 Power Windows: power windows with driver and passenger 1-touch down
 Remote Keyless Entry: keyfob (all doors) remote keyless entry
 Illuminated Entry: illuminated entry
 Integrated Key Remote: integrated key/remote
 Auto Locking: auto-locking doors
 Steering Wheel: steering wheel with manual tilting, manual telescoping
 Day-Night Rearview Mirror: day-night rearview mirror
 Front Cupholder: front cupholder
 Glove Box: glove box
 Driver Door Bin: driver and passenger door bins
 Dashboard Storage: dashboard storage
 IP Storage: bin instrument-panel storage
 Retained Accessory Power: retained accessory power
 Power Accessory Outlet: 2 12V DC power outlets

Entertainment Features:

radio: AM/FM stereo with seek-scan
 Speakers: 8 speakers
 1st Row LCD: 2 1st row LCD monitor
 Antenna: fixed antenna

Lighting, Visibility and Instrumentation Features:

Headlamp Type: delay-off aero-composite halogen headlamps
 Auto-Dimming Headlights: auto high-beam headlights
 Cab Clearance Lights: cargo bed light
 Front Wipers: variable intermittent wipers
 Tinted Windows: light-tinted windows
 Dome Light: dome light with fade
 Variable IP Lighting: variable instrument panel lighting
 Display Type: analog display
 Tachometer: tachometer
 Voltmeter: voltmeter
 Compass: compass
 Exterior Temp: outside-temperature display
 Low Tire Pressure Warning: tire specific low-tire-pressure warning
 Trip Odometer: trip odometer
 Forward Collision Alert: forward collision
 Oil Pressure Gauge: oil pressure gauge
 Water Temp Gauge: water temp. gauge
 Transmission Oil Temp Gauge: transmission oil temp. gauge
 Clock: in-radio display clock
 Rear Vision Camera: rear vision camera
 Oil Pressure Warning: oil-pressure warning
 Water Temp Warning: water-temp. warning
 Battery Warning: battery warning
 Lights On Warning: lights-on warning
 Key in Ignition Warning: key-in-ignition warning

Low Fuel Warning: low-fuel warning
Door Ajar Warning: door-ajar warning
Brake Fluid Warning: brake-fluid warning

Safety And Security:

ABS four-wheel ABS brakes
Number of ABS Channels: 4 ABS channels
Brake Assistance: brake assist
Brake Type: four-wheel disc brakes
Vented Disc Brakes: front and rear ventilated disc brakes
Daytime Running Lights: daytime running lights
Spare Tire Type: full-size spare tire
Spare Tire Mount: underbody mounted spare tire w/crankdown
Driver Front Impact Airbag: driver and passenger front-impact airbags
Driver Side Airbag: seat-mounted driver and passenger side-impact airbags
Overhead Airbag: Safety Canopy System curtain 1st row overhead airbag
Occupancy Sensor: front passenger airbag occupancy sensor
Height Adjustable Seatbelts: height adjustable front seatbelts
Seatbelt Pretensioners: front seatbelt pre-tensioners
Side Impact Bars: side-impact bars
Perimeter Under Vehicle Lights: remote activated perimeter/approach lights
Tailgate/Rear Door Lock Type: tailgate/rear door lock included with power door locks
Ignition Disable: SecuriLock immobilizer
Security System: security system
Panic Alarm: panic alarm
Electronic Stability: electronic stability control with anti-roll
Traction Control: ABS and driveline traction control
Front and Rear Headrests: manual adjustable front head restraints

Seats And Trim:

Seating Capacity max. seating capacity of 3
Front Bucket Seats: front split-bench 40-20-40 seats
Number of Driver Seat Adjustments: 4-way driver and passenger seat adjustments
Reclining Driver Seat: manual reclining driver and passenger seats
Driver Fore/Aft: manual driver and passenger fore/aft adjustment
Front Centre Armrest Storage: front centre armrest
Leather Upholstery: vinyl front seat upholstery
Headliner Material: full cloth headliner
Floor Covering: full vinyl/rubber floor covering
Cabbage Insulator: cabbage insulator
Shift Knob Trim: urethane shift knob
Interior Accents: chrome interior accents

Standard Engine:

Engine 290-hp, 3.3-liter V-6 (regular gas)

Standard Transmission:

Transmission 6-speed automatic w/ OD and PowerShift automatic

CITY OF ST. HELENA

RESOLUTION No. 2019-

Authorizing the lease-purchase of a vehicle from Enterprise Fleet to replace the Community Services Officer (CSO) Vehicle #287 for the Police Department in an amount not-to-exceed \$33,650 over a five-year period, and authorizing the City Manager to execute all documents necessary for the lease-purchase.

RECITALS

- A. The City of St. Helena Police Department desired to replace the 2005 Chevy Colorado used by the Community Services Officer (CSO) – Vehicle #287; and
- B. The Adopted FY 2019-20 budget includes funds for the lease-purchase of this new vehicle; and
- C. On January 9, 2018, City Council adopted Resolution 2018-5, authorizing a Master Equity Lease Agreement and Maintenance Agreement with Enterprise Fleet Management, Inc. which allows the lease or purchase of vehicles through their Governmental Fleet Management Program and allows for maintenance management of the City's vehicles; and
- D. Staff recommends the City of St. Helena lease-purchase the new CSO vehicle through Enterprise Fleet Management, Inc., including the additional of the maintenance program.

RESOLUTION

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

- 1. Purchase of the vehicle is not a CEQA project; and
- 2. Authorizes the lease-purchase with Enterprise Fleet Management, Inc. for the new Police Department CSO Vehicle in an amount not-to-exceed \$33,650 over a five-year period including the full maintenance program; and
- 3. Authorizes the City Manager to execute all documents necessary for the lease-purchase.

Approved at a Regular Meeting of the St. Helena City Council on October 8, 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

Cindy Tzaopoulos

From: Pamela <psmithrs@comcast.net>
Sent: Tuesday, October 08, 2019 6:17 AM
To: Dave Knudsen; Geoff Ellsworth; Paul Dohring; Anna Chouteau; Koberstein Mary
Cc: Mark Prestwich; Cindy Tzaopoulos
Subject: Comm serv officer vehicle

Dear Mayor and City Council,

Regarding the purchase of a new vehicle for the Community Services Officer on tonight's agenda, I am writing to request that this vehicle be a clean vehicle, not the proposed gasoline powered vehicle. This would be in keeping with the sustainability section of our General Plan.

I often see the officer giving tickets with the vehicle nearby, running. This is a tremendous waste of resources and is polluting the air unnecessarily. She likely leaves the vehicle running because she moves it often.

Please consider a small electric powered vehicle such as the one the Park and Rec staff uses. This likely would be less expensive to purchase, and would certainly over time require fewer repairs and upkeep, and most importantly, would not pollute the community's air, especially near the elementary school where she often is ticketing.

Considering the size of the parking district she works within, ticketing on foot would be even better!

Assuming a vehicle is necessary, going with an electric vehicle would be more economical and is consistent with the sustainability section of our newly adopted General Plan which should guide all your decisions.

Please consider these ideas in your decision making tonight.

Thank you very much.

Pam Smithers



Report to the City Council
Council Meeting of October 8, 2019

Agenda Section: Consent

Subject: Consideration of a Proclamation in recognition of Upvalley Family Centers' important contributions to our community and designating October 17, 2019 as Upvalley Family Centers' Day in St. Helena

CEQA Determination: Not a CEQA project

Prepared By: Cindy Tzaferopoulos, City Clerk

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

DISCUSSION

Following the October 2017 Napa Valley wildfires, volunteers organized the first annual St. Helena community pot-luck dinner to recognize and honor our first responders, and carried the tradition forward in 2018 to recognize scores of community members who serve on our City Boards and Commissions

Being mindful of the importance of our immigration story and our economic and cultural diversity, the draft proclamation honoring UpValley Family Centers recognizes the contributions of one of the City's local non-profit agencies whose work reaffirms our values, strengthens our community, and reinforces our commitment to being a diverse, safe and family friendly community.

With City Council support, the City will recognize and honor UpValley Family Centers' and present a proclamation at the October 17, 2019 community pot-luck.

FISCAL IMPACT

There is no fiscal impact.

RECOMMENDED ACTION

Staff recommends the proclamation be approved.

ATTACHMENTS

[Proclamation](#)

[Potluck Flyer](#)

CITY OF ST. HELENA

**PROCLAMATION IN RECOGNITION OF UPVALLEY FAMILY CENTERS' IMPORTANT
CONTRIBUTIONS TO OUR COMMUNITY AND DESIGNATING OCTOBER 17, 2019 AS
UPVALLEY FAMILY CENTERS' DAY IN ST. HELENA**

WHEREAS, the St. Helena City Council's Vision and Mission Statement commit the City to continue to be a family-friendly, diverse and safe community, embrace and retain our small-town character and quality of life, and dedicate ourselves to serving the needs and desires of our citizens by, among other measures, strengthening partnerships with the private, non-profit and public sectors; and

WHEREAS, following the October 2017 Napa Valley wildfires, volunteers organized the first annual St. Helena community pot-luck dinner to recognize and honor our first responders, and carried the tradition forward in 2018 to recognize scores of community members who serve on our City Boards and Commissions; and

WHEREAS, being mindful of the importance of our immigration story and our economic and cultural diversity, the City Council wishes to recognize the contributions of one of our local non-profit agencies whose good work reaffirms our values, strengthens our community and reinforces our commitment to being a diverse, safe and family friendly community; and

WHEREAS, recognizing that healthy and engaged families are a crucial component of a strong community, a group of committed volunteers led by vintner and philanthropist Anne Carver founded the Calistoga Family Center in 1999 and later spurred similar efforts to open the St. Helena Family Center in 2005, both of which have now merged to become UpValley Family Centers; and

WHEREAS, to help families and children help themselves, UpValley Family Centers provides an array of services and programs in a culturally welcoming atmosphere including: parenting, playgroups, adult education and early literacy; health and wellness referrals to community partners; financial information and income tax assistance; a holiday assistance program to distribute groceries and toys to friends and neighbors; an emergency assistance program supporting local families and individuals in times of crisis; and services and programs dedicated to empowering immigrants to feel more secure and become more engaged in the future of the community by learning English as a second language, participating in the census, obtaining citizenship status and registering to vote and voting; and

WHEREAS, UpValley Family Centers partners with scores of organizations in St. Helena and elsewhere, among which are the Boys and Girls Club of Calistoga and St. Helena, Child Start, Community Health Initiative of Napa Valley, Mentis, Meals on Wheels, Olé Health, Nimbus Arts, Napa Valley College, St. Helena School District, Rianda House and the City of St. Helena; and

WHEREAS, the dedicated staff of UpValley Family Centers - over eighty percent of whom are bicultural and bilingual – use their extensive experience working with diverse communities to coordinate family services and engagement, outreach, immigrant services, youth and family programs, administrative and budget oversight, volunteer health advocates, family and emergency services, education programs and development, youth and family programs and services and more;

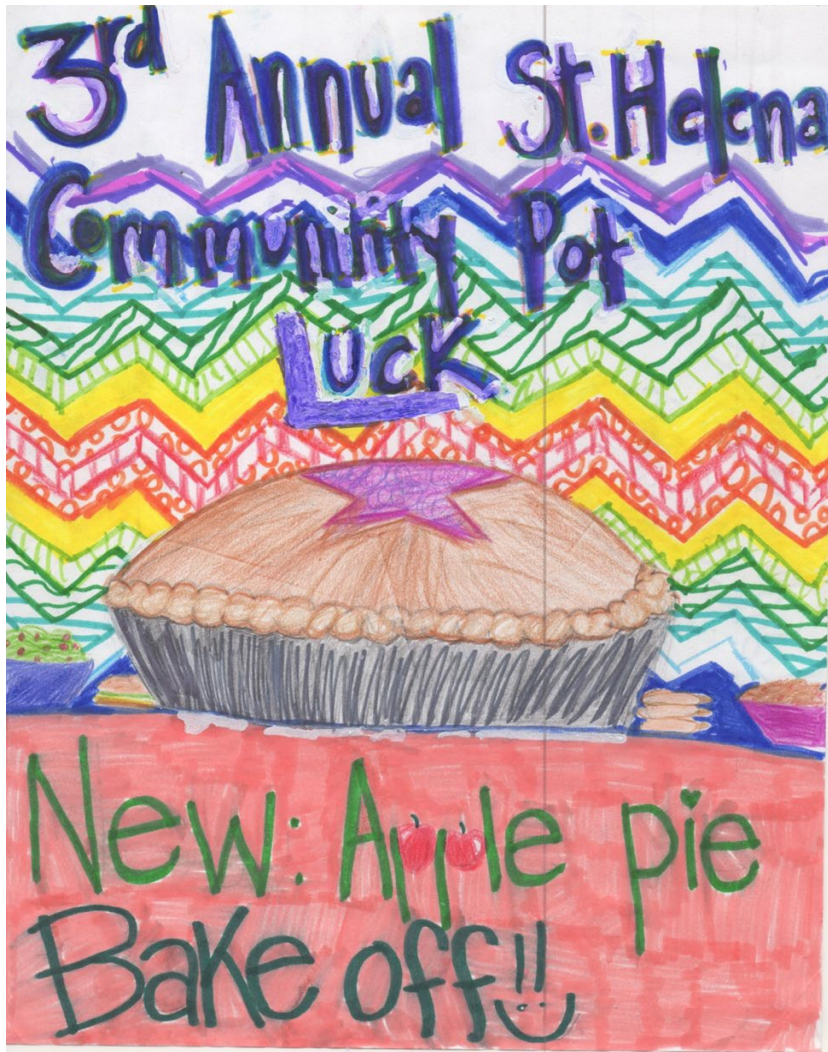
WHEREAS, the Board of Directors of UpValley Family Centers unselfishly applies skills mastered in the private sector to enable the non-profit organization to strengthen our community by empowering youth and families to improve their lives and reach their full potential, and empowering immigrants to feel more secure and engaged in the future of St. Helena;

NOW, THEREFORE, BE IT RESOLVED, that the St. Helena City Council recognizes and honors UpValley Family Centers for its many contributions to our community.

BE IT FURTHER RESOLVED, that Geoff Ellsworth, Mayor of the City of St. Helena, and the entire City Council hereby issue this Proclamation on behalf of the City, proclaim October 17, 2019 as UpValley Family Centers day in St. Helena, and ask all who live and work in our community, and all who are present at the third annual St. Helena community pot-luck dinner on October 17, 2019 to join us in expressing our deep gratitude to UpValley Family Centers for all that it does to strengthen our community through its service to families and immigrants.

Dated: October 17, 2019

Geoff Ellsworth, Mayor
City of St. Helena



*Winning Poster Design by Tatum Smith
Boys and Girls Clubs of St. Helena and
Calistoga Grade 5, Age 11*

COMMUNITY POTLUCK



YOU'RE INVITED!

Join your Friends and
Neighbors at the Third
Annual Community
Potluck Dinner

Honoring Upvalley
Family Centers

Please Bring a Dish to
Share

Bring any Apple
Dessert and Enter it in
the Bake-Off

Bring a Chair
Enjoy the Music of
Mike Greensill's
Jazz Trio

Lyman Park
1498 Main Street
St. Helena, CA 94574

Thursday Oct 17, 2019
4:30 pm – 6:30 pm



Report to the City Council
Council Meeting of October 8, 2019

Agenda Section: Consent

Subject: Consideration of approval of a Resolution approving out-of-state travel for Library Assistant Casey McConnell to attend the Guadalajara International Book Fair in Guadalajara, Mexico from November 30 – December 3, 2019

CEQA Determination: Not a CEQA project

Prepared By: Chris Kreiden, Library Director

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

The Guadalajara International Book Fair (FIL, from its Spanish name: Feria Internacional del Libro de Guadalajara) is the most important gathering for publishing in Ibero-America. It is the largest book fair of the Americas and the second largest in the world. It is also considered the most important annual cultural event of its kind in the Spanish-speaking world. Created 33 years ago by the University of Guadalajara, FIL is aimed at professionals and the general public alike, a characteristic that sets it apart from other book fairs around the globe. Considered the most important exhibit of Spanish-language books in the world, the FIL provides firsthand access to the latest publications in Spanish along with making available more than 300,000 titles produced by more than 1,500 publishers from 35 countries. There is also literary programming with Latin American authors and lectures on Mexican culture delivered by experts in the field. With more than 1,500 librarians attending each year, the FIL also provides plenty of opportunities to network and discuss ideas with colleagues. Several professional training programs are included in the FIL activities.

For the last nineteen years, the American Library Association has partnered with the FIL to provide support for ALA members to attend the Fair. The Free Pass Program offers free registration, hotel accommodations for three nights, three free breakfasts, and \$100

towards airfare. Free Passes are awarded to 150 librarians who work in the area of Spanish-language acquisitions and/or are working to build their library's Spanish-language collection to better serve their community.

St. Helena City Council Resolution 85-44 requires City Council approval for out-of-state travel.

DISCUSSION

As the Library continues to invest in our local Spanish-speaking community, demand for high quality, recent materials in the Spanish language is needed. However, the Spanish language publishing market in the United States is not as progressive as those in Latin countries and primarily consists of translated from English materials rather than original Spanish language publications. These materials generally are all that is available to libraries through traditional vendors (like Baker & Taylor, from which the Library purchases most of its materials). These Spanish language items are mostly purchased sight unseen and often without the benefit of professional reviews. Having the opportunity to see and review original, new Spanish-language publications is not one that is readily available in the United States. Sending staff to the FIL is a huge opportunity for the Library to obtain access to materials not otherwise available to it.

FISCAL IMPACT

One St. Helena Public Library employee has been awarded a Free Pass Program scholarship. The cost to the Library will be the remaining cost of airfare, ancillary travel costs, and additional per diem for meals. In total, this amount is expected not to exceed \$600. The Library's approved budget includes monies for conferences.

While there, Casey McConnell will be authorized to make material selections and purchases for the Library not to exceed \$2,000. These funds have already been designated for the purchase of Spanish-language materials.

RECOMMENDED ACTION

City Staff recommends City Council approve a resolution authorizing out-of-state travel for Library Assistant Casey McConnell to attend the Guadalajara International Book Fair in Guadalajara, Mexico from November 30 – December 3, 2019.

ATTACHMENTS

[Resolution Guadalajara Book Fair](#)

CITY OF ST. HELENA

RESOLUTION NO. 2019-

Resolution approving out-of-state travel for library employee Casey McConnell to attend the Guadalajara International Book Fair in Guadalajara, Mexico from November 30 – December 3, 2019

RECITALS

- A. City Council Resolution 85-44 requires City Council Approval for staff to attend out-of-state meetings and training; and
- B. The Guadalajara International Book Fair is the most important publishing gathering in Ibero-America, providing an opportunity to see, review, and purchase original, new Spanish-language publications that does not exist in the United States; and
- C. The Library is requesting that Casey McConnell attend the Guadalajara International Book Fair in Guadalajara, Mexico from November 30 – December 3, 2019; and
- D. Library Assistant Casey McConnell has been selected by the American Library Association to be awarded a Free Pass Program scholarship, which covers free registration, hotel accommodations for three days, free breakfast for three days, and \$100 for airfare; and
- E. The total approximate cost to the City, after the scholarship, is \$600 which includes the remaining cost of airfare, ancillary travel costs, and additional per diem for meals;
- F. Funds for the Conference are included in the FY 2019-20 adopted budget.

RESOLUTION

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

- 1. Travel is not a CEQA project;
- 2. Approves out-of-state travel for Casey McConnell to attend the Guadalajara International Book Fair in Guadalajara, Mexico as representative of and buyer for the St. Helena Public Library from November 30 – December 3, 2019.

Approved at a Regular Meeting of the St. Helena City Council on October 8, 2019 by the following vote:

Mayor Ellsworth: _____

Vice Mayor Dohring: _____

Councilmember Koberstein: _____

Councilmember Chouteau: _____

Councilmember Knudsen: _____

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzaferopoulos, City Clerk



Report to the City Council
Council Meeting of October 8, 2019

Agenda Section: Consent

Subject: Consideration and Proposed Approval of a Resolution Rescinding Resolution No. 2018-144 and Adopting Investment Policy P-FI-0002 for the City of St. Helena

CEQA Determination: Not a CEQA project

Prepared By: Mandy Kellogg, Admin Services Mgr

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

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

Since 1999, the City has utilized PFM Asset Management LLC (PFM) to manage the City's investment accounts in an account called California Asset Management Program (CAMP). In addition, the City has funds in the Local Agency Investment Fund (LAIF) which is held by the State of California. The City receives regular reports from PFM and LAIF.

DISCUSSION

Annually, PFM reviews the City's Investment Policy and recommends changes based on legislation or best practices. After review of the City's current policy, PFM is not recommending any changes at this time. Based on the current policy, staff is required to have the policy adopted by City Council annually even if there are no changes proposed for the upcoming year. The annual reporting requirement in the current policy has been in place for over two decades and is based on legislation requiring an annual update. The annual update requirement was removed in 2004 through AB 2853. In an effort to

streamline the process staff is recommending a revision to the language in the policy that will require the policy to be reviewed at least annually, however, it will only be brought to City Council for approval when modifications to the policy are made.

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

FISCAL IMPACT

None.

RECOMMENDED ACTION

Staff recommends the approval of a Resolution Rescinding Resolution No. 2018-144 and Adopting Investment Policy P-FI-0002 for the City of St. Helena.

ATTACHMENTS

[Attachment 1 - PFM St Helena IP Memo 2019](#)

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

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

[Attachment 4 - Investment Policy Resolution](#)



August 29, 2019

Memorandum

To: Mandy Kellogg, Administrative Services Manager
City of St. Helena

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

Re: 2018 Investment Policy Review

At your request, we reviewed the City of St. Helena's (the "City") Investment Policy (the "Policy") as part of the City's annual review process. As written, the Policy is comprehensive and is in compliance with the California Government Code (the "Code") sections that govern the investment of public funds. Furthermore, there were not any Code changes effective in 2019 that would require any changes to the Policy.

Please let us know if you have any questions.

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Title: Investment Policy 2018		Policy #	P-FI-0002
		Revision #	23 24
		Implementation Date	2018-10-24 2019-10-09
		Last Update Date	2017-12-13 2018-10-23
Approval by City Council	Resolution 2018-144	Date Approved	2018-10-23 2019-10-08

I. Purpose, Overview and Scope of this Policy

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

The City's Investment Policy shall be adopted by the City Council. The policy shall be reviewed at least annually by the City Treasurer, and any modifications must be approved by City Council.

II. Authority

Authority for policies is limited to the City Council.

III. Policy

1. Scope

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

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

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

2. Prudence

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Pursuant to California Government Code Section 53600.3, all persons authorized to make investment decisions on behalf of the City are trustees and therefore fiduciaries subject to the prudent investor standard: “When investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency.”

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

3. Objective

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

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

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Authority to manage the City’s investment program is derived from the California Government Code. Management responsibility for the investment program is hereby delegated to the Treasurer, who shall establish written procedures for the operation of the investment program consistent with this investment policy. Procedures shall include, but not limited to, references to: safekeeping, wire transfer agreements, collateral/depository agreements, banking services contracts, local banking preferences, and other investment-related activities. Such procedures shall include explicit delegation

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of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Treasurer. The Treasurer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinates.

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

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

5. Ethics and Conflicts of Interest

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

6. Authorized Financial Dealers and Institutions

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

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

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

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

7. Authorized Investments and Limitations on Investments

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	City of St. Helena Council Policy Finance	Policy Investment Policy 2018
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Investment of City funds is governed by the California Government Code Sections 53600 et seq. Within the context of the limitations, the following investments are authorized, as further limited herein:

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

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

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

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

(1) The entity meets the following criteria:

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

(2) The entity meets the following criteria:

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

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

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

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- l) Medium-Term Notes, defined as all corporate and depository institution debt securities with a maximum remaining maturity of five years or less, issued by corporations organized and operating within the United States or by depository institutions licensed by the United States or any state and operating within the United States. Securities eligible for investment shall be rated in a rating category of "A" or its equivalent or better by a NRSRO. Purchase of medium term notes may not exceed 30% of the purchase value of the portfolio and no more than 5% of the purchase value of the portfolio may be invested in notes issued by one corporation.
- m) Shares of beneficial interest issued by diversified management companies that are money market funds registered with the Securities and Exchange Commission under the Investment Company Act of 1940. To be eligible for investment pursuant to this subdivision these companies shall either: (1) attain the highest ranking letter or numerical rating provided by not less than two of the three largest nationally recognized rating services or (2) have an investment advisor registered with the Securities and Exchange Commission with not less than five years experience investing in securities and obligations authorized by Government Code section 53601 and with assets under management in excess of \$500,000,000. The purchase price of shares shall not exceed 15% of the investment portfolio.
- n) Supranational Securities: United States dollar denominated senior unsecured unsubordinated obligations issued or unconditionally guaranteed by the Internal Bank for Reconstruction and Development, International Finance Corporation, or Inter-American Development bank, with a maximum remaining maturity of five years or less, and eligible for purchase and sale within the United States. Investments under this subsection shall be rated in a rating category of "AA" or its equivalent or better by an NRSRO and shall not exceed 30% of the purchase value of the portfolio.
- o) Asset-Backed Securities: A mortgage pass through security, collateralized mortgage obligation, mortgage-backed or other pay-through bond, equipment lease-backed certificate, consumer receivable pass through certificate, or consumer receivable-backed bond. Securities eligible for investment under this subdivision shall be rated in a rating category of "AA" or its equivalent or better by and NRSRO and have a maximum remaining maturity of five years or less. Purchase of securities authorized by this subdivision shall not exceed 20% of the purchase value of the portfolio and nor more than 5% of the purchase value of the portfolio may be invested in any one issuer.

8. Ineligible Investments

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

9. Safekeeping and Custody

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

10. Percentage Limitations

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

11. Reporting Requirements

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

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

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

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

The report shall also include the following: (I) state compliance of the portfolio to the investment policy, or manner in which the portfolio is not in compliance, (II)

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include a description of any of the City's funds, investments or programs that are under the management of contracted parties, including lending programs, and (III) include a statement denoting the ability of the City to meet its expenditure requirements for the next six months, or provide an explanation as to why sufficient money shall, or may not be available.

IV. Glossary

AGENCIES: Federal agency securities.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PORTFOLIO: The collection of securities held by an investor.

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

PRINCIPAL: The face or par value of an instrument.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

V. Attachments

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

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Title: Investment Policy		Policy #	P-FI-0002
		Revision #	24
		Implementation Date	2019-10-09
		Last Update Date	2018-10-23
Approval by City Council	Resolution	Date Approved	2019-10-08

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6. Authorized Financial Dealers and Institutions

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

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

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

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

7. Authorized Investments and Limitations on Investments

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

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

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

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

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

(1) The entity meets the following criteria:

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

(2) The entity meets the following criteria:

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

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

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

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

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

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

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

8. Ineligible Investments

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

9. Safekeeping and Custody

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

10. Percentage Limitations

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

11. Reporting Requirements

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

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

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

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

The report shall also include the following: (I) state compliance of the portfolio to the investment policy, or manner in which the portfolio is not in compliance, (II)

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include a description of any of the City's funds, investments or programs that are under the management of contracted parties, including lending programs, and (III) include a statement denoting the ability of the City to meet its expenditure requirements for the next six months, or provide an explanation as to why sufficient money shall, or may not be available.

IV. Glossary

AGENCIES: Federal agency securities.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PORTFOLIO: The collection of securities held by an investor.

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

PRINCIPAL: The face or par value of an instrument.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

V. Attachments

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

Attachment 4

CITY OF ST. HELENA

RESOLUTION No. 2019-

**Rescinding Resolution 2018-144 and Adopting
Investment Policy P-FI-0002 for the City of St. Helena**

RECITALS

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

RESOLUTION

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

- 1. City Resolution 2018-144 and any other previous resolutions adopting an investment policy for the City are hereby rescinded; and
- 2. Investment Policy P-FI-0002, a copy of which is attached and hereby made a part of this resolution, is hereby approved and shall remain in effect until necessary modifications are required.

Approved at a Regular Meeting of the St. Helena City Council on October 8, 2019 by the following vote:

Mayor Ellsworth:	_____
Vice Mayor Dohring:	_____
Councilmember Koberstein:	_____
Councilmember Chouteau:	_____
Councilmember Knudsen:	_____

APPROVED:

Geoff Ellsworth, Mayor

ATTEST:

Cindy Tzaopoulos, City Clerk

MINUTES
City of St. Helena
Regular City Council Meeting
Tuesday, August 13, 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:

Mike Hackett, Esther Akersloot, Nancy Dervan and Hallie Rogers addressed the City Council.

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

City Attorney Michael Biddle noted there was no reportable action taken at the August 13, 2019 special City Council closed session meeting.

Reports by Staff and City Council Members were made.

6. PRESENTATIONS AND PUBLIC RECOGNITIONS

6.1 None

7. STAFF BRIEFING

7.1 None

8. CONSENT ITEMS

Members of the Council or the public may ask that any items be considered

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

8.1 Consideration and proposed approval of Regular Meeting Minutes of:

1. April 23, 2019 Regular City Council Meeting Minutes
2. April 24, 2019 Special City Council Meeting Minutes
3. May 9, 2019 Special City Council Meeting Minutes
4. May 14, 2019 Regular City Council Meeting Minutes
5. May 28, 2019 Regular City Council Meeting Minutes

(Minutes are forthcoming) Provided 8-9-19

Prepared By: Cindy Tzaopoulos, City Clerk

8.2 Consideration and proposed approval of a resolution: (1) approving temporary closure of Oak Avenue, Adams Street, Tainter Street, and the Oak Avenue City Parking Lot, for the October 19, 2019, Hometown Harvest Festival festivities, (2) authorizing possession of open alcoholic beverages on those public streets, and (3) approving the waiving of the encroachment fee.

CEQA Determination: Categorically Exempt, Section 15323

Prepared By: Andre Pichly, Parks & Recreation Director

Recommendation:

Staff recommends the City Council of the City of St. Helena adopt the attached resolution: (1) approving temporary closure of Oak Avenue, Adams Street, Tainter Street, and the Oak Avenue City Parking Lot, for the October 19, 2019, Hometown Harvest Festival festivities, (2) authorizing possession of open alcoholic beverages on those public streets, and (3) approving the waiving of the encroachment fee.

Item 8.3 was removed from consent.

8.3 ~~Consideration and proposed approval of a resolution approving the the Italian flag to be flown on the City's ceremonial flag pole during the month of October for Italian Heritage Month~~

8.4 Consideration and proposed approval of a resolution approving Amendment #2 to STH Contract: FY2019-013 with Dash Data, Inc for document imaging and quality control services for an additional \$20,000 for a total not to exceed amount of \$150,000

CEQA Determination: Not a CEQA project

Prepared By: Cindy Tzaopoulos, City Clerk

Recommendation:

Staff recommends City Council approve the resolution approving Amendment #2 to STH Contract: FY2019-013 with Dash Data, Inc for document imaging and quality control services for an additional \$20,000 for a total not to exceed amount of \$150,000 for the completion of the document imaging project.

8.5 The applicant is requesting adoption of a resolution authorizing the City of St.

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Helena to enter into a Williamson Act Contract with owners of the 13.63 acre parcel (#009-050-009) located at 601 Fulton Lane in the Twenty-Acre Agriculture (A-20) district.

CEQA Determination: Exempt

Prepared By: Aaron Hecock, Acting Planning & Building Director

Recommendation:

For the reasons described above, staff recommends that the City Council:

1. Find the project exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15317; and
2. Adopt a resolution establishing an agricultural preserve and authorizing the City to enter into a Williamson Act Contract with owners of the 13.63 acre parcel (#009-050-009) located at 601 Fulton Lane in the Twenty-Acre Agriculture (A-20) district.

Item 8.6 was removed from consent.

Council Member Anna Chouteau moved to approve items 8.1, 8.2, 8.4 and 8.5. 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

- 8.6 ~~Consideration and proposed adoption of a Resolution approving a Professional Service Agreement with Coastland Civil Engineering, Inc (Coastland) for the R19-79 Pavement Restoration project in an amount not to exceed \$85,954.00 and authorizing the City Manager to execute the agreement.~~

Item 8.7 was removed from consent.

- 8.7 ~~*NEW ITEM 8/6/19
Consideration and proposed adoption of Resolution approving the project plans and specifications and authorizing advertisement for the Library Roof Replacement, Capital Improvement Project C20-01~~
- 8.3 Consideration and proposed approval of a resolution approving the the Italian flag to be flown on the City's ceremonial flag pole during the month of October for Italian Heritage Month

CEQA Determination: Not a CEQA project

Prepared By: Cindy Tzafopoulos, City Clerk

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Recommendation:

Approve Resolution authorizing the Italian flag to be flown on the City's ceremonial flag pole during the month of October for Italian Heritage Month.

Anthony Micheli addressed the City Council.

Council Member Anna Chouteau moved to approve item 8.3. 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

- 8.6 Consideration and proposed adoption of a Resolution approving a Professional Service Agreement with Coastland Civil Engineering, Inc (Coastland) for the R19-79 Pavement Restoration project in an amount not to exceed \$85,954.00 and authorizing the City Manager to execute the agreement.

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: Edrees Argand, Junior Assistant Engineer

Recommendation:

Staff recommends City Council adopt a Resolution approving a Professional Services Agreement with Coastland Civil Engineering, Inc for the R19-79 Pavement Restoration Project in an amount not to exceed \$85,954.00 and authorizing the City Manager to execute the agreement.

Public Works Director Erica Ahmann Smithies reported on this item.

Anthony Micheli addressed the City Council.

Council Member Mary Koberstein moved to approve item 8.6. 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

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ABSTAIN: None

RECUSE: None

8.7 *NEW ITEM 8/6/19

Consideration and proposed adoption of Resolution approving the project plans and specifications and authorizing advertisement for the Library Roof Replacement, Capital Improvement Project C20-01

CEQA Determination: Categorically Exempt, Section 15323

Prepared By: Tobias Barr, Project Manager

Recommendation:

Staff recommends City Council adopt the attached Resolution approving the project plans and specifications and authorizing advertisement for the Library Roof Replacement, Capital Improvement Project C20-01.

City Manager Mark Prestwich reported on this item.

No public comment was received.

Council Member Anna Chouteau moved to approve items 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, Council Member David Knudsen, and Council Member Mary Koberstein

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

11.1 11. NEW BUSINESS Item 11.1 was heard after 8. CONSENT ITEMS

Consideration and proposed approval of a resolution appointing one applicant to the Active Transportation & Sustainability Committee (ATSC) and the Parks & Recreation Commission

CEQA Determination: Not a CEQA project

Prepared By: Cindy Tzaopoulos, City Clerk

Recommendation:

Per resolution 2019-16 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.

Active Transportation & Sustainability Committee (ATSC)

1. Appoint one applicant to fill:

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- a. Alternate term expiring June 30, 2021.

Parks & Recreation Commission

1. Appoint one applicant to fill:
 - a. Term expiring June 30, 2020.

City Clerk Cindy Tzafopoulos reported on this item.

No public was received.

Mayor Geoff Ellsworth moved to appoint Madelyn Chandler to the Active Transportation & Sustainability Committee (ATSC) filling a term expiring on June 30, 2021 and appoint Tye Taylor to the Parks & Recreation Commission filling a term expiring on June 30, 2020. 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

Mayor Ellsworth called for a recess at 6:36 pm and reconvened at 6:41 pm.

9. PUBLIC HEARINGS

- 9.1 *NEW ATTACHMENT - Supplemental Staff Report and Ordinance
Introduction and first reading of an ordinance amending Section 17.08.060 and adding Section 17.08.200 to Chapter 17.08 of Title 17 of the St. Helena Municipal Code Authorizing Refunds of City's Defense Costs on Appeal to Residential Projects.

CEQA Determination: Not a CEQA project

Prepared By: Michael G. Biddle, City Attorney

Recommendation:

Staff recommends the City Council review the draft Ordinance amending Section 17.08.060 and adding Section 17.08.200 to Chapter 17.08 of Title 17 of The St. Helena Municipal Code Authorizing Refunds of City's Defense Costs on Appeal to Residential Projects and:

1. Approve the amendments as described in Exhibit A; and
2. Introduce and conduct a first reading of the Ordinance, by title only and waive further reading.

City Attorney Michael Biddle reported on this item.

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Mayor Ellsworth opened the public hearing and called for public comment.

No public comment was received.

Mayor Ellsworth closed the public hearing.

Council Member Mary Koberstein moved to introduce and conduct a first reading of the Ordinance amending Section 17.08.060 and adding Section 17.08.200 to Chapter 17.08 of Title 17 of the St. Helena Municipal Code Authorizing Refunds of City's Defense Costs on Appeal to Residential Projects, by title only and waive further reading. 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

11. NEW BUSINESS Item 11.1 was heard after 8. CONSENT ITEMS

10. OLD BUSINESS

- 10.1 Presentation of CalPERS Actuarial Review Conducted By Bartel Associates, LLC.

CEQA Determination: Not a CEQA project

Prepared By: Mandy Kellogg, Admin Services Mgr

Recommendation:

Review, discuss and provide direction to City Manager.

Bartel Associates Actuary Doug Pryor provided a presentation.

No public comment was received.

The City Council directed staff bring back a resolution and policy for consideration supporting option 3 (Option 3: Additional Lump Sum Contributions) with options to pay at a 10-year or 15-year amortization schedule.

- 10.2 Consideration of approval of a Resolution approving the purchase of a Exeloo Jupiter Platinum Twin Toilet in the amount of \$171,200 from Exeloo Corporation and authorizing the City Manager to execute all necessary

Regular City Council
August 13, 2019

documents.

CEQA Determination: 15303 New Construction or Conversion of Small Structures

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

Staff recommends City Council approve the Resolution for the purchase of a Exeloo Jupiter Platinum Twin Toilet in the amount of \$171,200 from Exeloo Corporation and authorizing the City Manager to execute all necessary documents.

Public Works Director Erica Ahmann Smithies reported on this item.

Anthony Micheli addressed the City Council.

Council Member Mary Koberstein moved to approve a resolution approving the purchase of a Exeloo Jupiter Platinum Twin Toilet and adding an additional amount of \$12,400 for a total not to exceed \$183,600 from Exeloo Corporation and authorizing the City Manager to execute all necessary documents. Also, refer the project with the wrap option design to the Planning Commission for design review. The motion was seconded by Vice Mayor Paul Dohring and on roll call carried by the following vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

11. NEW BUSINESS

11.1 11. NEW BUSINESS Item 11.1 was heard after 8. CONSENT ITEMS

~~Consideration and proposed approval of a resolution appointing one applicant to the Active Transportation & Sustainability Committee (ATSC) and the Parks & Recreation Commission~~

11.2 *8-8-19 UPDATED ATTACHMENT

Consideration of Request by Our Town St. Helena for \$450,000 loan from City of St. Helena Housing Funds to facilitate purchase of 963 Pope Street for Subsequent Workforce Housing Project

CEQA Determination: Not a CEQA project

Prepared By: Mark T. Prestwich, City Manager

Regular City Council
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Recommendation:
Provide direction to staff.

City Manager Mark Prestwich reported on this item.

Our Town St. Helena Operations Manager Erica Sklar provided a presentation.

Marisol Vargas, Larry Newlan, Anthony Micheli, Jim Hasler, Oliver Crebs and Steve Goldfarb addressed the City Council.

Council Member Mary Koberstein moved to continue the meeting beyond 9:00 pm. 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

Council Member Anna Chouteau moved to direct the City Manager to move forward with the preparation of the loan agreement for up to \$450,000 and bring the item back for consideration at the next available City Council meeting. The motion was seconded by Council Member Mary Koberstein and on roll call carried by the following vote:

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

Items 11.3 and 11.4 are continued to the August 27, 2019 regular City Council meeting.

- 11.3 Discuss and provide direction on Council Liaisons to Meadowood Water Tanks Discussions and 2019 Workplan Housing Goal Objectives

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

Regular City Council
August 13, 2019

- 11.4 Authorize the Mayor to sign a letter of support for SB5, (as amended, Beale) which would establish an Affordable Housing and Community Development Investment Program in California

CEQA Determination: Not a CEQA project

Prepared By: Jessica Deakyne, Asst. to the City Manager

Recommendation:

Staff recommends that the City Council authorize the Mayor to sign a letter of support on behalf of the City Council regarding pending State legislation in support of the official position of the League of California Cities regarding support for SB5, The Affordable Housing and Community Development Investment Program.

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

12.1

August City Council Meetings:
8/27 (staff reports due 8/9)
8/26 Special CC Mtg Reimagine (Vintage Hall 6pm)
PROCLAMATIONS AND PUBLIC RECOGNITION:
8/27 Retirement of Dan Brunetti
8/27 Police Presentation
CONSENT:
8/27 NVTa MOU
8/27 Homecoming Parade
8/27 Offer of dedication (McCorkle and Vallejo)
Award of contract for phase 1 of Upper York Creek
8/27 Investment Policy
8/27 EKI Agreement (Upper York Creek)
OLD BUSINESS:
8/27 Pratt/Main
Pratt/Silverado Discussion
8/27 Pratt Ave. speed control and bridge
Assign Council Members to Housing Goal
Hotel at Freemark Abbey discussion
PH or NEW BUSINESS:
Calistoga Police shared services
Calistoga Police study
8/27 Hydrosience WWTP Phase 1 Conceptual Design Presentation
8/27 Grand Jury response - Water
8/27 Grand Jury response - Finance
8/27 LOCC annual conference voting delegate and resolutions
8/27 Beautification Foundation art
Mid Managers, Exec Staff and SHEA Mou's

Regular City Council
August 13, 2019

Generator Fees (Planning and Finance)
<u>September City Council Meetings:</u>
9/10 (staff reports due 8/23)
9/24 (staff reports due 9/6)
9/24 5pm (Tentative) Special CC Mtg Antonio's Project
9/18/19 (NVTa) Transportation Summit 2019
<i>OLD BUSINESS:</i>
(9/24 or October)Legal Services RFP award
<i>PH or NEW BUSINESS:</i>
9/24 Adopt speed survey - PW
Elm Tunnel Update
<u>October City Council Meetings:</u>
10/8 (staff reports due 9/20)
10/22 (staff reports due 10/4)
<i>CONSENT:</i>
Cell tower lease renewal - Finance

13. ADJOURNMENT

Mayor Ellsworth adjourned the meeting at 9:27 p.m.

The August 13, 2019 regular City Council meeting minutes were adopted at the October 8, 2019 regular meeting

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzafopoulos, City Clerk



Report to the City Council
Council Meeting of October 8, 2019

Agenda Section: Consent

Subject: Consideration and proposed approval adopting a resolution authorizing Amendment No. 1 to increase Bob Murray and Associates' Professional Services Agreement for recruiting services in the amount of \$3,000.

CEQA Determination: Not a CEQA project

Prepared By: Kathy Robinson, Human Resources & IT Director

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

The Human Resources Department opened a recruitment on May 17, 2019 for the vacant Planning and Building Director position. The recruitment was posted in San Francisco Bay area and Sacramento Craigslist, Jobs Available, Planetizen, Western City, League of California Cities, Municipal Management Association of North California (MMANC and Municipal Management Association of Southern California (MMASC). Twelve applications were received and four applicants were invited for interviews on July 8, 2019. All four candidates were no shows or cancelled the day of the interviews.

On July 12, 2019 under *Article 4 Professional Services 3.04.320 Award of professional service contracts based on competence and 3.04.340 Contracting Authority*, the City requested a proposal from Bob Murray and Associates for professional recruitment services and entered into a professional services contract on July 17, 2019 in the amount of \$24,000.

DISCUSSION

The recruitment opened at the end of July and closed on August 23. Bob Murray and Associates presented the City with 30 candidates for consideration. Six were invited for a dual panel interview consisting of a staff panel, and a City Council/Commission panel.

On July 23, 2019 the invited candidates were concurrently interviewed by the panels two candidates at a time. At the end of the interviews both panels met to identify the top candidates however, there were no clear top candidates among the panelists.

After careful consideration, staff is recommending to reject all applicants and go back out for recruitment. The cost would be expenses only; no additional professional fees will be incurred.

FISCAL IMPACT

The fiscal impact is an additional \$3,000 which can be absorbed by the current FY 2019-20 budget as a result of salary savings from the vacant position.

RECOMMENDED ACTION

Approve resolution authorizing Amendment No. 1 to Bob Murray and Associates' Professional Services Agreement in the amount of \$3,000.

ATTACHMENTS

[RESO Approving Amendment No.1](#)

[Exhibit A. PSA Amendment No. 1](#)



Report to the City Council
Council Meeting of October 8, 2019

Agenda Section: Consent

Subject: Consideration and proposed approval adopting a resolution authorizing Amendment No. 1 to increase Bob Murray and Associates' Professional Services Agreement for recruitment services in the amount of \$3,000.

CEQA Determination: Not a CEQA project

Prepared By: Kathy Robinson, Human Resources & IT Director

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

The Human Resources Department opened a recruitment on May 17, 2019 for the vacant Planning and Building Director position. The recruitment was posted in San Francisco Bay area and Sacramento Craigslist, Jobs Available, Planetizen, Western City, League of California Cities, Municipal Management Association of North California (MMANC and Municipal Management Association of Southern California (MMASC). Twelve applications were received and four applicants were invited for interviews on July 8, 2019. All four candidates were no shows or cancelled the day of the interviews.

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DISCUSSION

The recruitment opened at the end of July and closed on August 23. Bob Murray and Associates presented the City with 30 candidates for consideration. Six were invited for a dual panel interview consisting of a staff panel, and a City Council/Commission panel. On July 23, 2019 the invited candidates were concurrently interviewed by the panels

two candidates at a time. At the end of the interviews both panels met to identify the top candidates however, there were no clear top candidates among the panelists.

After careful consideration, staff is recommending to reject all applicants and go back out for recruitment. The cost would be expenses only; no additional professional fees will be incurred.

FISCAL IMPACT

The fiscal impact is an additional \$3,000.

RECOMMENDED ACTION

Approve resolution authoring Amendment No. 1 to Bob Murray's Professional Services Agreement in the amount of \$3,000.

ATTACHMENTS

[RESO Approving Amendment No.1](#)

[Exhibit A. PSA Amendment NO. 1](#)

CITY OF ST. HELENA

RESOLUTION NO.2019-_____

**Authorizing Amendment No. 1 to increase Bob Murray
and Associates' Professional Services Agreement in the
amount of \$3,000**

RECITALS

- A. The Human Resources Department opened a recruitment on May 17, 2019 for the vacant Planning and Building Director position; and
- B. Twelve applications were received, and four applicants were invited for the July 8, 2019 but all candidates were a no show or cancelled the day of the interviews; and
- C. On July 12, 2019 under *Article 4 Professional Services 3.04.320 Award of professional service contracts based on competence, and 3.04.340 Contracting Authority*, the City requested a proposal from Bob Murray and Associates for professional recruitment services; and
- D. In July 17, 2019, entered into a professional services contract in an amount not to exceed \$24,000; and
- E. The recruitment opened the end of July and closed August 23; and
- F. Bob Murray and Associates presented the City with 30 candidates for consideration; and
- G. Six were invited for a dual panel interview consisting of one staff panel, and one City Council/Commission panel; and
- H. On July 23, 2019 the invited candidates were concurrently interviewed by the panels, two candidates at a time; and
- I. At the end of the interviews both panels could not identify the top candidates; and
- J. After careful consideration, staff is rejecting all applicants; and
- K. Staff recommends that the City go back out for another recruitment; and
- L. Bob Murray and Associates estimate the recruitment cost of expenses and no professional fees accessed in amount not to exceed \$3,000.

RESOLUTION

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

1. Approves Amendment No. 1 to Bob Murray's Professional Services Agreement contract number STH Contract: 2020-004 in the amount of \$3,000 (Exhibit A).

Approved at a Regular Meeting of the St. Helena City Council on October 8, 2019, by the following vote:

Mayor Geoff Ellsworth:

Vice Mayor Paul Dohring:

Councilmember Koberstein:

Councilmember AnnaChouteau:

Councilmember David Knudsen:

APPROVED:

Geoff Ellsworth, Mayor

ATTEST:

Cindy Tzafopoulos, City Clerk

Exhibit A

AMENDMENT NO. 1

MASTER PROFESSIONAL SERVICES AGREEMENT

This Amendment No. 1 (the AMENDMENT) is made to that certain Master Professional Services Agreement (the AGREEMENT) by and between the City of St. Helena, CA (the CLIENT) and Bob Murray & Associates (the CONSULTANT), dated July 17, 2019.

1. Exhibit A of the AGREEMENT is amended to revise the NOT-TO-EXCEED AMOUNT FOR THIS PROJECT from \$24,000 to \$27,000. This increased amount adds to the allowable reimbursable expenses as described in the Consultant's proposal for the recruitment of a PLANNING AND BUILDING DIRECTOR, also known as Exhibit B-1.
2. All other terms and conditions of the AGREEMENT shall remain in full force and effect.

Wherefore, the parties have entered into the AMENDMENT No. 1 as of the later of the dates stated below.

Approved:

Dated: October____, 2019

BOB MURRAY & ASSOCIATES

By:_____

Valerie Gaeta Phillips
Title: President
1544 Eureka Road, Suite 280
Roseville, CA 95661

Dated: October____, 2019

THE CITY OF ST. HELENA

By:_____

Mark T. Prestwich
Title: _City Manager

Exhibit A

AMENDMENT NO. 1

MASTER PROFESSIONAL SERVICES AGREEMENT

This Amendment No. 1 (the AMENDMENT) is made to that certain Master Professional Services Agreement (the AGREEMENT) by and between the City of St. Helena, CA (the CLIENT) and Bob Murray & Associates (the CONSULTANT), dated July 17, 2019.

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2. All other terms and conditions of the AGREEMENT shall remain in full force and effect.

Wherefore, the parties have entered into the AMENDMENT No. 1 as of the later of the dates stated below.

Approved:

Dated: October ___, 2019

BOB MURRAY & ASSOCIATES

By: _____

Valerie Gaeta Phillips
Title: President
1544 Eureka Road, Suite 280
Roseville, CA 95661

Dated: October ___, 2019

THE CITY OF ST. HELENA

By: _____

Mark T. Prestwich
Title: City Manager



Report to the City Council
Council Meeting of October 8, 2019

Agenda Section: Consent

Subject: Consideration and Proposed Approval of a Resolution Supporting Sensible Gun Safety Legislation and the Reinstatement of Federal Assault Weapons Ban

**CEQA Exempt
Determination:**

Prepared By: Cindy Tzafopoulos, City Clerk

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

At the Council meeting on Tuesday, September 10, 2019, Council Member Anna Chouteau advised Council Members of her intention to send a letter to Congressman Mike Thompson (D-CA) regarding support for federal legislation to reinstate a ban on assault weapons. Mayor Ellsworth supported the request for the item to be agendized at a later meeting.

Council Member Anna Chouteau provided the proposed letter of support for consideration at the September 24, 2019 City Council meeting. It was the consensus of the City Council to sign the letter and to also agendize at the next City Council meeting consideration of a formal resolution supporting sensible gun safety legislation and the reinstatement of the federal assault weapons ban.

DISCUSSION

FISCAL IMPACT

Not applicable.

RECOMMENDED ACTION

Consider approving a resolution supporting a federal assault weapons ban.

ATTACHMENTS

[Resolution](#)

CITY OF ST. HELENA

RESOLUTION NO. 2019-

**Resolution Encouraging Support of Legislation that Enacts
Sensible Gun Safety Measures and Reinstates the Federal Assault
Weapons Ban that Expired in 2004**

RECITALS

- A. The mass shootings in the cities of Gilroy, California, El Paso, Texas, and Dayton, Ohio, demonstrate the need for stronger, commonsense gun laws to prevent gun violent and mass shootings in the United States;
- B. Numerous factors contribute to the occurrence of mass shootings, including unregulated access to military-style assault weapons and high-capacity magazines, nonstandardized background checks, failing to require private gun sales to go through licensed dealers, and needed improvements to our mental health system, among others;
- C. Assault weapons designed as weapons of war allow for the rapid fire of potentially large numbers of bullets, and are distinguishable from standard sporting firearms by features such as the ability to accept detachable magazines, pistol grips, and folding or telescoping stocks;
- D. At their regular Council meeting of September 24, 2019, members of the St. Helena City Council agreed to sign on to a letter drafted by fellow Council Member Anna Chouteau to U.S. Representative Mike Thompson supporting the reinstatement of the Federal Assault Weapons Ban that expired under the Bush Administration in 2004, which would ban the AR 15 used by killers at Gilroy, El Paso, and Dayton;

RESOLUTION

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

- 1. Encourages support of legislation that enacts sensible gun safety measures and reinstates the federal assault weapons ban that expired in 2004.

Approved at a regular meeting of the City Council held on October 8, 2019 by the following roll call vote:

Mayor Ellsworth: _____

Vice Mayor Dohring: _____
Councilmember Koberstein: _____
Councilmember Chouteau: _____
Councilmember Knudsen: _____

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzafoopoulos, City Clerk



Report to the City Council
Council Meeting of October 8, 2019

Agenda Section: Old Business

Subject: Discussion of four options for CIP C20-01 St. Helena Library Roof Replacement Project, direction to staff on preferred option, and approval of a resolution authorizing the preferred option for CIP C20-01 St. Helena Library Roof Replacement Project. The options are as follows:

1. **Option 1 - Award of construction contract to Stronger Building Services for alternate bid 1 for \$440,500 (asphalt shingles); authorize the Director of Public Works to approve Change Order not-to-exceed 10% of the contract amount; authorizing a CIP budget increase of \$117,125 to CIP C20-01 St. Helena Library Roof Repair Project; and authorizing the use of General Fund Reserves in a amount not-to-exceed \$114,125;**
2. **Option 2 - Award of construction contract to Stronger Building Services for the base bid for \$598,000 (synthetic slate shingles); authorize the Director of Public Works to approve Change Order not-to-exceed 10% of the contract amount; authorizing a CIP budget increase of \$314,000 to CIP C20-01 St. Helena Library Roof Repair Project; and authorizing the use of General Fund Reserves in an amount not-to-exceed \$314,000;**
3. **Option 3 - Reject all construction bids and consider Option 4;**
4. **Option 4 - Issue an informal bid for only the PVC flat roof replacement.**

CEQA Categorically Exempt, Section 15323
Determination:

Prepared By: Edrees Argand, Junior Assistant Engineer

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

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

The City of St. Helena is responsible for the repair and maintenance of the City Library, located at 1492 Library Lane. Over the past five years, the Library's roof has had a number of leaks which have caused damage to the building and City property inside including computers, office equipment, and books. Additionally, the leaks have caused significant mold issues requiring remediation. The Public Works Department has performed a variety of repairs to the pitched and flat roof; however, additional areas of the roof continue to fail resulting in on-going water damage to the building each winter season. After speaking with various roofing contractors, City staff learned that the existing pitched roofing consists of legacy synthetic slate shingles and that failure is typical with this product.

The original pitched and flat sections of the library roof were constructed in or around 1978 and the library addition's roof was constructed in or around 1993-according to final design records. Thus, the age of the existing roofing materials are 41 and 26 years old respectively. When initially constructed the synthetic slate shingles installed on the pitched roof was expected to last for at least 40 years; however, as mentioned above, the synthetic slate materials used is known in the roofing industry for widespread failure prior to its useful life expectancy**. The typical expected useful life of a build-up roof is approximately 20 years. Due to the failing synthetic shingles and the age of both the original and addition sections of the flat roof, the entire roof is beyond the expected useful life.

On May 28 2019, CIP C20-01 St. Helena Library Roof Replacement Project for \$480,000 (\$20,000 for design and \$460,000 for construction) was presented to City Council in the 2020-2025 five-year Capital Improvement Program which was approved and adopted by Resolution 2019-65.

Following approval of the project, staff began preparing the project for bid and learned that legacy roofing materials typically contained asbestos. Staff consulted an asbestos testing group to take samples of the roof and the test results confirmed various layers of the roofing materials contained between 1-21 percent asbestos. Following the discovery of asbestos, Ninyo & Moore was hired to evaluate if the asbestos materials were potentially friable - a state which can cause the material to crumble and become airborne dust. Friable asbestos materials require significantly more care and complex abatement, including building negative pressure enclosures, causing abatement to be significantly more challenging and costly. Ninyo & Moore performed additional testing and has confirmed that the existing roofing materials are not friable which will streamline the abatement process. The consultants developed a specific plan and technical specifications for the removal and handling of the material, which the winning low-bid contractor will follow as part of the contract. Additionally, the consultant will be available

to monitor the abatement process. Because the existing asbestos roofing is not friable and will be handled according to the specific abatement plan, meeting state and local requirements, it will not impact the project's CEQA section 15301 class 1 exemption.

**To address the legacy synthetic slate shingles, the Public Works Department researched placing a warranty claim but found no documentation of manufacturer or contractor. After speaking with existing roofing contractors Public Works learned that due to their product failures, legacy synthetic slate manufacturing companies have been out of business for a long time, and a claim is not possible.

DISCUSSION

On August 13, 2019, City Council approved the plans and specifications and authorized staff to advertise for bids for construction. The initial engineer's estimates for this project were between \$300,000 and \$500,000 depending on materials, prior to the discovery of asbestos.

Two bids were received on Wednesday, September 11, 2019 as follows:

Contractor Name	Bid Amount
Stronger Building Services, San Leandro	\$598,000
Best Contracting Services, Inc., Gardena	\$782,150

A detailed bid tabulation is included as Attachment 2. Stronger Building Services is the lowest responsible, responsive bid, and holds a valid Class A General Contractor's License No. 955618 with the State of California, with no enforcement actions listed. Their license expires on 12/31/2020. Stronger Building Services is above the engineer's estimate range of \$300,000 to \$500,000.

Stronger Building Services' bid price would increase the total construction project costs, including contingency, construction management and inspection, and asbestos abatement monitoring from \$480,000 to \$774,000. This is \$294,000 over the approved project budget. Further analysis by City staff suggests that the high bids are attributed to the removal and abatement of existing asbestos roofing materials. The low number of bids is attributed to the time frame for construction, \$10 million dollar general liability aggregate insurance requirement, and the number of working days to complete the project.

In light of the high bid opening, the following options are being provided to City Council for discussion and direction to staff:

Option 1: Award the construction contract for alternate bid 1

Alternate bid 1 is the replacement of the slope roof with asphalt shingles in lieu of synthetic slate shingles. Should City Council prefer to move forward with alternate bid 1 as currently designed, the total construction project costs, including contingency, construction management and inspection, and asbestos abatement monitoring will be

\$577,125 which is \$117,125 over the adopted FY 2019-20 CIP budget. A budget adjustment and use of General Fund Reserves in an amount not-to-exceed \$117,125 will be necessary.

Option 2: Award the construction contract for the base bid

Should City Council prefer to move forward with the project as it currently is designed, the total construction project costs, including contingency, construction management and inspection, and asbestos abatement monitoring will be \$774,000 which is \$314,000 over the adopted FY 2019-20 CIP budget. A budget adjustment and use of General Fund Reserves in an amount not-to-exceed \$314,000 will be necessary.

Option 3: Reject all construction bids

In light of the high material costs and bids exceeding the total project budget by \$314,000, City Council may desire to reject all construction bids and consider Option 4 presented below.

Option 4: Issue an informal bid for only the PVC flat roof replacement

The PVC flat roof of the St. Helena Library requires a replacement because of the number of leaks in the area. The project cost for this portion of the roof is significantly lower than replacing the entire roof and would be within the current approved budget and is estimated to be less than \$200,000. Informal bidding procedures can be used for public works projects under \$200,000.

The Project Plans and Manual remain available for review at the Public Works Department at 1572 Railroad Avenue and at www.blueprintexpress.com/sthelena, but will be removed from the site once the project is awarded.

FISCAL IMPACT

The St. Helena Library Roof Replacement Project, CIP Project No. C20-01 is included in the May 2019 adopted five-year Capital Improvement Program (Attachment 3). The FY 2019-20 CIP budget identified a total project cost of \$480,000 (\$20,000 for design and \$460,000 for construction). The estimated project expenditures are dependent on the option chosen. Each option is provided below:

Option 1: Award the construction contract for alternate bid 1

C20-01 St. Helena Library Roof Replacement Estimate Project
Costs (Asphalt Shingles)

Estimated Construction Costs	\$440,500
Construction Contingency (10%)	\$44,050
Construction Management & Inspection (15%)	\$66,075
Asbestos Abatement Monitoring	\$26,500
Estimated Total Project Cost	\$577,125

Based on the lowest responsible and responsive bid, the project cost would exceed the adopted budget by \$117,125 and use of General Fund Reserves would be necessary for the completion of the project.

Option 2: Award the construction contract for the base bid

C20-01 St. Helena Library Roof Replacement Estimated Project

Costs (Synthetic Slate Shingles)

Estimated Construction Costs	\$598,000
Construction Contingency (10%)	\$59,800
Construction Management & Inspection (15%)	\$89,700
Asbestos Abatement Monitoring	\$26,500
Estimated Total Project Cost	\$774,000

Based on the lowest responsible and responsive bid, the project cost would exceed the adopted budget by \$314,000 and use of General Fund Reserves would be necessary for the completion of the project.

Option 3: Reject all construction bids

There is no fiscal impact to rejection of all construction bids.

Option 4: Issue an informal bid for only the PVC flat roof replacement

The PVC flat roof of the St. Helena Library requires a replacement because of the number of leaks in the area. The project cost for this portion of the roof is significantly lower than replacing the entire roof and would be within the current approved budget and is estimated to be less than \$200,000. Informal bidding procedures can be used for public works projects under \$200,000.

RECOMMENDED ACTION

Discussion of four options for CIP C20-01 St. Helena Library Roof Replacement Project, direction to staff on preferred option, and approval of a resolution authorizing the preferred option for CIP C20-01 St. Helena Library Roof Replacement Project.

ATTACHMENTS

[Attachment 1: Bid Tabulations](#)

[Attachment 2: C20-01 Budget](#)

[Attachment 3: Council Reso Award of Contract](#)

[Attachment 4: C20-01 Rejection Resolution](#)

C20-01 St. Helena Library Roof Replacement Bid Opening September 11, 2019 at 2:00 PM

Item No.	Bid Item	Quantity	Units	Engineer's Estimate	
				Unit Cost	Total Cost
1	Removal and Abatement of Existing Roofing Materials	1	LS	\$80,000.00	\$80,000.00
2	Repair of Roof Deck	10	Roofing Square	\$450.00	\$4,500.00
3	Replacement of Build-up Flat Roof (80 MIL PVC or Equiv.)	45	Roofing Square	\$1,600.00	\$72,000.00
4	50 YR Synthetic Slate Shingles	175	Roofing Square	\$1,965.00	\$343,875.00
Total Base Bid Amount					\$500,375.00

Additive/Deductive Alternate Bid Schedule

Item No.	Bid Item	Quantity	Units	Engineer's Estimate	
				Unit Cost	Total Cost
	50 YR Synthetic Slate Shingles (Deduct Item 4 of Base Bid)	175	Roofing Square	\$1,965.00	\$343,875.00
	50 YR. Asphalt Shingles (Add)	175	Roofing Square	\$820.00	\$143,500.00
Total Additive/Deductive Alternate Bid					(\$200,375.00)

Stronger Building Services		Best Contracting Services, Inc.	
Unit Cost	Total Cost	Unit Cost	Total Cost
\$185,000.00	\$185,000.00	\$85,000.00	\$85,000.00
\$400.00	\$4,000.00	\$465.00	\$4,650.00
\$1,700.00	\$76,500.00	\$3,266.67	\$147,000.00
\$1,900.00	\$332,500.00	\$3,117.14	\$545,500.00
\$598,000.00		\$782,150.00	

Stronger Building Services		Best Contracting Services, Inc.	
Unit Cost	Total Cost	Unit Cost	Total Cost
\$1,900.00	\$332,500.00	\$3,117.14	\$545,500.00
\$1,000.00	\$175,000.00	\$1,772.57	\$310,200.00
(\$157,500.00)		(\$235,300.00)	

Library Roof Repair

Project No: 0105-C20-01

Category: Civic

Project Location: 1492 Library Lane



PROJECT PURPOSE & DESCRIPTION: Replacement of the leaking library roof. Current roofing system has failed and causes water damage to the library each year. The project will replace the existing roof with a modern roof with a minimum of 30-year warranty.

FISCAL IMPACT: The estimated cost is \$480,000.

EXPENDITURE ACCOUNTS:

Fund: 733 **Dept:** 5010

EXPENDITURES	2019-20	2020-21	2021-22	2022-23	2023-24	Five Year
3110 - Design	20,000					20,000
3160 - Construction Contract	460,000					460,000
EXPENDITURE TOTALS	480,000					480,000
FUNDING SOURCES	2019-20	2020-21	2021-22	2022-23	2023-24	Five Year
101-General Fund	480,000					480,000
FUNDING TOTALS	480,000					480,000

CITY OF ST. HELENA

RESOLUTION NO. 2019-

Awarding the St. Helena Library Roof Repair Project, CIP C20-01 to Stronger Building Services in the amount of \$_____; Authorizing the City Manager to execute the Construction Contract with Stronger Building Services; Authorizing the Director of Public Works to approve Change Orders not to exceed 10% of the contract amount; Authorizing a CIP budget increase of \$_____ to CIP C20-01 St. Helena Library Roof Repair Project; Authorizing use of General Fund Reserves in an amount not-to-exceed \$_____; and Authorizing the transfer of General Fund Reserves to Civic CIP Fund 733 in an amount not-to-exceed \$_____ at completion of the project.

RECITALS

- A. On May 28, 2019, CIP C20-01 St. Helena Library Roof Replacement Project for \$480,000 was presented to City Council in the 2020-225 five-year Capital Improvement Program which was approved and adopted by Resolution 2019-65; and
- B. On August 13, 2019, City Council approved the plans and specifications and authorized staff to advertise for bids and made findings that the project C20-01 is categorically exempt from the California Environmental Quality Act, pursuant to CEQA guidelines section 15301, Existing Facilities Class I which exempts the operation, repair, maintenance, and permitting of existing facilities involving negligible or no expansion of use; and
- C. On August 18, 2019, pursuant to St. Helena Municipal Code Chapter 3.04: Article 3 Public Works Projects; Section 3.04.220, a notice inviting bids was posted and mailed to contractors inviting bids for C20-01 St. Helena Library Roof Replacement Project; and
- D. On September 11, 2019, two bids were received by the City Clerk; and
- E. The lowest responsive and responsible bidder for the Project was Stronger Building Services, of San Leandro, CA; and
- F. At the October 8, 2019, City Council meeting, City Council provided direction to approve Option _____ in the amount of \$_____

RESOLUTION

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

1. Awarding the C20-01 St. Helena Library Roof Replacement Project to Stronger Building Services, of San Leandro, CA; and
2. Authorizing the City Manager to execute a construction contract in the amount of \$_____ with Stronger Building Services for C20-01 St. Helena Library Roof Replacement Project; and
3. Authorizing the Director of Public Works to approve change orders not to exceed 10% of the contract amount; and
4. Authorizing a budget increase of \$_____ to C20-01 St. Helena Library Roof Replacement project; and
5. Authorizing use of General Fund Reserves in an amount not-to-exceed \$_____ for C20-01 St. Helena Library Roof Replacement Project; and
6. Authorizing a transfer from General Fund Reserves to Civic CIP Fund 733 in an amount not-to-exceed \$_____ at completion of the project.

Approved at a Regular Meeting of the St. Helena City Council on October 8, 2019, by the following vote:

Mayor Ellsworth:	_____
Vice Mayor Dohring:	_____
Councilmember Koberstein:	_____
Councilmember Knudsen:	_____
Councilmember Chouteau:	_____

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzaopoulos, City Clerk

CITY OF ST. HELENA

RESOLUTION No. 2019-

Resolution rejecting all construction bids for the C20-01 St. Helena Library Roof Replacement Project

RECITALS

- A. The Library Roof Replacement CIP Project C20-01, is intended to repair the failed leaking library roof; and
- B. The project will replace the sloped and flat roof sections of the St. Helena Public Library and attached Robert Louis Stevenson Museum; and
- C. The plans and specifications were developed internally by the Public Works Department using existing as-built plans and existing architectural specifications; and
- D. The plans have been completed to City standards and approved by the Director of Public Works/City Engineer; and
- E. The replacement of the library roof is a minor alteration to an existing facility. The project site is not located in an environmentally sensitive area and there are no cumulative impacts, unusual circumstances or other factors that would make the exemption inapplicable; and
- F. On September 11, 2019, two (2) bid were received by City staff and opened in accordance with applicable law; and
- G. The lowest responsive and responsible bidder for the project was Stronger Building Services of San Leandro, CA in the amount of \$598,000; and
- H. California Public Contract code Section 20166 allows a legislative body to reject any bids presented; and
- I. The Public Works Director recommends all bids be rejected based on the significant increase over the approved project budget.

RESOLUTION

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

1. Reject all construction bids for the C20-01 St. Helena Library Replacement Project.

Approved at a Regular Meeting of the St. Helena City Council on October 8, 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 October 8, 2019

Agenda Section: Old Business

Subject: Consideration of Approval of a Resolution Rejecting the Sole Construction Bid for the W-26 Phase 1 Upper York Creek Ecosystem Restoration and Aquatic Habitat Enhancement Project

CEQA Determination: Final Environmental Impact Report (SCH. No. 2006092096); Addendum to Final EIR

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

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

The City has been working for several years to remove the Upper York Creek Dam and restore the riparian habitat of the York Creek watershed. The Dam was originally constructed in 1900, and gravel and fine sediments produced by the watershed above the Dam have become trapped behind it; thus reducing the storage capacity of the reservoir. Sediment accumulates in the reservoir at a rate of 1,000 to 5,000 cubic yards per year depending on the magnitude of winter storm events, which necessitates regular maintenance, including annual debris removal and periodic removal of accumulated sediment. Four documented incidents of accidental, catastrophic releases of fine sediment have occurred during maintenance activities. These low-flow sediment discharges have resulted in mortality of fish and other aquatic organisms over the entire stretch of York Creek below the Dam.

In 2006, the City entered into a settlement agreement with the Department of Commerce National Oceanic and Atmospheric Administration to remove the Dam. The terms of this agreement state that the City must pay to NOAA \$70 per day for each day beyond October 31, 2012 that the Dam continues to block fish passage to Upper York Creek.

The Upper York Creek Dam Removal is a very complex project with multiple regulatory agencies that have similar, yet competing agency objectives, which require unilateral agreement in order for the project to be completed. A significant change in direction occurred in March 2017 when the permitting agencies directed the City and the City's Consultant to take a less engineered approach to the dam removal based on lessons learned from the San Clemente Dam Removal project. The San Clemente Dam Removal project experienced the loss of extensively engineered step pools, downstream sediment traps, and habitat restoration plantings during the 2016/2017 storm season.

Today, Phase 1 of the City's project involves construction of sediment traps for habitat and sediment transport and Phase 2 of the City's project involves notching the dam to restore fish passage and habitat connectivity, reduce potential for downstream habitat degradation and fish kills, and restore the local ecology of York Creek. An additional complexity involves ensuring the private property owner Spring Mountain Vineyard agrees with the portion of the overall project being built on their property (sediment traps). Phase 1 construction was planned for Summer/Fall 2019 and Phase 2 construction was planned for August 2020.

The final permit (3 of 3) for Phase 1 was issued in July 2019 by the California Department of Fish and Wildlife (over a year after submitting applications to all agencies). With the final Phase 1 permit and conditions in hand, the City's consulting engineer, Michael Baker International (MBI), needed to finalize construction plans in less than 30 days (from earlier plan submittals upon which permitting decisions were made) in order to meet the limited construction window this season (August – October). The bid package was released on August 14, 2019 to the regulatory agencies and Spring Mountain Vineyard concurrently with a plan to award a construction contract at a Special Meeting, if necessary, to provide adequate time for Phase 1 construction.

DISCUSSION

On April 23, 2019, the City Council adopted an Addendum to the EIR, approved a right of way and access agreement with Spring Mountain Vineyards for Phase 1 and 2, and authorized advertisement of the project. On July 3, 2019, the City received the final regulatory permit for Phase 1 from the California Department of Fish and Wildlife and began working on finalizing the Phase 1 construction plans and specifications in order to advertise the project. In addition to the permitting, in July 2019 the City brought on board an additional design and project management firm, EKI Environment and Water, Inc. to assist the Public Works Director with ongoing project management and Phase 1 construction management.

Due to the short time period available to construct Phase 1 of the project this year (August 15 to October 31), the City submitted final plans to the agencies concurrently to review while the project was being advertised in August 2019. The project had two addendum, a landslide report, as well as an additional memorandum which were submitted to all the regulatory agencies to discuss the actual number of sediment traps

that could be safely installed in Phase 1 as conditioned by the permits (20 instead of 30 traps).

On August 14, bid documents were published online and sent to the builders exchanges. The bid notice was also published online and in the Valley Register with a bid opening scheduled for September 6, 2019.

The City Clerk received one bid on Friday, September 6, 2019 as follows:

Contractor Name	Bid Amount
Suulutaq, Inc. of Suisun City	\$601,865.00

The engineers estimate for this project was \$330,000.

Suulutaq, Inc. holds a valid Class A and B Contractors License No. 898727 in the State of California, with no enforcement actions listed. Their license expires June 30, 2021. Suulutaq, Inc. had the lowest, responsible, and responsive bid at \$601.865.

Typically, importing ballast would not be an issue, but at least two agencies, the Regional Water Quality Control Board and NOAA National Marine Fisheries, were wanting a less engineered approach with existing rock and trees in the streambed allowing the anchoring of the logs to take place more naturally. The City's Project Manager EKI, had their biologist walk the creek with MBI's representative on September 6 and determined that the natural approach could still take place without imported ballast, but the number of traps would need to be reduced from 30 to 20 per the landslide report. The City and its consultants updated this information on the same day with all permitting agencies and requested each agency allow the project to proceed with the 20 sediment traps consistent with the regulatory permits. Because the agencies needed more time to review the latest information, the award of contract was pulled from the meeting of September 10.

The City and its consultants met with the Water Board in person on September 12 to discuss the changes in Phase 1 in an effort to proceed with construction and to discuss next steps with Phase 2. The Water Board requested a few more days to consider the information provided for Phase 1. With Phase 2 permitting still in process, it was anticipated that additional traps could be installed in 2020 upstream of the current project. The regulatory agencies took it under consideration for a week, meeting jointly without City representation that was requested, but did not reach consensus to allow the project to move forward. With an eventual decision to deny the project made by three permitting agencies, the City is unable to move forward with Phase 1 construction in this construction season.

The City and the Consultant have worked diligently to get the regulatory agencies to see the benefit in getting two-thirds of the sediment traps installed in advance of Phase 2 as previously requested by NOAA, but the agencies declined to change their decision.

Therefore, the Public Works Director recommends rejecting the single bid. A resolution has been attached to this staff report for this purpose.

Next Steps

Staff is meeting with regulatory agencies on October 17 to discuss the entire project and resolve remaining environmental issues related to both phases, including successful permitting for Phase 1 and Phase 2 construction combined into one project. The original permit applications submitted in May 2017 are still active and the City will creatively build on those applications with all information gathered to date in order to combine both projects into one. Consolidating the project into one bid and construction season will be an added benefit since the City will no longer have to manage two construction seasons, two sets of regulatory permitting conditions, and post construction monitoring, as well as multiple contractors and consultant experts that are required to monitor the project throughout construction. As a combined project, the City will also be able to remain on the same previously planned construction completion date of 2020.

City staff is recommending transition of design services away from MBI to EKI to complete the remaining design. In the past year, MBI has experienced turnover in pertinent design staff leaving no local engineer or project manager, which has hindered an already complex project and the ability for staff to meet with the City or regulatory agencies on short notice. However, MBI's CEQA and Permitting division staff have remained consistent throughout the project and their permitting history is critical to moving this project forward. Therefore, it is recommended that the remaining funds from MBI's contract be focused on finalizing permitting for the project with EKI leading the project design team. EKI is working on a proposal to complete revised design plans based on previous and current input from the regulatory agencies, MBI, and all studies gathered to date. EKI's proposal will be brought to City Council in the near future while they continue to work within their current approved contract budget.

FISCAL IMPACT

As of July 1, 2019, the City had \$5,424,000 remaining in the CIP budget for this project, with Proposition 84 and EPA grant funding in the amount of \$800,000 and \$907,953 respectively.

RECOMMENDED ACTION

Approve a Resolution rejecting the sole construction bid for the W-26 Phase 1 Upper York Creek Ecosystem Restoration and Aquatic Habitat Enhancement Project.

ATTACHMENTS

[Attachment 1: Bid Rejection Resolution](#)

CITY OF ST. HELENA

RESOLUTION NO. 2019-

**Resolution rejecting the sole
construction bid for the W-26
Phase I Upper York Creek
Ecosystem Restoration and
Aquatic Habitat Enhancement
Project**

RECITALS

A. On April 23, 2019, the City Council adopted an Addendum to the EIR and authorized advertisement of the W-26 Upper York Creek Ecosystem Restoration and Aquatic Habitat Enhancement Project; and

B. The project was split into two phases; Phase 1 of the City's project involves construction of sediment traps for habitat and sediment transport, and Phase 2 of the City's project involves notching the dam to restore fish passage and habitat connectivity, reduce potential for downstream habitat degradation and fish kills, and restore the local ecology of York Creek; and

C. On July 3, 2019 the City received the final regulatory permit for Phase 1 of the project from the California Department of Fish and Wildlife and began working on finalizing the Phase 1 construction plans and specifications in order to advertise; and

D. Pursuant to St. Helena Municipal Code Chapter 3.04; Article 3 Public Works Projects; Section 3.04.240 a notice inviting bids was posted on August 14, 2019 for Phase 1; and

E. On September 6, 2019, one bid was received and evaluated by the Director of Public Works; and

F. The lowest responsive and responsible bidder for the Project was Suulutaq, Inc., of Suisun City, CA in the amount of \$601,865; and

G. Due to a reduction in the Phase 1 project scope the regulatory permitting agencies denied approval in order for

the project to move forward in the 2019 construction season;
and

H. California Public Contract code Section 20166 allows a legislative body to reject any bids presented; and

G. The Public Works Director recommends the single bid be rejected due to the project not being permitted by the regulatory permitting agencies.

RESOLUTION

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

1. Reject the sole construction bid for the W-26 Phase 1 Upper York Creek Ecosystem Restoration and Aquatic Habitat Enhancement Project.

Approved at a Regular Meeting of the St. Helena City Council on October 8, 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