



***AMENDED 11-8-19**
City of St. Helena
Regular City Council Meeting
Tuesday, November 12, 2019 @ 6:00 PM
Vintage Hall Board Room - Second Floor
465 Main Street, St. Helena

PLEASE NOTE: Any person who wishes to speak regarding an item on the agenda or make a comment under the "Oral Communication" portion of the agenda may do so, but please observe the time limit of four minutes.

Page

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
Mayor: Geoff Ellsworth, Vice Mayor: Paul Dohring, City Council Members:
Anna Chouteau, David Knudsen and Mary Koberstein
4. PUBLIC FORUM:
Members of the public are entitled to speak on matters of municipal concern not on the agenda during Public Forum. Each person's comments shall be limited to 4 minutes. Each person is entitled to speak on any non-agendized item only once at any meeting. Brief questions by Council Members for clarifications may be posed and answered, and Council Members may make requests that items be placed on future agendas, but in accordance with state law, no substantive discussion or action may take place unless and until the matter properly appears on the agenda.
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.
 - 5.1. [Public Records Efficiencies](#) 9 - 10
6. PRESENTATIONS AND PUBLIC RECOGNITIONS
 - 6.1. Proclamation for Robert Louis Stevenson Day in St. Helena presented to Barrett Dahl, Robert Louis Stevenson Museum Executive Director 11
[Proclamation](#)
 - 6.2. Arbor Day Proclamation presented to Carlos Uribe, Public Works Maintenance Manager and City Arborist 13
[Proclamation](#)
7. STAFF BRIEFING
 - 7.1. Upper York Creek Dam Project Update by Erica Ahmann Smithies, Public Works Director and City Engineer

- 7.2. Update on Waste Water Treatment Plant Upgrade Project by Erica Ahmann Smithies, Public Works Director and City Engineer

8. CONSENT ITEMS

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

- 8.1. Consideration and proposed approval of Regular Meeting Minutes of September 10, 2019, Special Meeting Minutes of September 24, 2019 and Regular Meeting Minutes of September 24, 2019. 15 - 33

[Regular City Council - 10 Sep 2019](#)

[Special City Council - 24 Sep 2019](#)

[Regular City Council - 24 Sep 2019](#)

- 8.2. Consideration and adoption of a Resolution: (1) Awarding the St. Helena Library Roof Replacement Project, Capital Improvement Project C20-01 to Central Roofing Inc. in the amount of \$186,141.00; (2) Authorizing the City Manager to execute the Construction Contract with Central Roofing Inc; and (3) Authorizing the Director of Public Works to approve Change Orders not to exceed 10% of the contract amount. 35 - 48

CEQA Determination: Categorically Exempt, Section 15323

Prepared By: Edrees Argand, Junior Assistant Engineer

Recommendation:

Adopt a Resolution: (1) Awarding the St. Helena Library Roof Replacement, Capital Improvement Project C20-01 to Central Roofing Inc. in the amount of \$186,141; (2) Authorizing the City Manager to execute the Construction Contract with Central Roofing Inc.; and (3) Authorizing the Director of Public Works to approve Change Orders not to exceed 10% of the contract amount.

[Staff Report - Pdf](#)

[St Helena Letter Rejecting SBS Bid Protest on Library Roof Replacement Project](#)

- 8.3. Consideration and proposed approval of a resolution: (1) Approving temporary closure of Oak Avenue between Adams Street and Tainter Street for the December 6, 2019, "Home for the Holidays" community holiday social (2) Authorizing possession of open alcoholic beverages on the designated public street for this event, and (3) Approving the waiving of the encroachment fee. 49 - 52

CEQA Determination: Not a CEQA project

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 between Adams Street and Tainter Street for the December 6, 2019, Home for the Holidays City community social, (2) authorizing possession of open alcoholic beverages on the

designated public street, and (3) approving the waiving of the encroachment fee.

[Staff Report - Pdf](#)

- 8.4. Consideration and Adoption of a Resolution Awarding a Professional Services Agreement to Lisa Wise Consulting, Inc. for the City of St. Helena Zoning Code Update in an Amount Not-to-Exceed \$319,990. 53 - 111

CEQA Determination: Categorically Exempt, Section 15323

Prepared By: April Mitts, Finance Director

Recommendation:

Staff is recommending City Council approve Resolution Awarding a Professional Services Agreement to Lisa Wise Consulting, Inc. for the City of St. Helena Zoning Code Update in an Amount Not-to-Exceed \$319,990.

[Staff Report - Pdf](#)

- 8.5. Consideration and proposed approval of a Resolution rescinding Resolution 2017-18 and approval of a Resolution updating Policy P-FI-0009 Low Income Water and Wastewater Subsidy program. 113 - 140

CEQA Determination: Categorically Exempt, Section 15323

Prepared By: April Mitts, Finance Director

Recommendation:

Staff recommends City Council adopt a Resolution rescinding Resolution 2017-18 and approval of a Resolution updating Policy P-FI-0009 Low Income Water and Wastewater Subsidy program.

[Staff Report - Pdf](#)

9. PUBLIC HEARINGS

- 9.1. None

10. OLD BUSINESS

- 10.1. Receive and Discuss Presentation on Civic Institutions Massing Concepts and Cost Estimates, and Provide Direction Regarding Optimal Timing and Focus of Next Steps 141 - 212

CEQA Determination: Exempt

Prepared By: Mark T. Prestwich, City Manager

Recommendation:

Receive and discuss presentation on Civic Institutions Massing Concepts and Cost Estimates, and provide direction regarding optimal timing and focus of next steps.

[Staff Report - Pdf](#)

[Public Comment.Dan Hale](#)

[Public Comment.Anthony Micheli](#)

[Noll & Tam Presentation](#)

- 10.2. *UPDATED ATTACHMENTS 11-8-19 213 - 232
Consideration and discussion of the existing no parking zone on

Main Street affecting the residences at 1820, 1830, 1846, 1856, 1862, and 1872 Main Street

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

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

Recommendation:

City staff is recommending City Council receive the report, discuss, and provide further direction to staff on the options provided.

[Staff Report - Pdf](#)

10.3. *NEW ITEM 11-8-19

233 - 256

Consideration and proposed approval of a resolution authorizing the City Manager to execute an amendment to the Affordable Housing Agreement that permits the existing residential unit at 963 Pope Street to be rented to a moderate income household and the future units to be rented by low income households, changes the definition of Affordable Rent for low and moderate income households to be consistent with the City's Municipal Code, and to take all actions necessary to rerecord the agreement and otherwise effectuate the Affordable Housing Agreement.

CEQA Determination: Not a CEQA project

Prepared By: Kara Ueda, City Attorney

Recommendation:

Staff recommends the City Council adopt the attached resolution authorizing the City Manager to execute an amendment to the Affordable Housing Agreement that permits the existing residential unit at 963 Pope Street to be rented to a moderate income household and the future units to be rented by low income households, changes the definition of Affordable Rent for low and moderate income households to be consistent with the City's Municipal Code, and to take all actions necessary to rerecord the agreement and otherwise effectuate the Affordable Housing Agreement.

[Staff Report - Pdf](#)

10.4. Discussion and Direction Regarding Saint Helena Municipal Code Chapter 9.12 (Curfew) to Continue Suspension, Alter, or Repeal Ordinance, and Possible Rescission of Resolution 2018-175.

257 - 261

CEQA Determination: Exempt

Prepared By: Chris Hartley, Acting Chief of Police

Recommendation:

Staff is seeking Council direction regarding whether to continue suspension of the Curfew Ordinance, alter, or repeal Chapter 9.12 of the Municipal Code, and possible rescission of Resolution 2018-175.

[Staff Report - Pdf](#)

11. NEW BUSINESS

11.1. Introduction and first reading of an ordinance amending Title 15,

263 - 340

Buildings and Construction of the St. Helena Municipal Code, adopt and amend in full the 2019 California Building Standards Code, Title 24.

CEQA Determination: Exempt from the requirements of CEQA under the "General Rule", Section 15061 (b)(3), in that it can be seen with certainty that the proposed action will have no impact on the environment.

Prepared By: Philip Henry, Chief Building Official

Recommendation:

The Planning and Building Department recommends the City Council:

1. Find the proposed amendments to the Building Code are exempt from CEQA under Section 15061 (b) (3) the 'General Rule'; and
2. Introduce and conduct a first reading of the draft Ordinance (Attachment 1), by title only and waive further reading.

[Staff Report - Pdf](#)

- 11.2. Fiscal Year 2019-20 First Quarter Finance Report and Proposed approval to adopt a resolution authorizing: 341 - 366

1. Budget increase of \$5,000 to 101-4000-2145 Other Contract Services from General Fund Reserves for the FY 2018-19 NVTa Capital Contribution; and
2. Budget increase of \$18,000 to 101-4300-2145 Other Contract Services from General Fund Reserves for sales tax services by MuniServices; and
3. Budget transfer of \$6,500 from General Fund Reserves to the Fourth of July Fund Operating Transfers In - 288-4728-2142; and
4. Budget increase of \$15,000 to 101-5027-2215 from General Fund Reserves to purchase additional holiday lights for Main Street; and
5. Budget increase of \$10,000 to 751-4400-2130 Affordable Housing Trust Fund for attorney services.

Additionally, staff recommends City Council receive and file the Q1 FY 2019-20 financial report.

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

Recommendation:

Staff recommends the City Council adopt a resolution authorizing:

1. Budget increase of \$5,000 to 101-4000-2145 Other Contract Services from General Fund Reserves for the FY 2018-19 NVTa Capital Contribution; and
2. Budget increase of \$18,000 to 101-4300-2145 Other Contract Services from General Fund Reserves for sales tax services by MuniServices; and

3. Budget transfer of \$6,500 from General Fund Reserves to the Fourth of July Fund Operating Transfers In - 288-4728-2142; and
4. Budget increase of \$15,000 to 101-5027-2215 from General Fund Reserves to purchase additional holiday lights for Main Street; and
5. Budget increase of \$10,000 to 751-4400-2130 Affordable Housing Trust Fund for attorney services.

Additionally, staff recommends City Council receive and file the Q1 FY 2019-20 financial report.

[Staff Report - Pdf](#)

[FY 20 Q1 Finance Report Presentation](#)

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

12.1.

November City Council Meetings:

11/26 (staff reports due 11/8)

TBD Joint P&R\ATSC\City Council Mtg (Nov or Dec)

The City of St. Helena is changing the frequency of the utility billing cycle from monthly to bi-monthly starting January 1, 2020

CONSENT:

11/12 Napa RCD Amendment

11/26 Two NOC's (R19-79 and Hunt)

11/26 Mead & Hunt PSA Amendment

11/26 SHEA MOU

11/ 26 Purchase two Public Works vehicles

11/26 Dudek Contract amendment

11/26 Message Boards

11/26 Fuel station at the corp yard

OLD BUSINESS:

11/26 Pratt and Main

PH or NEW BUSINESS:

11/26 Measure T Project List

11/26 PH Sewer Annexation 1057 Pratt Avenue

11/26 MCC Clean Energy

December City Council Meetings:

12/10 (staff reports due 10/25)

12/24 Cancelled

The City of St. Helena is changing the frequency of the utility billing cycle from monthly to bi-monthly starting January 1, 2020

PROCLAMATIONS/PUBLIC RECOGNITION/STAFF BRIEFING:

SB - Elm Tunnel Update

Honor and recognize committees

CONSENT:

Purchase two Public Works vehicles

Joint use agreement with SHUSD for the use of Vintage Hall (Expires February 2020)
NOC for paving projects
Two NOC's (R19-79 and Hunt)
OLD BUSINESS:
Park light improvement light study
Add back list (Paying down PERS- Prefunding medical)
PH or NEW BUSINESS:
Williamson Act

13. ADJOURNMENT

The next Regular City Council meeting is scheduled for November 26, 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 November 6, 2019. Reposted November 8, 2019.



Cindy Tzaifopoulos, 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.

Public Records Efficiencies

St. Helena Scanning Project to Date

- Approximately 50,000 large format plan sets = roughly 600,000 square feet of plan sets
- About 25,000 pounds of plan sets scanned = nearly 2 million images scanned
- Approximately 400 total boxes removed/brought back for scanning
- About 12,000 pounds of standard size content
- 27 historical record books of varying size which contained about 10,000 pages/images
- Nearly 4TB of data

Public Records Requests

Fiscal Year	Number of PRA's	Avg Days to Fulfill each Request	Departments						
			Administration	Building/ Planning	Police	Fire	Public Works	Finance	Parks and Rec
FY14-15	124	3	12	89	3	2	10	7	0
FY15-16	212	3	26	128	3	5	13	7	1
FY16-17	267	4	26	139	33	9	32	15	0
FY17-18	296	4	31	150	46	6	30	26	0
FY18-19	255	3	53	106	44	3	9	12	1

Building Department



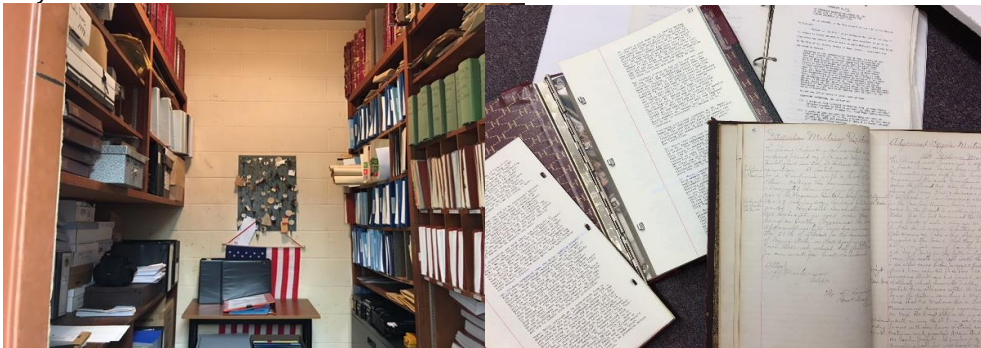
Planning Department



Public Works



City Clerk



CITY OF ST. HELENA
PROCLAMATION IN RECOGNITION OF
STEVENSON DAY
NOVEMBER 13, 2019

WHEREAS, The Robert Louis Stevenson Museum was founded 50 years ago in 1969, and has grown into the largest, publicly accessible collection and educational resource for the study and appreciation of Robert Louis Stevenson, author of such classics as *Treasure Island*, *A Child's Garden of Verses*, and *Strange Case of Dr. Jekyll and Mr. Hyde*, among others; and

WHEREAS, the RLSM has continued to serve the community of St. Helena as an educational resource for scholars, students, and visitors to Napa Valley interested in the history of Stevenson in the area, his life's work, and his lasting impact on literature, entertainment, and language throughout the world; and

WHEREAS, November 13, 1880 is Robert Louis Stevenson's birthday.

NOW, THEREFORE LET IT BE RESOLVED, that I, Geoff Ellsworth, Mayor of the City of St. Helena, along with the City Council, do hereby proclaim November 13th as **Robert Louis Stevenson Day** in the City of St. Helena, California.

Dated: November 12, 2019

Geoff Ellsworth, Mayor
City of St. Helena

City of St. Helena PROCLAMATION

ARBOR DAY

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal, and

WHEREAS, the City of St. Helena has been recognized as a Tree City USA by The National Arbor Day Foundation for 20 years and desires to continue its tree-planting practices

NOW, THEREFORE, let it be known that the City of St. Helena has declared the 21st day of November 2019, as Arbor Day and will be holding tree plantings in recognition of Arbor Day for the purpose of expressing our support for efforts to protect our trees and woodlands.

Dated: November 12, 2019

Geoff Ellsworth, Mayor
City of St. Helena

MINUTES
City of St. Helena
Regular City Council Meeting
Tuesday, September 10, 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

The Mayor called the meeting to order at 6:08 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. PUBLIC FORUM:

Paul Asmuth showed a presentation and addressed the City Council.

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

City Attorney Michael Biddle reported that the City Council met in closed session and no reportable actions were taken.

Council Member Knudsen reported on agendizing future discussion of possible City's control of stoplights within city limits that are currently CalTrans jurisdiction.

6. PRESENTATIONS AND PUBLIC RECOGNITIONS

6.1 Proclamation recognizing Napa County Latino Heritage Month September 15 - October 15, 2019

7. STAFF BRIEFING

7.1 None

8. CONSENT ITEMS

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

- 8.1 Consideration and proposed approval of a resolution 2019-108 approving the Mexican flag to be flown on the City's ceremonial flag pole during the month of September in honor of Napa Valley Latino Heritage Month

CEQA Determination: Not a CEQA project

Prepared By: Cindy Tzaopoulos, City Clerk

Recommendation:

Approve Resolution authorizing the Mexican flag to be flown on the City's ceremonial flag pole during the month of September in honor of Napa Valley Latino Heritage Month.

- 8.2 Consideration of a resolution 2019-109 approving Revision #2 to City Council Policy P-FI-0016 Financial Policy related to definition of a balanced budget and reducing the check reporting Limit from \$100,000 to \$50,000, and repealing and rescinding any previous policies or administrative memoranda which are inconsistent with City Council Policy P-FI-0016 Financial Policy, Revision #2.

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

Recommendation:

Staff recommends City Council adopt a Resolution approving Revision #2 to City Council Policy P-FI-0016 Financial Policy and repealing and rescinding any previous policies or administrative memoranda which are inconsistent with City Council Policy P-FI-0016, Revision #2.

- 8.3 Conduct second reading and proposed adoption of an ordinance 2019-7 amending Chapter 3.04, Title 3 of the St. Helena Municipal Code In Its Entirety to Effectuate Changes to Sections 3.04.100, 3.04.110, 3.04.120 and 3.04.170 of Article 2, Chapter 3.04, Title 3 of the St. Helena Municipal Code Regarding Increases to Purchase Order Limits for Supplies, General Services and Equipment and Sections 3.04.210, 3.04.230, 3.04.240 and 3.04.250 of Article 3, Chapter 3.04, Title 3 of the St. Helena Municipal Code Regarding Increases to Bidding Limits Under the Uniform Public Construction Cost Accounting Act for Public Works Projects.

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

Recommendation:

Staff recommends the City Council conduct the second reading, adopting the ordinance by title only and waiving further reading.

- 8.4 Consideration and proposed approval of a Resolution 2019-110 approving an agreement for continuing library automation services with the County of Solano

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and authorizing the St. Helena City Manager to execute the agreement and up to two one-year extensions to the agreement

CEQA Determination: Not a CEQA project

Prepared By: Chris Kreiden, Library Director

Recommendation:

Staff recommends City Council adopt a resolution approving an agreement for continuing library automation services with the County of Solano and authorizing the St. Helena City Manager to execute the agreement and up to two one-year extensions of the agreement.

- 8.5 Consideration and proposed adoption of a resolution 2019-111 approving a Professional Services Agreement with Britton Tree Services Inc for tree pruning in Baldwin Park, Mennen Park, Mary Fryer Park, and Jacob Meily Park in an amount not to exceed \$35,616 and authorizing the City Manager to execute the agreement

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

Prepared By: Carlos Uribe, Maintenance Manager

Recommendation:

Staff recommends City Council adopt a resolution approving a Professional Services Agreement with Britton Tree Services Inc. for tree pruning in Baldwin Park, Mennen Park, Mary Fryer Park, and Jacob Meily Park in an amount not to exceed \$ 35,616 and authorize the City Manager to execute the agreement.

- 8.6 Item 8.6 was removed from Consent and will not be heard.

~~*NEW ITEM 9-6-19~~

~~Consideration and adoption of a Resolution: (1) Awarding the W-26 Upper York Creek Ecosystem Restoration and Aquatic Habitat Enhancement Project Phase 1 to Suulutaaq, Inc. in the amount of \$601,865; (2) Authorizing the City Manager to execute the Construction Contract with Suulutaaq, Inc.; and (3) Authorizing the Director of Public Works to approve Change Orders not to exceed 20% of the contract amount~~

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:

Staff recommends that the Council adopt the Resolution: (1) Awarding the W-26 Upper York Creek Ecosystem Restoration and Aquatic Habitat Enhancement Project Phase 1 to Suulutaaq, Inc. in the amount of \$601,865; (2) Authorizing the City Manager to execute the Construction Contract with Suulutaaq, Inc.; and (3) Authorizing the Director of Public Works to approve Change Orders not to exceed 20% of the contract amount.

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- 8.7 *NEW ITEM 9-6-19
City Council meeting minutes:
January 31, 2019 Special Meeting
July 22, 2019 Special Meeting
July 23, 2019 Regular Meeting
August 5, 2019 Special Meeting
August 12, 2019 Special Meeting
August 13, 2019 Special Meeting

Council Member Anna Chouteau moved to approve items 8.1 through 8.5 and item 8.7 on the Consent Calendar. 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

9. PUBLIC HEARINGS

- 9.1 Consideration of Proposed Approval of a Resolution 2019-112 Establishing a Home Generator Permit Fee in the amount of \$582.50 with the Effective Date of April 1, 2019 and Authorize Refunds in the Amount of \$146.50 for any Home Generator Permits Issued Since April 1, 2019.

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

Recommendation:

Adopt a resolution establishing a Home Generator Permit fee in the amount of \$582.50 with the effective date of April 1, 2019 and authorize refunds in the amount of \$146.50 for each home generator permit issued since April 1, 2019.

Council Member Koberstein recused herself and left the meeting room due to a conflict with recently applying for a generator permit.

City Manager Mark Prestwich reported on the item.

No public comment was received.

Council instructed staff to agendize future discussion about possibly adopting a standalone generator ordinance and bring back a few examples for reference.

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Vice Mayor Dohring disclosed speaking with Jerry Hyde regarding the item prior to the meeting.

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

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

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: Council Member Mary Koberstein

Council Member Koberstein returned to the dais at 6:38 P.M.

10. OLD BUSINESS

- 10.1 Discussion and possible direction on the re-opening of Pratt Avenue post-construction of the County of Napa Silverado Trail Slide Repair Project

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

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

Recommendation:

Discuss and provide direction to staff.

Public Works Director Erica Ahmann Smithies reported on the item.

Mayor Ellsworth opened the public comment.

Ross Allen showed a presentation and addressed the City Council.

Mayor Ellsworth closed the public comment.

The City Council provided staff direction to move forward with suggesting no left turns on Pratt Avenue and request Napa County to look into imposing traffic restrictions on Pratt Avenue, such as the ones on Pope Street. Also, agendizing future discussion for a new stoplight at the corner of Pratt and Main Street.

- 10.2 Consideration and proposed adoption of a Resolution 2019-113 approving a Professional Services Agreement with Grindline Skateparks, Inc. for the C20-

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03 Skatepark Improvements Project for an amount not-to-exceed \$124,420 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: Erica Ahmann Smithies, Public Works Director and City Engineer
Recommendation:

Staff recommends City Council adopt the Resolution approving a Professional Services Agreement with Grindline Skateparks, Inc. for the C20-03 Skatepark Improvements Project for an amount not-to-exceed \$124,420 and authorizing the City Manager to execute the agreement.

Public Works Director Erica Ahmann Smithies reported on the item.

Mayor Ellsworth opened the public comment.

Matt Demchuck addressed the City Council.

Mayor Ellsworth closed the public comment.

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

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

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

Mayor Ellsworth called for a recess at 7:19 P.M.

Mayor Ellsworth reconvened the meeting at 7:23 P.M.

10.3 *NEW ITEM 9-6-19

Consideration and proposed approval of a resolution 2019-114 approving and authorizing the City Manager to execute, enter into and carry out the terms of a Revised 2018 Extension Of Raw Water Agreement between the City of St. Helena and Spring Mountain Vineyards, Inc. for property located at 2805

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Spring Mountain Road, Napa County, California (APN 009-450-001; 022-180-021; 022-180-020; 022-180-058; 022-180-017; 022-180-015; 022-180-053; 022-260-012; 022-260-013)

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: Michael G. Biddle, City Attorney

Recommendation:

Staff recommends City Council adopt the attached resolution (Attachment 2) authorizing the City Manager to execute, enter into and carry out the terms of the Revised 2018 Extension Of Raw Water Use Agreement (Attachment 1) between the City of St. Helena and Spring Mountain Vineyards for the provision of raw water for vineyard irrigation purposes to property located at 2805 Spring Mountain Road, commonly referred to as “Spring Mountain Vineyard”, and identified by Napa County Assessor’s Parcel Nos. 009-450-001; 022-180-021; 022-180-020; 022-180-058; 022-180-017; 022-180-015; 022-180-053; 022-260-012; and 022-260-013. The Revised Agreement is in redline format so the Council can see the changes made to the version approved on June 26, 2018.

City Attorney Michael Biddle reported on the item.

No public comment was received.

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

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

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

10.4 *NEW ITEM 9-6-19

Consideration and proposed approval of a resolution 2019-115 approving and authorizing the City Manager to execute, enter into and carry out the terms of a Revised Loan Agreement between the City of St. Helena and Our Town St. Helena in an amount not to exceed \$450,000 from the Affordable Housing Trust Fund for the acquisition of property located at 963 Pope Street, St. Helena, California (APN 009-090-012-000; 009-090-013-000)

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CEQA Determination: Approval of resolution authorizing the Loan Agreement for the acquisition of 963 Pope Street is governed by Section 15310 of State CEQA Guidelines which exempts the approval of mortgages for the purchase of existing structures where the loan will not be used for new construction.

Prepared By: Michael G. Biddle, City Attorney

Recommendation:

Staff recommends City Council adopt the attached resolution (Attachment 2) authorizing the City Manager to execute, enter into and carry out the terms of the Revised Loan Agreement (Attachment 1) between the City of St. Helena and Our Town St. Helena in an amount not to exceed \$450,000 from the Affordable Housing Trust Fund for the acquisition of property located at 963 Pope Street, St. Helena, California (APN 009-090-012-000; 009-090-013-000). Note that the enclosed Revised Loan Agreement is in redline format so that the Council can see the changes made to Section 11 of the Loan Agreement and the Subordination Agreement (Exhibit E to Loan Agreement) in comparison to the final version approved on August 27, 2019.

City Attorney Michael Biddle reported on the item.

Mayor Ellsworth opened the public comment.

Mary Stephenson addressed the City Council.

Mayor Ellsworth closed the public comment.

Council Member Mary Koberstein moved to approve staff recommendation. 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

11.1 None

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

Regular City Council
September 10, 2019

12.1

<u>September City Council Meetings:</u>	
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>PROCLAMATIONS AND PUBLIC RECOGNITION:</i>	
9/24 Presentation - 2018 Economic Impact Study and our Annual Report	
9/24 VNV proclamation	
<i>CONSENT:</i>	
9/24 NVTa Contract	
<i>OLD BUSINESS:</i>	
9/24 Will-serve discussion	
9/24 Crane Park Light Study Presentation	
<i>PH or NEW BUSINESS:</i>	
9/24 Adopt speed survey - PW	
9/24 Elm Tunnel Update	
9/24 LOCC annual conference voting delegate and resolutions	
9/24 Sewer Annexation – 1057 Pratt	
Mid Managers, Exec Staff and SHEA Mou's	
9/24 Housing Strategy – Andrea Clark	
<u>October City Council Meetings:</u>	
10/8 (staff reports due 9/20)	
10/22 (staff reports due 10/4)	
<i>PROCLAMATIONS AND PUBLIC RECOGNITION:</i>	
Movember Proclamation	
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)	
<i>OLD BUSINESS:</i>	
9/24 Legal Services RFP award	
<i>PH or NEW BUSINESS:</i>	
Zoning Code Update	

13. ADJOURNMENT

Mayor Ellsworth adjourned the meeting at 7:35 p.m.

Regular City Council
September 10, 2019

The regular meeting minutes for the September 10, 2019 City Council meeting were adopted at the regular City Council meeting of November 12, 2019.

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzaopoulos, City Clerk

MINUTES
City of St. Helena
Special City Council Meeting
Tuesday, September 24, 2019 @ 5:00 PM
Vintage Hall Board Room - Second Floor
465 Main Street, St. Helena

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

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

Absent:

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT:

Public comment was called after the presentation.

4. NEW BUSINESS:

- 4.1 Special meeting for the pre-applicant (Mr. Antonio Castellucci) to present the concept project to the City Council and public for feedback. The concept project consists of approximately 90 housing units and a small winery on roughly 27 acres on Pope Street and 7 affordable units on 1/3 acre on Mitchell Drive.

Council Member Anna Chouteau recused herself due to her personal residence being located within 500' of the project site. Since her disqualifying interest arised from her personal residence, she was advised that FPPC regulations permit her to speak on this matter as a member of the general public, from the same area as members of the public and also to listen to public discussion and deliberation of matters with the public. She left the dais and sat with the general public in the audience.

Antonio Castellucci provided a presentation and overview of the concept project. Jarrod Denton, Architect with Signum Architectue and Rob Anglin, Attorney with Holman Teague Roche Anglin, LLP also addressed the City Council regarding the concept program.

Mark Epstein, Guy Kay, Anthony Micheli, Jim Sweeney, Joe McGrath, Bob Feron, Rick Crebs, Pat Dell, citizen, Matthew Heil, Stan Monte, citizen, Peter

Special City Council
September 24, 2019

White and George David addressed the City Council.

Council Member Koberstein disclosed that she met with Antonio Castellucci to discuss in general the project.

5. ADJOURNMENT

Mayor Ellsworth adjourned the meeting at 6:14 pm.

The September 24, 2019 special City Council meeting minutes were adopted at the November 12, 2019 regular City Council meeting.

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzaopoulos, City Clerk

MINUTES
City of St. Helena
Regular City Council Meeting
Tuesday, September 24, 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

Mayor Ellsworth called the meeting to order at 6:25 pm.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. PUBLIC FORUM:

Anthony Micheli addressed the City Council.

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

Reports by Staff and City Council Members were made.

6. PRESENTATIONS AND PUBLIC RECOGNITIONS

- 6.1 Housing Activities and the HOME Grant Update by Andrea Clark, Housing Division, City of Napa

Andrea Clark, Housing Division, City of Napa provided a presentation.

- 6.2 Travel & Tourism Week Proclamation

- 6.3 Visit Napa Valley FY 2019 Annual Report by Linsey Gallagher, President & CEO

Lindsey Gallagher, Visit Napa Valley President and CEO provided a presentation.

7. STAFF BRIEFING

- 7.1 None

Regular City Council
September 24, 2019

8. **CONSENT ITEMS**

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

- 8.1 Item 8.1 is continued to the next meeting due to the resolution being omitted from the staff report.

~~Consideration and proposed approval of a Resolution Setting a Hearing to Approve the Annexation of Territory into the St Helena Municipal Sewer District No. 1 MSD Annexation No. 137, 1057 Pratt Avenue, St Helena, CA. 94574 (APN) 009-142-003.~~

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

Prepared By: Yoseline Chavez-Toscano, Administrative Assistant

Recommendation:

Staff recommends the City Council adopt a Resolution Setting a Hearing to Approve the Annexation of Territory into the St Helena Municipal Sewer District No. 1 MSD Annexation No. 137, 1057 Pratt Avenue, St Helena, CA. 94574 (APN) 009-142-003.

Item 8.2 was pulled from consent.

- 8.2 ~~Consideration and approval of a resolution authorizing the City Manager to execute a Funding Agreement with Napa Valley Transportation Authority for the Napa Valley Vine Trail design from Calistoga to St. Helena for an amount not-to-exceed \$241,000; (2) authorizing a budget transfer of \$103,000 in FY 2019/2020 from Fund 241, Measure T Class I Trails to Public Works Operations 101-5000-2145; (3) authorizing a budget transfer of \$118,750 in FY 2020-21 from Fund 241, Measure T Class I Trails; and (4) authorizing the allocation of \$19,250 of General Funds in the FY 2020-21 Public Works Operating Budget.~~

Item 8.3 was pulled from consent.

- 8.3 *NEW ITEM 9-20-19

Council Letter to Congressman Mike Thompson (D-CA) regarding reinstatement of federal assault weapons ban

- 8.2 Consideration and approval of a resolution 2019-116 authorizing the City Manager to execute a Funding Agreement with Napa Valley Transportation Authority for the Napa Valley Vine Trail design from Calistoga to St. Helena for an amount not-to-exceed \$241,000; (2) authorizing a budget transfer of \$103,000 in FY 2019/2020 from Fund 241, Measure T Class I Trails to Public

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Works Operations 101-5000-2145; (3) authorizing a budget transfer of \$118,750 in FY 2020-21 from Fund 241, Measure T Class I Trails; and (4) authorizing the allocation of \$19,250 of General Funds in the FY 2020-21 Public Works Operating Budget.

CEQA Determination: CEQA will be completed as part of project design
Prepared By: Erica Ahmann Smithies, Public Works Director and City Engineer
Recommendation:

Staff recommends approving the resolution authorizing the City Manager to execute a Funding Agreement with Napa Valley Transportation Authority for the Napa Valley Vine Trail design from Calistoga to St. Helena for an amount not-to-exceed \$241,000; (2) authorizing a budget transfer of \$103,000 in FY 2019/2020 from Fund 241, Measure T Class I Trails to Public Works Operations 101-5000-2145; (3) authorizing a budget transfer of \$118,750 in FY 2020-21 from Fund 241, Measure T Class I Trails; and (4) authorizing the allocation of \$19,250 of General Funds in the FY 2020-21 Public Works Operating Budget.

Anthony Micheli, Lois Battuello and Chuck McMinn addressed the City Council.

Vice Mayor Paul Dohring moved to approve item 8.2. 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

8.4 *NEW ITEM 9-20-19

Council Letter to Congressman Mike Thompson (D-CA) regarding reinstatement of federal assault weapons ban

CEQA Determination: Exempt

Recommendation:

Consider sending a letter to Congressman Mike Thompson (D-CA) from members of the St. Helena City Council urging support for a federal assault weapons ban.

Council Member Anna Chouteau reported on this item.

It was the consensus of the City Council to support the letter that was presented and agendize a resolution supporting the same language in the

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letter at the next City Council meeting.

9. PUBLIC HEARINGS

9.1 None

10. OLD BUSINESS

10.1 None

11. NEW BUSINESS

- 11.1 Introduction and first 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

CEQA Determination: Exempt from the requirements of CEQA under the "General Rule", Section 15061 (b)(3), in that it can be seen with certainty that the proposed action will have no impact on the environment.

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

Recommendation:

Staff recommends City Council review of the draft Ordinance 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.

Accordingly, staff recommends the City Council:

1. Approve the proposed amendments to the SHMC as described above and reflected in the draft Ordinance in redline format (Attachment 1); and
2. Introduce and conduct a first reading of the draft Ordinance (Attachment 2), by title only and waive further reading.

Public Works Director Erica Ahmann Smithies reported on this item.

Citizen, Chris Birdwell and David Caponi addressed the City Council.

It was the consensus of the City Council to remove subsection A from municipal code 10.08.020 Increase of prima facie speed limits on certain streets by ordinance and not increase any speed limits.

Council Member Mary Koberstein moved to introduce and conduct a first reading of the Ordinance, by title only and waive further reading of the Ordinance 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, as amended removing subsection A from municipal code 10.08.020 Increase of prima facie speed limits on certain streets by ordinance and not increase any speed limits. The motion was seconded by Vice Mayor Paul Dohring and on roll call carried by the following vote:

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September 24, 2019

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

- 11.2 Introduction and First Reading of an Ordinance Amending Sections 13.04.030, 14.04.080, 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

Recommendation:

Staff recommends the City Council review the draft 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 the utility billing cycle for water and sewer service from monthly billing to bi-monthly billing. Accordingly, staff recommends the City Council:

1. Approve the proposed amendments to the SHMC as described above and reflected in the redline document (Attachment B); and
2. Introduce and conduct a first reading of the draft Ordinance (Attachment C), by title only and waive further reading.

Finance Director April Mitts reported on this item.

No public comment was received.

Council Member Anna Chouteau moved to introduce and conduct a first reading of the Ordinance, by title only and waive further reading of the Ordinance amending Sections 13.04.030, 14.04.080, 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. 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

Regular City Council
September 24, 2019

ABSENT: None
ABSTAIN: None
RECUSE: None

- 11.3 Designation of voting delegates and the City Council to review two proposed resolutions for consideration at the League of California Cities Annual Conference business meeting and provide voting direction to the voting delegate and alternate voting delegates

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

Staff recommends for the City Council to designate a voting delegate and alternates. Staff also recommends for Council to discuss and consider the proposed resolutions and provide direction to the City's voting delegates for participation at the League of California Cities Annual Business Meeting and General Assembly on Friday, October 18, 2019.

Finance Director April Mitts reported on this item.

No public comment was received.

It was the consensus of the City Council to support the two proposed resolutions and designate Mayor Ellsworth as the voting delegate, Council Member Chouteau as first alternate and Finance Director April Mitts as second alternate.

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

12.1	October City Council Meetings:
	10/8 (staff reports due 9/20)
	10/22 (staff reports due 10/4)
	PROCLAMATIONS AND PUBLIC RECOGNITION:
	10/22 Movember Proclamation
	10/22 National Friends of the Library Week
	CONSENT:
	Cell tower lease renewal - Finance
	Joint use agreement with SHUSD for the use of Vintage Hall (Expires February 2020)
	10/8 Downtown Holiday Lighting
	OLD BUSINESS:
	Legal Services RFP award
	10/8 Finance Investment Policy
	Crane Park Light Study Presentation
	Will-serve discussion

Regular City Council
September 24, 2019

<i>PH or NEW BUSINESS:</i>
Zoning Code Update – award of contract
Mid Managers, Exec Staff and SHEA Mou's
Library Roof Replacement

13. ADJOURNMENT

Mayor Ellsworth adjourned the meeting at 8:30 p.m.

The regular City Council meeting minutes of September 24, 2019 were adopted at the regular City Council meeting of November 12, 2019.

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzaopoulos, City Clerk



Report to the City Council
Regular City Council - 12 Nov 2019

Agenda Section: CONSENT ITEMS

Subject: Consideration and adoption of a Resolution: (1) Awarding the St. Helena Library Roof Replacement Project, Capital Improvement Project C20-01 to Central Roofing Inc. in the amount of \$186,141.00; (2) Authorizing the City Manager to execute the Construction Contract with Central Roofing Inc; and (3) Authorizing the Director of Public Works to approve Change Orders not to exceed 10% of the contract amount.

CEQA Determination: Categorically Exempt, Section 15323

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.

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

DISCUSSION

On October 8, 2019, City Council rejected all construction bids for the C20-01 St. Helena Library Roof Replacement Project and instructed staff to advertise a new bid for only the PVC flat roof replacement. The initial engineer's estimate for this project was \$151,500.

On Wednesday, October 30, 2019 at 2:00 PM, the City Clerk received four (4) sealed bids which were read aloud. The bids were as follows

Contractor Name	Bid Amount
Central Roofing Inc., South San Francisco	\$186,141.00
Stronger Building Services, San Leandro	\$191,000.00
California Single Ply, Inc., Rocklin	\$245,000.00
Best Contracting Services, Inc., Gardena	\$249,950.00

A detailed bid tabulation is included as Attachment 2. Central Roofing Inc. is the lowest responsible, responsive bid, and holds a valid Class A General Contractor's License No. 412891 with the State of California, with no enforcement actions listed. Their license expires on 10/31/2021. Central Roofing Inc. is above the engineer's estimate range of \$151,500. The PVC flat roof replacement will include a 30-year manufacturer warranty.

The Project Plans and Manual remain available for review at the Public Works Department at 1572 Railroad Avenue and at www.blueprintexpress.com/sthelenalibrary, 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). A summary of the total anticipated expenditures are presented below:

C20-01 St. Helena Library Roof Replacement

Limited Hazardous Building Materials Survey	\$3,200.00
Estimated Construction Costs	\$186,141.00
Construction Contingency (10%)	\$18,614.10
Asbestos Abatement Monitoring	\$14,000.00
Estimated Total Project Cost	\$221,955.10

The current estimated project budget is under the current adopted project budget by approximately \$258,045.90.

RECOMMENDED ACTION

Adopt a Resolution: (1) Awarding the St. Helena Library Roof Replacement, Capital Improvement Project C20-01 to Central Roofing Inc. in the amount of \$186,141; (2) Authorizing the City Manager to execute the Construction Contract with Central Roofing Inc.; and (3) Authorizing the Director of Public Works to approve Change Orders not to exceed 10% of the contract amount.

ATTACHMENTS

[Attachment 1: C20-01 Library Roof Award Resolution](#)

[Attachment 2: C20-01 Bid Tabulations](#)

[Attachment 3: CIP C20-01 Budget FY 2019-2020](#)

CITY OF ST. HELENA

RESOLUTION NO. 2019-

Resolution (1) Awarding the St. Helena Library Roof Replacement, Capital Improvement Project C20-01 to Central Roofing Inc. in the amount of \$186,141.00; (2) Authorizing the City Manager to execute the Construction Contract with Central Roofing Inc.; (3) Authorizing the Director of Public Works to approve Change Orders not to exceed 10% of the contract amount.

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 the Junior Assistant Engineer 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; and
- J. On October 8, 2019, City Council rejected all construction bids for the C20-01 St. Helena Library Roof Replacement Project; and
- K. On October 8, 2019, City Council instructed staff to issue an informal bid for only the PVC flat roof replacement; and
- L. On October 30, 2019, four (4) bids were received by the Assistant Engineer and opened in accordance with applicable law; and
- M. The lowest responsive and responsible bidder for the project was Central Roofing Inc. of South San Francisco, CA in the amount of \$186,141; and
- N. City staff has determined that Central Roofing Inc.'s bid satisfies the bidding requirements for the project; and
- O. City staff has verified that Central Roofing Inc. possesses a valid Contractor's License, Class A, number 412891 that qualifies Central Roofing Inc. to complete the project.

RESOLUTION

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

1. The Library Roof Repair, CIP 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
2. Awarding the St. Helena Library Roof Replacement, Capital Improvement Project C20-01 to Central Roofing Inc. in the amount of \$186,141; and
3. Authorizing the City Manager to execute the Construction Contract with Central Roofing, Inc.; and
4. Authorizing the Director of Public Works to approve Change Orders not to exceed 10% of the contract amount.

Approved at a Regular Meeting of the St. Helena City Council on November 12, 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

C20-01 St. Helena Library Roof Replacement Bid Opening October 30, 2019 at 2:00 PM

Item No.	Bid Item	Quantity	Units	Engineer's Estimate	
				Unit Cost	Total Cost
1	Removal of Existing Roofing Materials	1	LS	\$30,000.00	\$30,000.00
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	Removal and Replacement of Skylights on Flat Roof	15	EA	\$2,000.00	\$30,000.00
5	Asbestos Abatement	1	LS	\$15,000.00	\$15,000.00
				Total Bid Amount	\$151,500.00

Central Roofing Inc.		Stronger Building Services		California Single Ply, Inc.	
Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost
\$36,000.00	\$36,000.00	\$30,000.00	\$30,000.00	\$20,000.00	\$20,000.00
\$500.00	\$5,000.00	\$100.00	\$1,000.00	\$2,000.00	\$20,000.00
\$2,000.00	\$90,000.00	\$2,000.00	\$90,000.00	\$4,000.00	\$180,000.00
\$2,500.00	\$37,500.00	\$3,000.00	\$45,000.00	\$333.33	\$5,000.00
\$17,641.00	\$17,641.00	\$25,000.00	\$25,000.00	\$20,000.00	\$20,000.00
\$186,141.00		\$191,000.00		\$245,000.00	

Best Contracting Services, Inc.	
Unit Cost	Total Cost
\$26,850.00	\$26,850.00
\$675.00	\$6,750.00
\$3,260.00	\$146,700.00
\$3,600.00	\$54,000.00
\$15,650.00	\$15,650.00
	\$249,950.00

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

1572 Railroad Ave.
St. Helena, CA 94574
Phone: (707) 968-2658

www.cityofsthelena.org

November 7, 2019

VIA OVERNIGHT DELIVERY, E-MAIL AND FAX

Claudia Chavez
President
Stronger Building Services
580 Harlan St.
San Leandro, California 94577
strongerbldg@yahoo.com
Fax: 510-487-8246

SUBJECT: St. Helena Library Roof Replacement Project (C20-01)
Response to Bid Protest

Dear Ms. Chavez:

This letter is in response to the bid protest dated November 6, 2019, filed by Stronger Building Services ("SBS"), for the above captioned project. Your protest states the bid submitted by Central Roofing Inc. ("Central"), the apparent low bidder, should be considered nonresponsive for listing of a subcontractor that is not appropriately licensed to perform asbestos abatement work as part of a roofing project. After review, we find your bid protest is without merit and will recommend that the City Council reject your bid protest and award the contract to the lowest responsible bidder submitting a responsive bid – Central.

The issue presented by your protest is whether an asbestos abatement subcontractor holding a C-22 and B license must also hold a roofing contractor specialty license (C-39) in order to perform asbestos abatement on a roof. Based on our review, the asbestos abatement subcontractor listed by Central in its bid (Quality Asbestos Control) is not required to hold a separate C-39 specialty license.

The new C-22 contractor classification was introduced in 2015 as an addition to the Business and Professions Code section 7058.5 asbestos certification. The Section 7058.5 asbestos certification operates as an overlay to other license classifications held by a contractor. Under this framework you are correct that if a contractor only has a Section 7058.5 asbestos certification, that subcontractor could not perform asbestos abatement work as part of a roofing project without another contractor's license that separately allows the subcontractor to perform roofing work. In this case, Quality Asbestos Control holds a Class B general contractor's license in addition to the C-22 specialty license. This Class B license paired with the C-22 license allows Quality Asbestos Control to perform asbestos abatement as part of a roofing project. Accordingly, there is no basis for the City to deem Central's bid nonresponsive.

83578.00000\32494812.1

Claudia Chavez, President
Stronger Building Services
November 7, 2019
Page 2

The City Council will consider the award of this contract at its meeting on November 12, 2019 at 6:00 p.m. City staff will recommend the Council reject the bid protest submitted by SBS as meritless and award the contract to the lowest responsible bidder submitting a responsive bid – Central.

Regards,

Edrees Argand
Assistant Engineer



Report to the City Council
Regular City Council - 12 Nov 2019

Agenda Section: CONSENT ITEMS

Subject: Consideration and proposed approval of a resolution: (1) Approving temporary closure of Oak Avenue between Adams Street and Tainter Street for the December 6, 2019, "Home for the Holidays" community holiday social (2) Authorizing possession of open alcoholic beverages on the designated public street for this event, and (3) Approving the waiving of the encroachment fee.

CEQA **Not a CEQA project**
Determination:

Prepared By: Andre Pichly, Parks & Recreation Director

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

The "Home for the Holidays" event is a community social hosted by the St. Helena Parks & Recreation Department. The event is planned to be held in front of the Carnegie Building on Oak Avenue and open to the community.

DISCUSSION

The Home for the Holiday community social is planned for the evening of Friday, December 6, 2019, and includes the following activities:

Home for the Holidays

Time: 5:30 p.m. – 8:30 p.m.

Location: Carnegie Building (1360 Oak Ave.)

Arrival of Santa

Time: 6:15 p.m.

Santa will arrive via St. Helena Fire Engine. Santa will help light the City tree.

Season's Greetings sign lighting

Time: between 6:20 p.m. - 6:30 p.m.

Location: City tree in front of the Carnegie Building.

Holiday Party

Time: 6:30 p.m. - 8:30 p.m.

Location: in and in front of the Carnegie Building

Once the Season's Greetings sign is lit, the community can take their children to meet Santa, decorate holiday cookies, and play reindeer games; attendees can listen to music and enjoy appetizers and drinks in this fun and festive holiday atmosphere. Local businesses will be on site pouring complimentary alcoholic beverages. In order for alcohol to be available at this event the City will obtain the proper ABC license as is required by law.

In consideration for the benefits of this event to the community of St. Helena, staff recommends that the City Council (1) approve temporary closures of Oak Avenue between Adams Street and Tainter Street for the Home for the Holidays event, (2) authorize possession of open alcoholic beverages on this public street during the event, and (3) waive the Encroachment Permit fee for the event. Permit requirements and the general conditions applicable to the permit still apply although the fee is being waived.

FISCAL IMPACT

While the fiscal impact is minimal, it does include costs for staff time for closures, additional hours for Park Maintenance staff, and the waiving of the encroachment permit fee - all estimated to be less than \$500 and within the current adopted budget.

RECOMMENDED ACTION

Staff recommends the City Council of the City of St. Helena adopt the attached resolution: (1) approving temporary closure of Oak Avenue between Adams Street and Tainter Street for the December 6, 2019, Home for the Holidays City community social, (2) authorizing possession of open alcoholic beverages on the designated public street, and (3) approving the waiving of the encroachment fee.

ATTACHMENTS

[2019 - RESO Home for the Holidays](#)

CITY OF ST. HELENA

RESOLUTION NO. 2019 -

**RESOLUTION (1) APPROVING TEMPORARY CLOSURE OF OAK AVENUE
BETWEEN ADAMS STREET AND TAINTER STREET FOR THE DECEMBER
6, 2019, HOME FOR THE HOLIDAYS FESTIVITIES; (2) AUTHORIZING
POSSESSION OF OPEN ALCOHOLIC BEVERAGES ON THOSE PUBLIC
STREETS; AND (3) WAIVING ENCROACHMENT FEES FOR THE HOME FOR
THE HOLIDAYS FESTIVITIES**

RECITALS

- A. The St. Helena Parks & Recreation Department has requested temporary closure of Oak Avenue between Adams Street and Tainter Street for the December 6, 2019 Home for the Holidays City community social;
- B. Closure of the City street in the area will provide space for Home for the Holidays activities and is situated adjacent to where event will take place;
- C. Local businesses will provide and pour alcohol at the event. St. Helena Municipal Code Section 9.04.010 authorizes the Council, by permit, to allow possession of open alcoholic beverages on public streets or any private or public off-street parking lot;
- D. In consideration for the benefits of this event to the community of St. Helena, the City Council desires to waive the Encroachment Permit fee for the event but does not waive the permit requirements and the General Conditions applicable to said permit;
- E. Section 21101(e) of the California Vehicle Code provides the local authorities may, by resolutions, temporarily close a portion of any street for celebrations, parades, local special events, and other purposes when, in the opinion of local authorities having jurisdiction or a public officer of employee that the local authority designated by resolution, the closing is necessary for the safety and protection of persons who are to use that portion of the street during the temporary closing;

RESOLUTION

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

1. The City Council finds that the benefits derived from the temporary closing of portions of a City street for the Home for the Holidays City community social event outweigh the anticipated inconvenience to the neighborhood and citizens generally, and authorize closure of:
 - Oak Avenue between Adams Street and Tainter Street on November 30, 2018 from 4:00 p.m. to 10:00 p.m.
2. The possession of open container of wine and beer is permitted on public streets and parking lots encompassed by this event.
3. Temporarily closing a portion of the subject streets is necessary for the safety and protection of persons who are to use that portion of the street during the temporary closing.
4. City Council desires to waive the Encroachment Permit fee for the event.
5. The City insurance policy covers this event at no additional cost to the City.
6. The City Manager is directed to provide reasonable levels of City staff support to accomplish closure of streets and related activities.

Approved at a Regular Meeting of the St. Helena City Council on November 12, 2019, by the following vote:

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

APPROVED:

ATTEST:

 Geoff Ellsworth, Mayor

 Cindy Tzafoopoulos, City Clerk



Report to the City Council
Regular City Council - 12 Nov 2019

Agenda Section: CONSENT ITEMS

Subject: Consideration and Adoption of a Resolution Awarding a Professional Services Agreement to Lisa Wise Consulting, Inc. for the City of St. Helena Zoning Code Update in an Amount Not-to-Exceed \$319,990.

CEQA Categorically Exempt, Section 15323
Determination:

Prepared By: April Mitts, Finance Director

Reviewed By: Mark T. Prestwich, City Manager

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

On February 4, 2019, the City Council held a Special Meeting for Council Goal Setting and Work Plan Development which was adopted by City Council on February 26, 2019. City Council Goal 4 is to ensure long term economic sustainability while safeguarding St. Helena's unique culture and quality of life, and Work Item J (within Goal 4) is to initiate and update to the City's Zoning Code Ordinance. The adopted FY 2019-20 budget included an allocation of \$200,000 towards the update of the Ordinance. Additionally, the City applied for, and was granted, a SB2 Planning grant in the amount of \$160,000 for the affordable housing element of the Zoning Code Update.

DISCUSSION

On Friday, July 26, 2019, the City of St. Helena issued a Request for Proposal (RFP) for the City's Zoning Code Update. At the close of the RFP, four proposals were submitted to the City and all four firms were selected to be interviewed.

Following the interviews, staff recommends Lisa Wise Consulting, Inc. (LWC) be awarded a Professional Services Agreement (PSA) for Zoning Code Update services.

Founded in 2006, LWC is an urban planning and economics firm that specializes in enabling pedestrian and transit-oriented neighborhoods, and facilitating sustainable, well-designed places to live, work, and recreate. LWC has a deep understanding of planning policy and implementation, market opportunities, and development review and entitlements for complex projects.

FISCAL IMPACT

The PSA with LWC is not to exceed \$319,990. The Fiscal Year 2019-20 Adopted Budget includes a budget of \$200,000 for the Zoning Code Update and the City has been approved for a Grant in the amount of \$160,000 for the affordable housing element of the Update.

RECOMMENDED ACTION

Staff is recommending City Council approve Resolution Awarding a Professional Services Agreement to Lisa Wise Consulting, Inc. for the City of St. Helena Zoning Code Update in an Amount Not-to-Exceed \$319,990.

ATTACHMENTS

[Attachment 1 - RFP Zoning Ordinance Update](#)

[Attachment 2 - PSA LWC Zoning Code Update 112119](#)

[Attachment 3 - Resolution LWC Agreement](#)



CITY OF ST. HELENA
ADMINISTRATION

REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES

ZONING CODE UPDATE

DATE ISSUED: Friday, July 26, 2019

DATE DUE: Friday, August 30, 2019, 4PM

CONTACT: Mark Prestwich, City Manager
mprestwich@cityofsthelena.org
(707) 968-2744

ALL RESPONSES MUST BE MAILED OR HAND-DELIVERED TO:

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

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EXHIBITS

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

I. INTRODUCTION

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

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

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

The official population of the City of St. Helena as of 2017 is 6,033 (CA Department of Finance). St. Helena is a full-service city and encompasses an area of four square miles. The City's General Fund Budget is approximately \$15 million.

II. GENERAL INFORMATION

The City of St. Helena is seeking proposals from qualified consultants to prepare a Zoning Ordinance Update for the City, including environmental analysis and clearance documentation under the California Environmental Quality Act (CEQA). Emphasis will be placed on developing an updated document to implement the related goals and policies of the City's recently adopted General Plan Update 2040, while at the same time clarifying and updating as many of the existing ambiguous and/or outdated provisions as feasible.

On May 14, 2019, the St. Helena City Council adopted the 2040 General Plan. A comprehensive update of the Zoning Ordinance is desired to incorporate General Plan changes, while providing continuity with much of the current code where possible and appropriate.

Project Principles

The City is seeking qualified consultants to develop a recommended approach and strategy to:

- Prioritize and craft desired updates to the City's Zoning Code
- Ensure proper public engagement
- Use the City's limited resources efficiently
- Ensure code updates are completed in a timely manner
- Produce a more user-friendly and updated Zoning Ordinance.

The Zoning Ordinance update, once adopted by City Council, will replace the City's current zoning ordinance. The proposed updated code will ensure the City's land use regulations and processes confirm to the minimum requirements of California State law and are legally defensible. The code update will also be developed in a manner that avoids unnecessary bureaucracy, consistent with the City's desired approach to development.

III. QUALIFICATIONS

- Demonstrated experience updating zoning codes. The proposal should include enough information for judging the quality and competence of the personnel

dedicated to preparation of the Zoning Ordinance Update and CEQA determination. This section of the proposal should clearly identify the day-to-day project manager for the project, as well as the key personnel who will perform the actual research and writing. Similar information is also required for all sub-consultants for the project.

- Demonstrated professional experience and knowledge of the general principles and background law applicable to zoning and land use planning, as well as familiarity with particular municipal and/or county codes and any other specialized knowledge that would help the selected Consultant be successful. Including examples of your work including former clients will be helpful in determining expertise.
- Ability to make project presentations, provide public engagement activities, and work with diverse groups of people representing varied points of view.

IV. SCOPE OF WORK

With guidance from policy makers and City Staff, the selected Consultant will develop a public process and approach to updating the City's Zoning Code. Initial City policy priorities include:

- Housing Focus: The City Council identified affordable housing as a primary work plan goal including encouraging new types of housing, exploring bonuses and ways to expedite the planning and building process for housing types identified by the community and the Council as lacking in St. Helena; and
- Incentivizing downtown mixed-use and fostering economic vitality; and
- Streamlining development and business permitting processes; and
- Resolving inconsistencies in the Zoning Code.

The City is seeking the Consultant's recommended approach and strategy(ies) to updating the City's Zoning Code in a manner that addresses those initial City policy priorities that are reflected in the implementing policies of the 2040 General Plan and adheres to the "Project Principles" noted in Section II above. It is expected the consultant will review key policies and development standards from the following documents:

- a. 2040 General Plan
- b. Existing Zoning Code
- c. Development standards from other specific plans and planned development (PD) districts in the City
- d. Draft Design Guidelines

In addition, the City seeks the Consultant's recommendations as to the extent that reasonably complete and effective implementation of the initial City policy priorities requires an amendment(s) to the 2040 General Plan.

While the new Zoning Code will be adopted in its entirety, the City anticipates the Consultant may recommend a phased approach to the project. As such, the Consultant shall identify a budget per phase as well as an overall budget. As noted below, the project schedule should also identify the timeline anticipated for each individual phase.

Once the Final Draft has been approved by the City Council, the Consultant shall provide a final version that includes any changes approved by Council.

Other Considerations

- A. Integration of the New Code into User-Friendly Formats:** The Consultant shall work with City staff as well as its information technology vendors to ensure the new code is easily accessible and searchable.
- B. Zoning Map Revisions:** The Consultant shall work with City staff to identify areas that will require map changes.
- C. Environmental Review/CEQA Documentation:** The Consultant shall prepare the necessary CEQA document necessary for adoption of the Zoning Code. The Consultant should be able to tier off the recently adopted 2040 General Plan EIR and prepare either a letter of consistency or addendum. If a higher level of CEQA review is recommended, please provide a justification for that level of review. Consultants may partner with an environmental sub-consultant if they do not have the expertise in-house.
- D. Project Schedule:** The Consultant shall provide the City with an anticipated schedule for the work broken down by phase with anticipated completion dates.
- E. Deliverables:** The Consultant shall provide the complete Zoning Code in both paper format (5 copies) and electronic format (Word, PDF) for each draft:
- a. Administrative Draft (internal -staff review only);
 - b. Public Review Draft (public document); and
 - c. Revised Public Review Draft (public document incorporating comments from meetings); and
 - d. Final Draft for final City Council hearings.

Once St. Helena's City Council has approved the final draft, the Consultant shall update the Zoning Code to include Council-directed changes and provide staff with paper copies (5 copies) and electronic versions of the final zoning code (e.g. Word, PDF, and the original files from any other programs used such as Adobe In-Design etc.).

For the environmental review, the Consultant shall prepare an initial draft and final version of the CEQA document. Two (2) hard copies and an electronic version shall be provided for each task.

Optional Tasks:

The City is considering several optional tasks that would be additional to the RFP for the Zoning Code revisions. In the project budget, the cost of the items should be listed separately and independently.

- **Option 1: Zoning Handbook** – The Consultant will prepare a simple user-guide/handbook for the community that explains how to use the new zoning code. The handbook should be easy to understand with graphics and examples that demonstrate how the public can navigate the code and find answers to frequently requested information (e.g. residential setbacks, lot coverage, commercial building signage, accessory structure standards, Historic St. Helena design standards etc.). This should be provided in PDF format that is internally hyperlinked for easy navigation within the handbook.
- **Option 2: Infill Guidelines Handout** – The Consultant will prepare a handout that is specifically tailored for infill development strategies and design standards of

guidelines. The goal will be to provide an easy to understand guide that will help facilitate and streamline infill development.

- Option 3: Objective Standards for Multi-Family Development Handout – The Consultant will prepare a handout that specifically outlines the objective standards that can be used when considering multi-family development projects. The document shall clearly identify when and how these standards may be used.

V. SCHEDULE

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

Responses are due no later than August 30, 2019
FRIDAY, AUGUST 30, 2019 AT 4:00 PM
 Responses received after this date and time will not be considered.

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

MILESTONE	DATE	TIME
Release RFP	July 26, 2019	9:00AM
Question submittal deadline	August 7, 2019	4:00PM
Questions posted on City website (cityofsthenana.org/rfps)	August 12, 2019	5:00PM
Proposal due date	August 30, 2019	4:00PM
Review and scoring of submittals	September 13, 2019	N/A
Interviews w/finalists	September 20, 2019	TBD
Award of Agreement	October 8, 2019	6:00 PM

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

VI. PROPOSAL SUBMISSION REQUIREMENTS AND FORMAT

If interested in this RFP, please notify Cindy Tzaopoulos by email at ctzaopoulos@cityofsthenana.org so you may be added to the notification list for addendums. Failure to notify could result in missing important and required information, and could result in disqualification.

Format

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

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

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

Submittals shall be placed in a clearly marked envelope, titled Zoning Ordinance Update and hand-delivered or mailed to:

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

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

Content

The content of your proposal should include the following in summary form:

- Part 1: Cover Letter/Executive Summary
- Part 2: Project Approach and Work
- Part 3: Consultant Identification and Team
- Part 4: Related Project Examples and References
- Part 5: Hourly Rates
- TOTAL: 100 points

Successful Proposals:

The successful proposal will describe the approach, the process and costs to:

- Prepare an updated Zoning Ordinance; and
- Plan and conduct associated public outreach and engagement activities; and
- May include the optional development of applications, forms, and information guides that would make the new Zoning Ordinance easier to use and less bureaucratic.

PART 1 | COVER LETTER/EXECUTIVE SUMMARY

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

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

PART 2 | PROJECT APPROACH AND WORK PLAN

Describe the strategy for achieving the goals and deliverables of the project. Include a schedule for completion.

PART 3 | CONSULTANT IDENTIFICATION AND TEAM

Provide the name of the consultant, the consultant's principal place of business, and the name and telephone number of the contact person. Clearly identify team members, their roles, and qualifications. Any professional services required but not proposed by the qualified consultant firm shall be listed and reasons should be provided for not including them as part of the proposal.

PART 4 | RELATED PROJECT EXAMPLES AND REFERENCES

Provide recent (within last 10 years) visual examples of relevant projects completed by the consultant that exhibit the team's ability to successfully complete a range of services as listed above. Along with each example, please include descriptive information such as location of the project, date, scope and scale, contract amount, name of the team member(s) involved in the project and their roles, name of the client, and e-mail address and telephone number of the client contact.

PART 5 | HOURLY RATES

Include an hourly rate schedule for all personnel who may participate in current or future projects.

VII. SELECTION PROCESS

The selected consultant will be asked to enter into a Professional Services Agreement with the City of St. Helena and comply with the insurance requirements set forth therein. The City Manager's Office will supervise the project and coordinate the work.

California law requires selection of Architectural and Engineering (A&E) contract services based on demonstrated competence and professional qualifications. Negotiations shall begin with the most qualified consultant. Should negotiations not result in a price the City considers to be fair and reasonable, negotiations shall be formally terminated, and the City shall then undertake negotiations with the second most qualified consultant. If the negotiation with the second most qualified firm is not successful, negotiations shall be formally terminated, and the City shall then undertake negotiations with the third most qualified consultant, etc. until the price is determined to be fair and reasonable by the City. (California Government Code, Chapter 10, Sections 4525 through 4529.5.)

VIII. PROPOSAL TERMS AND CONDITIONS

1. EXAMINATION OF PROPOSAL MATERIALS

The submission of a proposal shall be deemed a representation and warranty by the proponent that it has investigated all aspects of the RFP, that it is aware of the applicable facts pertaining to the RFP process and its procedures and requirements, and that it has read and understands the RFP. No request for modification of the provisions of the proposal shall be considered after its submission on the grounds the proponent was not fully informed as to any fact or condition.

2. ADDENDA INTERPRETATIONS

If it becomes necessary to revise any part of this RFP, a written addendum will be provided to each firm that requested to be added to the notification list, and said addenda will be

uploaded to the City website. The City of St. Helena is not bound by any oral representations, clarifications, or changes made in the RFP by the City or its agents, unless such clarifications or change is provided in written addendum from the City of St. Helena.

3. DESIGNATED CONTACT

For the purposes of this RFP, the Assistant to the City Manager is designated as the contact person. Any questions concerning the scope of work and the selection process shall be directed to Jessica Deakyne, at jdeakyne@cityofsthenana.org. Any and all questions and responses concerning this RFP will only be accepted in writing, via email. All questions must be received by August 30, 2019 by 4:00PM.

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

4. PUBLIC RECORDS

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

5. PROPOSAL COSTS

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

6. RESERVATION OF RIGHTS

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

7. PRODUCT OWNERSHIP

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

8. PROFESSIONAL SERVICES AGREEMENT

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

9. CAUSES FOR DISQUALIFICATION

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

- Evidence of collusion among proponents;
- Any attempt to improperly influence any member of the evaluation panel;
- A proponent's default in any operation of a professional services agreement which resulted in termination of that agreement; and/or
- Existence of any lawsuit, unresolved contractual claim, or dispute between proponent and the City.

AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT, made and entered into on November 12, 2019 by and between the City of St. Helena, located in the County of Napa, State of California (City), and Lisa Wise Consulting (Consultant).

RECITALS:

A. City desires to employ Consultant to furnish professional services in connection with the project described as Zoning Code Update.

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

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

SECTION 1 – BASIC SERVICES

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

SECTION 2 – ADDITIONAL SERVICES

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

SECTION 3 – TIME FOR COMPLETION

The time for completion of Services shall be as identified in **Exhibit A, “Scope of Services”**. The parties expressly agree that time is of the essence in the performance of this Agreement.

SECTION 4 – COMPENSATION AND METHOD OF PAYMENT

A. Subject to any limitations set forth in this Agreement, City agrees to pay consultant the amount specified in **Exhibit A, “Scope of Services”** attached hereto and made a part hereof. Total compensation shall not exceed \$319,990.00 unless additional compensation is approved in accordance with Section 2.

B. Consultant shall furnish to City an original invoice for all work performed and expenses incurred during the preceding month. The invoice shall detail charges by the following categories if applicable: labor (by sub-category), travel, materials, equipment, supplies, subconsultant contracts, and miscellaneous expenses. Each original invoice furnished shall include the expenses incurred during the preceding month, the cumulative Agreement amount,

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

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

SECTION 5 – STANDARD OF PERFORMANCE

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

B. In order to induce City to enter into this Agreement, Consultant represents that it is duly organized, existing and in good standing under applicable state law; Consultant is licensed to perform all aspects of the Services; Consultant will employ only persons and Subconsultants with all required licenses and certifications; that Consultant is duly qualified to conduct business in the State; that Consultant has duly authorized the execution, delivery and performance of this Agreement and the Services to be performed herein; and that the Agreement does not violate or create a default under any instrument, agreement, order or decree binding on Consultant.

SECTION 6 – INSPECTION AND FINAL ACCEPTANCE

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

SECTION 7 – INSURANCE REQUIRED

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

- A. Minimum Scope of Insurance. Coverage shall be at least as broad as:
 - 1. Insurance Services Office Commercial General Liability coverage (occurrence form CG 0001).
 - 2. Insurance Services Office form number CA 0001 (Ed. 1/87) covering Automobile Liability, code 1 (any auto).
 - 3. Workers' Compensation insurance as required by the State of California and Employer's Liability Insurance.
- B. Minimum Limits of Insurance. Consultant shall maintain limits no less than:
 - 1. General Liability: \$2,000,000 per occurrence for bodily injury, personal injury and property damage including operations, products and completed operations, as applicable. If Commercial General Liability Insurance or other form with a General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
 - 2. Automobile Liability: \$1,000,000 per accident for bodily injury and property damage.
 - 3. Employer's Liability: \$2,000,000 per accident for bodily injury or disease.
- C. Professional Liability Insurance. When Consultant under this Agreement is duly licensed under California Business and Professions Code as an architect, landscape architect, environmental engineer or other professional engineer, or land surveyor ("design professional"), Consultant shall maintain at least \$2,000,000 of professional liability insurance. When Consultant is not a design professional, Consultant shall maintain at least \$1,000,000 of professional liability insurance combined single limit for each occurrence, insuring against professional errors and omissions in the Services performed by Consultant under this Agreement, including, without limitation, claims for negligence, misrepresentation, violation of good faith and fair dealing, and inaccurate advise arising out of, resulting from, or in connection with Services performed by Consultant under this Agreement.
- D. Excess Limits. If Consultant maintains higher limits than the minimums shown above, City requires and shall be entitled to coverage for the higher limits maintained by Consultant. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the City.
- E. Primary Coverage. For any claims related to this contract the Consultants insurance coverage shall be primary insurance as respects to City, its officers, officials, employees and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees, or volunteers shall be excess of Consultants insurance and shall not contribute with it.

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

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

1. The City, its agent, officers, officials, employees, and volunteers are to be covered as additional insured as respects: liability arising out of work or operations performed by the Consultant or Consultant's subconsultants; or automobile owned, leased, hired or borrowed by the Consultant.
2. For any claims related to Consultant's conduct while performing the work of this project, the Consultant's insurance coverage shall be primary insurance as respects the City, its agents, officers, officials, employees and volunteers. Any insurance or self-insurance maintained by the City, its agents, officers, officials, employees or volunteers shall be excess of the Consultant's insurance and shall not contribute with it.
3. Each insurance policy required by this clause shall be endorsed to state that coverage shall not be cancelled by either party, except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the City.
4. Coverage shall not extend to any indemnity coverage for the active negligence of the additional insured in any case where an agreement to indemnify the additional insured would be invalid under Subsection (b) of Section 2782 of the Civil Code.

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

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

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

SECTION 8 – INDEMNIFICATION

A. To the fullest extent allowed by law (including without limitation California Civil Code Sections 2782 and 2782.8), as may be applicable, Consultant shall indemnify, defend, and hold harmless City, its agents, officers, officials, employees, representatives, and volunteers from any and all claims, demands, suits, loss, damages, injury, and/or liability (including any and all costs and expenses in connection therewith, including legal fees and expert witness costs)

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(collectively, “Liabilities”), incurred by reason of any negligent or otherwise wrongful act or omission of Consultant, its officers, agents, employees, subconsultants, and subcontractors, or any of them, under or in connection with this Agreement; and Consultant agrees at its own cost, expense and risk to defend any and all claims, actions, suits, or other legal proceedings brought or instituted against City, its agents, officers, officials, employees and volunteers, or any of them, arising out of, pertaining to, or relating to such negligent or otherwise wrongful act or omission, and to pay and satisfy any resulting judgments.

B. When Consultant under this Agreement is duly licensed under California Business and Professions Code as an architect, landscape architect, professional engineer, or land surveyor (i.e., a “design professional,” pursuant to Civil Code § 2782.8(c)), the provisions of this section regarding Consultant’s duty to defend and indemnify apply only to claims that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of Consultant.

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

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

E. Duty to Cooperate. Each party shall notify the other party immediately in writing of any claim or damage related to activities or Services performed under this Agreement. The parties shall cooperate with each other in the investigation and disposition of all Liabilities arising out of the activities or Services under this Agreement.

F. In the event that Consultant executes any subconsulting agreements in connection with the Services performed under this Agreement, Consultant shall place in all such subconsulting agreements, and cause its subconsultants to agree to, the indemnity and insurance obligations in favor of City and other Indemnitees, as provided herein, in the exact form and substance of those contained in this Agreement.

SECTION 9 – INDEPENDENT CONTRACTOR STATUS

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

B. The personnel performing the Services under this Agreement on behalf of Consultant shall at all times be under Consultant’s exclusive direction and control. Neither City, nor any

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elected or appointed boards, officers, officials, employees or agents of City, shall have control over the conduct of Consultant or any of Consultant's officers, employees or agents, except as set forth in this Agreement. Consultant shall not at any time or in any manner represent that Consultant or any of Consultant's officers, employees or agents are in any manner officials, officers, employees or agents of City.

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

SECTION 10 – CONFLICTS OF INTEREST AND ANTI-FRAUD AND ANTI-CORRUPTION POLICIES

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

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

C. Consultant understands and acknowledges City maintains an anti-fraud and anti-corruption policy to protect the City, its operations, and its employees from and against financial risks, operational breaches, and unethical, fraudulent and corrupt activities. Consultant represents and warrants that Consultant, its subcontractor(s) / subconsultant(s) and their respective employees providing Services pursuant to the Agreement are (1) in good standing; (2) have not been previously investigated, convicted, or debarred for fraudulent or corrupt activities; (3) will not participate in fraudulent or corrupt activities, and (4) will take steps to ensure that its employees and subcontractor(s) / subconsultant(s) employees do not participate in any fraudulent or corrupt activities. Consultant acknowledges and agrees further that it has a duty to and will report to City any information or incident(s) about possible fraudulent or corrupt activities Consultant may discover, and will cooperate in any fraud or corruption investigation conducted, with respect to Consultant's service provided pursuant to this Agreement.

SECTION 11 – OWNERSHIP OF DOCUMENTS

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

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

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

SECTION 12 – CONFIDENTIAL INFORMATION; RELEASE OF INFORMATION

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

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

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

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

SECTION 13 – SUSPENSION OF WORK

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

SECTION 14 – COMPLIANCE WITH LAW

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

SECTION 15 – COMPLIANCE WITH CIVIL RIGHTS

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

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

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

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

SECTION 16 – AUDIT AND INSPECTION OF RECORDS

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

B. Consultant shall maintain all documents and records prepared by or furnished to Consultant during the course of performing the Services for at least three (3) years following completion of the Services. Such records include, but are not limited to, correspondence,

internal memoranda, technical reports and investigations, calculations, books and accounts, accounting records documenting its work under its Agreement, and invoices, payrolls, records and all other data related to matters covered by this Agreement.

C. Consultant shall permit City to audit, examine and make copies, excerpts and transcripts from such records, and the Consultant shall in no event dispose of, destroy, alter, or mutilate said books, records, accounts, and data in any matter whatsoever for three (3) years after City makes the final or last payment or within three (3) years after any pending issues between City and Consultant with respect to this Agreement are closed, whichever is later.

SECTION 17 – LIMITATION OF LIABILITY

A. Consultant agrees that any liability of City arising in connection with this Agreement shall be limited exclusively to the City-entity identified as the “City” under this Contract. Under no circumstance shall any other City-entity be liable to Consultant under any theory, whether in contract, tort, or otherwise, and Consultant waives unconditionally any such claims. Consultant hereby waives and release other City-entities from any liability under this Agreement.

B. Notwithstanding any other provision of this Agreement, in no event shall City be liable, regardless of whether any claim is based on contract or tort, for any special, consequential, indirect or incidental damages, including, but not limited to, lost profits or revenue, arising out of or in connection with this Agreement or the Services performed hereunder.

SECTION 18 – COOPERATION BY CITY

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

SECTION 19 – NOTICES

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

To City:	City Manager 1480 Main Street St. Helena, California 94574
To Consultant:	Lisa Wise Consulting (LWC) Attn: Lisa Wise 983 Osos Street San Luis Obispo, CA 93401 805-595-1345 lisa@lisawideconsulting.com

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

SECTION 20 – TERMINATION

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

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

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

SECTION 21 – ATTORNEYS' FEES

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

SECTION 22 – ENTIRE AGREEMENT

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

SECTION 23 – SUCCESSORS AND ASSIGNS

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

SECTION 24 – CONTINUITY OF PERSONNEL

Consultant shall make every reasonable effort to maintain the stability and continuity of Consultant's staff assigned to perform the Services required under this Agreement. Consultant

shall notify City of any changes in Consultant's staff assigned to perform the Services required under this Agreement, prior to any such performance.

SECTION 25 – DEFAULT

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

SECTION 26 – WAIVER

Waiver by any party to this Agreement of any term, condition, or covenant of this Agreement shall not constitute a waiver of any other term, condition, or covenant. Waiver by any party of any breach of the provisions of this Agreement shall not constitute a waiver of any other provision, or a waiver of any subsequent breach or violation of any provision of this Agreement. Acceptance by City of any work or Services by Consultant shall not constitute a waiver of any of the provisions of this Agreement.

SECTION 27 – LAW TO GOVERN; VENUE

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

SECTION 28 – SEVERABILITY

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

SECTION 29 – THIRD PARTY BENEFICIARIES

Consultant's subconsultants shall agree to be bound to the terms of the Agreement to the extent of their scope of Services, including but not limited to, terms regarding indemnity and dispute resolution, and shall agree that City is deemed an express third party beneficiary of their subconsultant agreements. Nothing contained in this Agreement, however, shall operate to confer such or similar rights or benefits on persons or entities not party to this Agreement.

SECTION 30 – STATUTES OF LIMITATION

As between the parties to this Agreement, any applicable statute of limitations for action arising out of, pertaining to, or relating to any act or failure to act in connection with this Agreement shall commence to run on the date of City's issuance of the final Certificate for Payment, or termination of this Agreement, whichever is earlier, except for latent defects and/or

deficiencies, for which the applicable statute of limitation shall begin to run upon discovery of the defect and/or deficiency and its cause.

SECTION 31 – SPECIAL PROVISIONS

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

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

Consultant:

City:

By: _____
Name: _____
Title: _____

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

Approved as to Form:

By: _____
Name: Kara Ueda
Title: City Attorney

Exhibit A

Request For Proposals For Professional Services

City of *St. Helena*

ZONING CODE UPDATE

August 30, 2019

LWC

983 Osos Street, San Luis Obispo, CA 93401 | <https://www.lisawiseconsulting.com> | (805) 595-1345

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ZONING CODE UPDATE

Lisa Wise Consulting, Inc.

983 Osos Street, San Luis Obispo, CA 93401

(805) 595-1345

<https://www.lisawiseconsulting.com/>

Firm Contact:

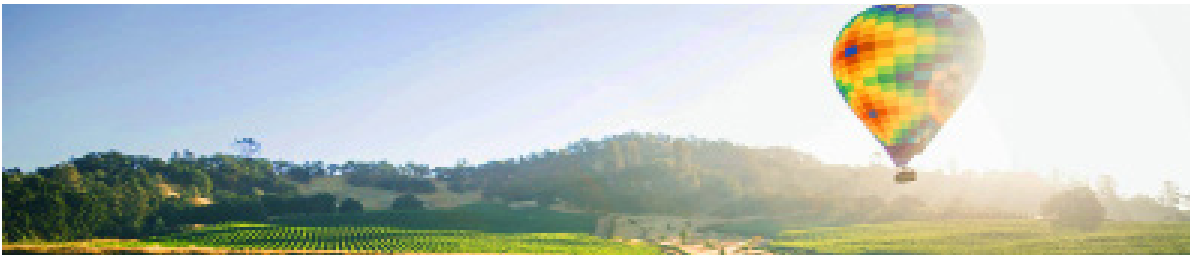
Martha Miller, AICP

(626) 616-9303

martha@lisawiseconsulting.com

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COVER LETTER/EXECUTIVE SUMMARY

August 30, 2019



Cindy Tzaopoulos
City of St. Helena
1480 Main Street
St. Helena, CA 94574

RE: Request For Proposals For Professional Services - Zoning Ordinance Update, City of St. Helena

Dear Ms. Tzaopoulos:

We are pleased to submit our proposal for the City of St. Helena Zoning Code Update. As an urban planning firm focused on zoning codes and development regulation, Lisa Wise Consulting, Inc. (LWC) is perfectly suited for this project. The LWC Team is enthused at the opportunity to work with the City and have summarized our approach and understanding of the project in this Cover Letter/Executive Summary.

St. Helena's 2040 General Plan (Plan) lays out comprehensive policies and implementation actions aimed at achieving the community's vision of a safe community with excellent schools, parks, public facilities and well-manged development that celebrates it's small-town, rural character. The challenge now, is to translate policies related to development control and design into a user-friendly, legally compliant, and effective regulations and procedures that:

- Steers future development to the most suitable places,
- Responds to the community's desire for a safe, diverse, vibrant, liveable, and prosperous city,
- Enables vibrant commercial and mixed-use areas, a robust local economy, and
- Prioritizes healthy neighborhoods.

Approach

In preparing the new Code, LWC will work closely with City staff, civic leaders, elected officials, and the community to translate St. Helena's vision into a clear, consistent and feasible set of rules and regulations. Our breadth and depth of planning and zoning experience enables us to provide efficient, high-quality work that considers the most appropriate strategies and best practices for St. Helena. Our approach considers a menu of zoning approaches, including form-based, performance-based, Euclidean, or a mixed, hybrid approach. Our team also brings experience in public sector development review. We understand how to write plans and regulations that respond to local conditions and produce results.

Comprehensive zoning code updates are significant undertakings. Our methodology for this project involves a systematic approach which moves from agreements on the general frameworks of the updated code and then to specific sections. Our approach emphasizes the involvement of staff, decisionmakers, and the community throughout the process, generating a sense of ownership and commitment to the new regulations.

COVER LETTER/EXECUTIVE SUMMARY

Firm Overview

Founded in 2006, Lisa Wise Consulting, Inc. (LWC) is an urban planning and economics firm that specializes in enabling pedestrian and transit-oriented neighborhoods, and facilitating sustainable, well-designed places to live, work, and recreate. LWC has a deep understanding of planning policy and implementation, market opportunities, and development review and entitlements for complex projects.

Project Management

Martha Miller, AICP, will be the Project Manager and primary point of contact for the City. Ms. Miller has a strong resume in preparing and implementing zoning regulations, as public agency staff and in the private sector. Martha's recent and ongoing experience includes comprehensive code updates for the cities of West Sacramento, Vacaville, and Newark. She will provide overall project management, conduct technical analysis, prepare recommendations, and attend all project meetings and events.

Martha will be assisted by LWC President/CEO, **Lisa Wise, AICP**. Lisa is a national expert on code reform, on which she presents regularly at State and National APA, League of California Cities, Urban Land Institute (ULI) and the New Partners for Smart Growth Conferences.

Our planning, zoning code, and community design experience and commitment to client services enables us to provide the most appropriate strategies and best practice approaches for St. Helena. We are adept at applying a menu of coding approaches, and will provide the City of St. Helena a clear, concise, user-friendly Zoning Code that will implement the City's vision established in the 2040 General Plan and stand the test of time.

We have received and reviewed all addenda to the RFP.

Sincerely,

Lisa Wise Consulting, Inc.



Martha Miller, AICP
Director, Project Manager and Point of Contact
983 Osos Street; San Luis Obispo, CA 93401
Cell: (626) 616-9303
Office: (805) 595-1345
martha@lisawiseconsulting.com



Lisa Wise, AICP
President, Advising Principal
601 California Street, Ste 607; SF, CA 94108
Cell: (805) 801-4115
Office: (805) 595-1345
lisa@lisawiseconsulting.com

PROJECT APPROACH AND WORK PLAN

Approach



LWC's approach acknowledges the General Plan as the long-range "blue print" for the City's physical development and the code as the tool that implements the policies and programs. The 2040 General Plan lays out comprehensive goals, policies, and implementation programs to achieve the St. Helena community's vision for the future:

"...in the year 2040, the town will be a well-integrated place linked by effective community institutions, safe neighborhoods and streets, and superior schools, parks, and public facilities. In addition, planning for thoughtful, well-managed development, while maintaining its small-town, rural character is of vital importance to St. Helena's residents."

With this clear path set in the General Plan, the next step for St. Helena is to evaluate and update it's regulatory framework to ensure that it enables the type of development that will fortify and sustain the vision. Through the Zoning Code

Update, LWC will examine the existing Code and identify how to make land use policies and development controls more user-friendly, legally compliant, and effective, as well as acknowledge opportunities and constraints to maintaining St. Helena's most valued characteristics. LWC's approach focuses on working closely with the community to consider traditional and form-based codes, infill development, pedestrian and bicycle-friendly streetscapes, mixed-use, and transit-oriented development, as well as acknowledgment of economic and fiscal impacts; and best practices for historic preservation, parking, signage, user regulations, and landscaping.

Our experience will enable us to identify the most appropriate and context-sensitive options for St. Helena and produce a state-of-the-art, flexible, user-friendly Zoning Code to effectively achieve the community's vision as expressed in the 2040 General Plan. To execute these objectives, our proposal includes a scope of work and project methodology designed to produce an updated Zoning Code that complies with State and federal law, and:

PROJECT APPROACH AND WORK PLAN

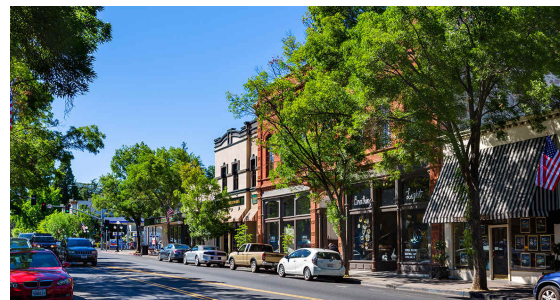
Approach

- Implements the General Plan.
- Reflects sound planning principles and current best practices for promoting and supporting a variety of housing types.
- Promotes high quality infill and mixed-use development, particularly in the Downtown area.
- Responds to community concerns.
- Is streamlined and transparent in its administration and decision-making processes.
- Resolves inconsistencies.
- Is intuitive and user-friendly.

The Zoning Code update is an opportunity to repurpose the Code as a more effective, clear and user-friendly tool that produces the kind of development that St. Helena wants, and is consistent with the City's General Plan.

An Effective Code

LWC is committed to providing highly customized and creative planning programs based on the unique issues facing each community. Our approach is grounded in extensive coordination with City staff, civic leaders and the community, as well as in thorough, objective research and best practice analyses. Each LWC code update project is unique, and reflects the needs, desires, character, and economic realities of the community as well as best practices from industry, academia, and similar cities around the country. However, each LWC effort reflects the following characteristics on zoning and development regulations:



St. Helena's goal is to maintain a small-town atmosphere and to provide quality services for its citizens.

PROJECT APPROACH AND WORK PLAN

Approach

 VIABILITY	Foster economically, fiscally, and physically achievable development that reflects the community vision and supports goals for housing and employment and contributes to vibrant commercial centers and business districts.
 QUALITY	Enable attractive, long-lasting design that positively affects the public realm and retains or grows in value.
 CONTEXTUAL SENSITIVITY	Respond, integrate, and complement the community character of neighborhoods, corridors, and districts where development is occurring.
 PREDICTABILITY	Offer high degree control and expected development outcomes for the City, residents, businesses, property owners, and community.
 FLEXIBILITY	Zoning and development regulations should also provide opportunities to accommodate reasonable adjustments and standards to secure better outcomes and community “fit”.
 EQUITY	Ensure that the benefits and burdens of attaining development goals are shared across the community, expand opportunities for affordable housing and commercial space, and support a diversity of businesses.
 CLARITY	Zoning and development regulations should be logical and easy to understand for community members, developers, and City officials and staff, and enable consistent interpretation at the planning counter.

LWC writes codes with an understanding of the different perspectives of users. We believe that code users should not have to hunt for or piece together; rather, they should easily arrive at design excellence and feasibility. When drafting regulations, we test approaches to assure there are no unintended consequences. We also write with clarity, ensuring that the regulations are understandable to all code users and that rules and procedures are clear, consistent, and easy to understand.

PROJECT APPROACH AND WORK PLAN

Scope of Work

By moving from agreements on general approaches to a new zoning framework and on specific sections, our work program relies on City staff and the community and generates a sense of ownership and commitment to the new code. The task-by-task descriptions that follow illustrate our approach to technical review and analysis, framework development, public participation, drafting regulations, and preparation of the final Zoning Code.

Task 1: Background Review and Technical Analysis

A. Project Initiation Meeting and City Tour

LWC will meet with City staff to discuss their ideas and aspirations for the project, review the approach to the Zoning Code Update, discuss the public outreach process, finalize the work program and schedule, and clarify roles and responsibilities. LWC and City staff will conduct a tour of the City to become familiar with the patterns of development and the character of neighborhoods and nonresidential areas resulting from the implementation of the City's current development regulations.

B. Technical Analysis and Evaluation

LWC will conduct technical analysis and evaluation of applicable ordinances, plans, and policy documents, including the 2040 General Plan, existing Zoning Code, development standards from specific plans and planned development districts in the City, and the Draft Design Guidelines.

C. Zoning Code Update Recommendations Memo

Based on technical review of the City's current regulations, the 2040 General Plan, City staff comments, and the results from stakeholder interviews (see Task 2), LWC will prepare a Zoning Code Update Recommendations Memo that highlights General Plan direction for new development controls, assess the strengths and weaknesses of the existing Code, and presents the "big ideas" for the new Zoning Code. The Zoning Code Update Recommendations Memo will include recommendations for utilization of appropriate zoning approaches, including form-based, performance-based, incentive-based, and use-based approaches. Issues identified by stakeholders in Task 2 will be classified and sorted to identify common themes and shared concerns and included as a "punch list" of stakeholder comments in the report.

D. Annotated Outline

Based on comments on the Zoning Code Update Recommendation Memo and other input gathered at Workshop #1 (see Task 2), LWC will prepare an Annotated Outline of the Zoning Code. The outline will provide the recommended format, content, and organization of the new Zoning Code; retaining, amending, or discarding sections as necessary and proposing new sections where needed to improve clarity and user-friendliness.

- **Meetings:** *Project Initiation Meeting and City Tour (1 trip)*
- **Products:** *Zoning Code Update Recommendations Memo
Annotated Outline*

PROJECT APPROACH AND WORK PLAN

Scope of Work

TASK 2: Public Outreach

A. Public Outreach Program

LWC will work with City staff to formulate a Public Outreach Program for the Zoning Code Update using the components identified in this Scope of Work. The Public Outreach Program will outline all public meetings, study sessions, stakeholder meetings, and other outreach tools. The outreach activities identified in this Scope of Work are a first cut, based on our initial understanding of project needs and objectives. We will work with City staff to structure a public process that enables City Council, the Planning Commission, and community members to review and comment on updated regulations as they are being formulated.

B. Stakeholder Interviews

LWC will prepare for and participate in one or two days of meetings and interviews with City staff, City officials, decisionmakers, code users (e.g. property owners, designers, architects, developers, etc.) and others familiar with the Zoning Code and development in St. Helena. City staff will be responsible for identifying and coordinating interviews and meetings. With small group interviews held in two rooms, up to 40 stakeholders can participate in the interview process.

C. Workshops/Study Sessions

LWC will conduct up to five community workshops/study sessions at key stages during the planning process to provide opportunities for public education and informal comment on the choices being considered. Anticipated workshops/study sessions are as follows:

- **Workshop/Study Session #1:** Community workshop held early in the process to introduce the project, discuss major issues of current regulations, highlight General Plan direction, and present recommendations for a new regulatory framework.
- **Workshops/Study Sessions #2-4:** Three workshops with the Planning Commission to review and provide input on regulations as they are being drafted will be held through the process. Topics will be based on the project phases described in Task 3.
- **Workshop/Study Session #5:** Workshop intended to review the Public Review Draft Zoning Code with focused discussion on items that weren't fully resolved during the preliminary draft phase.

The workshops/study sessions may also be combined with open houses, providing a forum for informal discussion with interested community members seeking to understand the new regulations. LWC will create straightforward and informational outreach materials for each workshop/study session.

D. Website Materials

LWC will provide information for the City's website, including text, photographs, maps, renderings, other images, and information on our credentials and the project and progress. Project memorandum and milestone documents will be designed for upload to the City's website to be accessible to interested community members.

PROJECT APPROACH AND WORK PLAN

Scope of Work

E. Outreach Toolkits

In order to engage those who do not otherwise attend public workshops, it can be effective to meet with community groups, associations, and individual citizens in non-traditional settings, such as regular meetings of community organizations or at a gathering of interested neighbors. LWC will provide staff a “toolkit” of materials, based on workshop materials, project deliverables, and project information developed for other aspects of the project, to conduct project briefings to these types of groups throughout the project. Staff will organize and conduct the briefings.

- **Meetings:** *Stakeholder Interviews*
Workshops/Study Sessions
(Total of 5 throughout the project)
- **Products:** *Public Outreach Program*
Workshop/Study Session Materials
Information for the City's Website
Outreach Toolkits

TASK 3: Preliminary Draft Regulations by Phase

LWC will develop preliminary drafts of updated regulations related to emphasis areas in phases as described below to facilitate review prior to incorporation into a complete Public Review Draft Zoning Code.

A. Zoning District Regulations

LWC will prepare draft zoning district regulations for review. Regulations will be drafted for all districts and include use regulations and development standards. LWC will prepare a draft of the Zoning District Regulations for staff review and revise based on staff comments.

B. Citywide Standards

LWC will prepare draft Citywide standards for review. Citywide standards are those that apply to development or uses in some or all zoning districts in the city. Existing standards will be evaluated and new or revised standards will be identified for implementing the General Plan, responding to staff and community concerns, and bringing standards up to date with current uses, practices, and state and federal law. Topics include, but are not limited to standards for specific uses, landscaping, signs, parking, and nonconforming provisions. LWC will prepare a draft of the Citywide standards for staff review and revise based on staff comments.

C. Administration and Permits

LWC will prepare a complete set of administrative provisions for the administration and enforcement of the Code, including application procedures, required findings, hearings and approval, and post decision procedures for all permit/approval types including use permits and code amendments. LWC will prepare a draft of the Administration and Permit Procedures for staff review and revise based on staff comments.

TASK 4: Public Review Draft Zoning Code

A. Public Review Draft Zoning Code

LWC will review all comments on the preliminary draft regulations prepared in Task 3 and prepare the Public Review Draft Zoning Code based on the Annotated Outline and reflective of the analysis and review conducted in Tasks 1 and 2. The Public Review Draft will address all aspects of zoning

PROJECT APPROACH AND WORK PLAN

Scope of Work

regulation, including introductory provisions, district development standards and use regulations, citywide regulations, administrative procedures, and definitions of terms. The Public Review Draft will be fully formatted and contain graphics, diagrams, tables, and charts to complement and supplement the Code text. LWC will prepare an Administrative Draft, coordinate with the City's Project Manager on their review with meetings and phone calls as needed, and prepare a Public Review Draft Zoning Code based on a consolidated set of comments.

B. Zoning Map Revisions

LWC will work with City staff to identify areas that will require map changes. City staff will be responsible for making the changes and preparing the Zoning Map.

C. Revised Public Review Draft Zoning Code

LWC will review comments on the Public Review Draft Zoning Code with City staff and prepare a Revised Public Review Draft Zoning Code. LWC will coordinate with the City's Project Manager with meetings and phone calls as needed to prepare the Revised Public Review Draft Zoning Code.

- **Meetings:** *Meetings and phone calls with City staff to review draft products and review the zoning map*
- **Products:** *Administrative Draft Public Review Draft Zoning Code
Public Review Draft Zoning Code
Revised Public Review Draft Zoning Code*

TASK 5: Environmental Review/CEQA Documentation

A. EIR Consistency Technical Memo

The City certified an EIR for the General Plan in May 2019. The Zoning Code Update will implement the policy direction of the General Plan, the environmental effects of which were evaluated in detail in the EIR. It is anticipated the Zoning Code Update will be consistent with the General Plan EIR. LWC will prepare a technical memo supporting findings of consistency with the 2040 General Plan EIR. However, if the City desires more formal documentation, an EIR Addendum may be prepared as an optional task.

- **Products:** *EIR Consistency Technical Memo
(Optional) EIR Addendum*

Task 6: Public Review and Adoption; Final Zoning Code

A. Planning Commission Hearings

LWC will attend, prepare materials for, and make formal presentations at up to two Planning Commission hearings to support adoption of the Zoning Code.

B. Final Draft Code

LWC will revise the Revised Public Review Draft Zoning Code based on comments and feedback received at the Planning Commission hearing and prepare a Final Draft Zoning Code for consideration by the City Council.

PROJECT APPROACH AND WORK PLAN

Scope of Work

C. City Council Hearings

LWC will attend, prepare materials for, and make formal presentations at up to two City Council hearings to support adoption of the Zoning Code.

D. Final Zoning Code

Based on City Council action and final text changes provided by City staff, LWC will prepare the final Zoning Code. The document will be produced in Adobe Acrobat (PDF) and a Microsoft Word formats and made accessible and interactive through online publishing.

- **Meetings:** *Planning Commission Hearings (2)*
City Council Hearings (2)
- **Products:** *Public Hearing Materials*
Final Draft Zoning Code
Final Zoning Code

B. Infill Guidelines Handout

LWC will prepare a handout specifically tailored for infill development strategies and design standards or guidelines. The goal will be to provide an easy to understand guide that will help facilitate and streamline infill development.

- **Product::** *Infill Guidelines Handout*

C. Objective Standards for Multi-Family Development Handout

LWC will prepare a handout that outlines the objective standards that can be used when considering multi-family development projects. The document shall clearly identify when and how these standards may be used.

- **Product:** *Objective Standards for Multi-Family Development Handout*

Task 7: Handbooks and Handouts (Optional)

A. Zoning Handbook

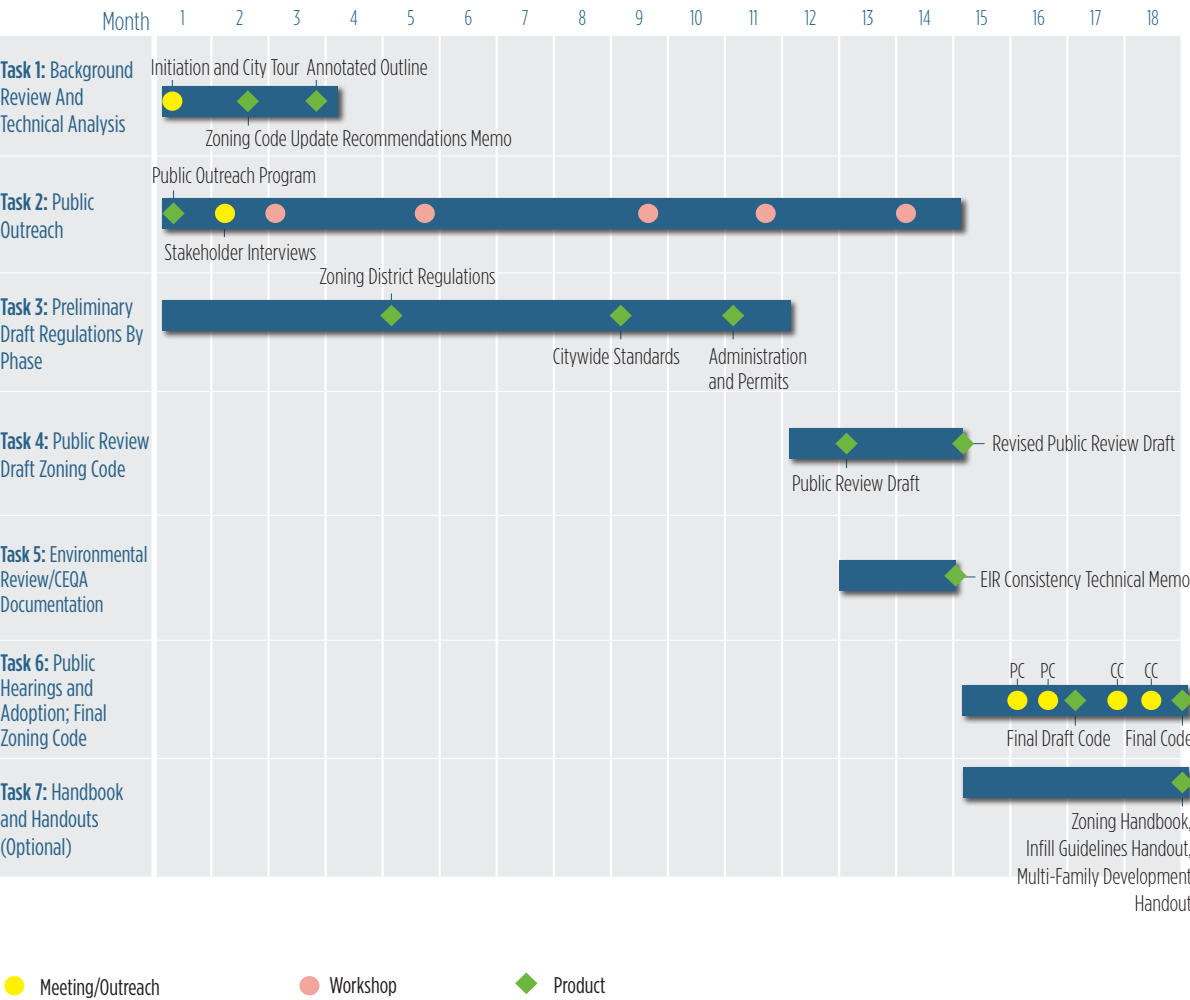
LWC will prepare a concise user-guide/handbook for the public that explains how to use the new Zoning Code. The handbook will be easy to understand with graphics and examples that demonstrate how to use the code and find answers to frequently requested information such as setbacks, lot coverage, commercial building signage, accessory structure standards, and Historic St. Helena design standards. The handbook will be provided in PDF format with internal hyperlinks for easy navigation.

- **Products:** *Zoning Handbook*

PROJECT APPROACH AND WORK PLAN

Schedule

LWC proposes an 18-month timeframe; we are happy to work with the City to refine the scope and schedule to best fit the City’s needs. A proposed schedule is presented below with key milestones and meetings indicated throughout.





CONSULTANT IDENTIFICATION AND TEAM

Firm Overview

Lisa Wise Consulting, Inc.

LWC specializes in updating, modernizing and streamlining zoning codes aimed at promoting pedestrian and transit-oriented neighborhoods, revitalizing built environments, and facilitating sustainable, well-designed places to live, work, and recreate. LWC is distinguished by consistent commitment to client service and the development and application of innovative solutions. The LWC team addresses each engagement with a deep understanding of zoning principles and best practices, strong project management skills and experience professional writing skills, and community outreach capabilities. The LWC team also has a proven history of working with local government and state and federal agencies. LWC was founded in 2006, incorporated in 2008 and has grown to a staff of 17 with offices in Los Angeles, San Francisco, and San Luis Obispo, California.

LWC core competencies include:

- Zoning Ordinances, Development Codes, and Form-Based Codes
- Community Planning
- Housing Elements and Affordable Housing Policy
- Public Engagement and Community Consensus Modeling
- Economic and Market Analyses and Strategies

LWC has completed code updates and technical planning related projects with over 100 local governments in California, Arizona, Nevada, Texas, Ohio, Hawaii, Oklahoma, Maine, Iowa, and Massachusetts. Our resumes include 60 comprehensive code updates, diagnoses, and regulatory compliance assessments; 16 sign code updates; and over 130 long range planning, housing, economic, and finance projects on time and to our client's satisfaction. LWC is a certified Disadvantaged Business Enterprise in the State of California (UPC Firm Number 40054).



CONSULTANT IDENTIFICATION AND TEAM

Team Overview

The project will be led by a team of senior staff members. Highlights about the involvement, responsibilities, and professional experience of key personnel follow. Full resumes are provided in this section.

Martha Miller, AICP, will serve as the Director-in-Charge and Project Manager, overseeing the Zoning Ordinance Updates. Martha brings over 16 years of comprehensive zoning code and development regulation experience in private firms and public agencies. She will provide overall project management, conduct technical analysis, prepare recommendations, and attend all project meetings and events. Martha will be the key point of contact for the City.

Ms. Miller will be assisted by firm President/CEO, **Lisa Wise, AICP**, who will provide overall guidance and review of project deliverables. Lisa is considered a national expert on code reform and housing policy, and makes presentations on the topics regularly at State and National APA, League of California Cities, and the New Partners for Smart Growth conferences.

Senior Associates **Kathryn Slama** and **Jennifer Daugherty, AICP**, will support the technical review and analysis of the standards with their skills and knowledge of land use and development regulations and their respective expertise in regulatory evaluation and financial feasibility.

Associates **Spencer Johnson, CNU-A**, and **Kimmie Nguyen, AICP**, will bring their technical analysis, building form expertise, and regulatory experience to the project.



CONSULTANT IDENTIFICATION AND TEAM

Key Staff

Martha Miller, AICP | Director

Martha has over 16 years of experience as a land use planner and project manager specializing in development regulations, specific plans, master plans, TOD strategies, and community engagement. Her experience as a public sector planner, where she managed comprehensive community plan updates, subdivisions plans, and development and entitlement projects, gives her a unique and valuable perspective. Martha has also led complex projects with multiple subconsultants on technical ordinances for density, landscaping, hillsides, parking, sustainability, planned development, and community benefits.



Lisa Wise, AICP | President/CEO

As a certified planner and public accountant, Lisa has over 28 years of professional experience in land development and zoning codes, form-based codes, and economic planning. Her resume includes the creation of land use policy in the State of California and Western Region where she has been directly responsible for a breadth of large-scale projects, including 34 code updates, 35 economic projects, 23 master and specific plans, and 20 housing strategies. Lisa is considered a national expert in the field of zoning, served as the Chair of the Form-Based Code Institute, and recently received the CNU Paul Crawford award for Excellence in Planning.



Kathryn Slama | Senior Associate

Kathryn has contributed her experience on several complex projects, including zoning and development code updates, housing elements, affordable housing policies, and specific plans. She is experienced in leading multi-disciplinary teams in analyzing existing regulatory documents, structuring calibrated zoning recommendations, coordinating community outreach, and production of final documents. Kathryn holds a Master of City and Regional Planning degree from California Polytechnic State University, San Luis Obispo, graduating at the top of her class.



CONSULTANT IDENTIFICATION AND TEAM

Key Staff



Jennifer Daugherty, AICP | Senior Associate

Jennifer brings over 10 years of public planning experience in a diversity of planning engagements including housing elements, specific plans, master plans, zoning code updates, and general plan updates. Jen's experience includes analysis and approvals of complex entitlement projects, housing code and fee updates, grant programs, environmental review, and project management. At LWC, she assists municipal, non-profit, real estate development, and academic clients seeking feasible and implementable solutions to land use planning and correlated issue.



Spencer Johnson, CNU-A | Associate

Spencer focuses on long range planning, zoning code updates, land use economics, and urban and graphic design. He has experience on a wide range of projects, including hybrid and form-based codes, short-term rental analyses, affordable housing design, specific plans, and market analyses. He is actively engaged in the CNU as an Accredited Professional and in APA as the Membership Inclusion Officer for the California Central Coast.



Kimmie Nguyen, AICP | Associate

Kimmie brings strong public-sector experience in project review and the analysis of use permit entitlements with a focus on implementation of land use policy aimed at achieving community and economic objectives. Kimmie has taken mixed use and affordable housing developments through the approval process and participated in the review and approval of zoning code amendments and Transit Oriented Development station area plans. She has a keen sense of how urban design affects the user experience and how to apply a holistic approach.



RELATED PROJECT EXAMPLES AND REFERENCES

Relevant Projects



RELATED PROJECT EXAMPLES AND REFERENCES

Relevant Projects

LWC

COUNTY OF MARIN

Development Code Amendments

STATUS:

Complete

TIMEFRAME:

2016 - 2017

BUDGET:

\$41,925

REFERENCE:

Jeremy Tejirian, AICP
Planning Manager
Community Development
Agency
3501 Civic Center Drive
Suite 308
San Rafael, CA 94903
(415) 473-3798
JTejirian@marincounty.org

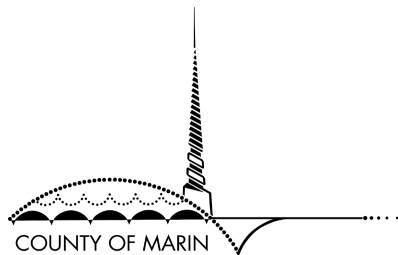
LWC was retained by the County of Marin to complete targeted amendments to the County's Development Code.

The primary purpose of the amendments was to address high priority issues which focused on signage, slaughterhouses and poultry farms, community gardens, camping, and telecommunications. The project began with focused interviews with staff members followed by a preliminary analysis memorandum. Objectives of the Code Amendments were to modernize standards and allowed uses, improve clarity of procedures and requirements, and comply with legal mandates while preserving the character of Marin County..

Working in close consultation with County staff, LWC developed definitions and standards for uses that were previously not addressed in the Development Code.

In addition, LWC conducted a detailed analysis and update of the Sign Code considering the content-neutral standard set by the *Reed v. Town of Gilbert* Supreme Court ruling. Wireless telecommunications facilities standards were also revised to comply with updated legal requirements, including FCC shot clock standards.

Each of the amendments was adopted, concurrent with staff recommendations, by the Marin County Board of Supervisors.



RELATED PROJECT EXAMPLES AND REFERENCES

Relevant Projects

LWC

CITY OF WEST SACRAMENTO
Zoning Modernization Project

STATUS:
Adopted

TIMEFRAME:
2016 - 2019

BUDGET:
\$233,000

REFERENCE:
David Tilley
Principal Planner
City of West Sacramento
1110 West Capitol Avenue,
2nd Floor
West Sacramento, CA
95691
(916) 617-4645
davidt@
cityofwestsacramento.org

PARTNER:
RRM Design Group

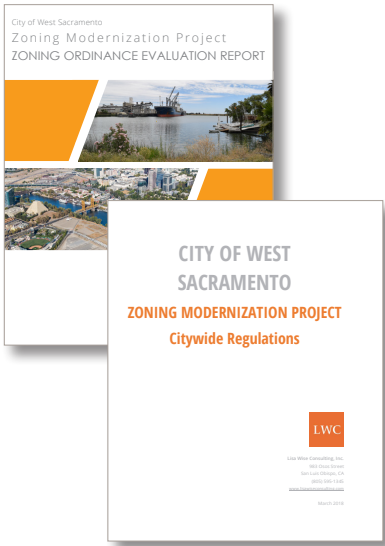
LWC prepared a comprehensive update to the City's Zoning Ordinance. The Zoning Ordinance, originally written in 1990, had been amended numerous times, but had not been comprehensively updated. As land use patterns diversified and modernized, the City found that the Zoning Ordinance was hindering new objectives and economic development.

The Zoning Ordinance Modernization Project (ZOMP) brings the code up to date, adequately reflecting modern uses and current development practices. The ZOMP also provides consistency with the recently adopted General Plan.

In modernizing land use regulations LWC has taken an innovative approach, particularly with the

Industrial District where the focus was to balance the viability of industrial development as an employment base and new and emerging economies. New, non industrial uses, such as craftsman or artisan spaces, restaurants, entertainment, retail, and office uses, were allowed in the Industrials to support creative employment areas and a hub for innovation and information sharing.

The Zoning Ordinance will be published in an interactive format on-line through EnCodePlus. Features include hyperlinked cross references; eReader viewer and printer; connection to an interactive GIS Zoning map; build calculators for parking, landscaping and signage; and document archiving.



RELATED PROJECT EXAMPLES AND REFERENCES

Relevant Projects



CITY OF VACAVILLE Land Use and Development Code Audit

STATUS:

Complete

TIMEFRAME:

November 18 - March 2019

BUDGET:

\$74,000

REFERENCE:

Fred Buder
City Planner
City of Vacaville
Community Development
Department
650 Merchant Street
Vacaville, CA 95688
(707) 449-5307
fred.buder@cityofvacaville.com

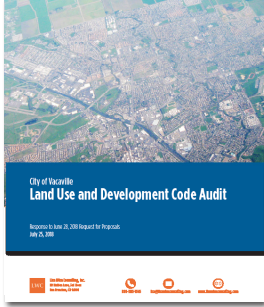
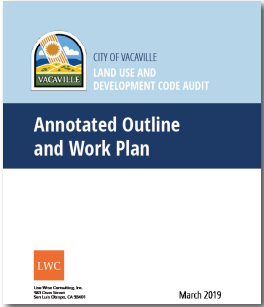
LWC completed an audit of the City of Vacaville's Land Use and Development Code, the first phase of a two-phase effort to comprehensively update the Code and repurpose it as a flexible, effective, user-friendly tool to implement the General Plan. The objective was to produce a user-friendly set of regulations that provide clear direction about the City's expectations and to facilitate development of quality projects by making standards clear and effective, streamlining review processes, and incorporating flexibility to adapt to specific circumstances.

Vacaville's Land Use Development Code was last updated in 1996 and has seen many amendments. While this approach worked in the short-term, it has led to inconsistencies, omissions and duplications. These shortcomings have made the code difficult to use and interpret and have not generated the kind of development that Vacaville has targeted for the future. The City identified addressing these deficiencies as part their 2015

General Plan Update by updating their development code as a priority project. The City Council's vision for the code update emphasized local economic development and attracting high quality projects. The vision went further to identify key goals of Phase 1 (Land Development Code Audit) and Phase 2 (Comprehensive Code Update):

- Flexibility
- Compliance
- Prioritized efforts
- Pinpoint chapters in the General Plan that require updating
- Improved organization and structure
- A detailed, feasible and logical workplan

The Land Use and Development Code Audit identified items for improvements, recommended changes to be made; presented a state-of-the-art organization, form, and style for a new code; and established a work plan a comprehensive update. The second phase, the Code update, is underway.



RELATED PROJECT EXAMPLES AND REFERENCES

Relevant Projects



CITY OF WOODLAND 2019 Comprehensive Zoning Code Update

STATUS:
August 2019 - Present

TIMEFRAME:
August 2019 - September 2020

BUDGET:
\$358,610

REFERENCE:
Steve Coyle
Director of Community Development
300 First Street
Woodland, CA 95695
(530) 661-5820
Stephen.Coyle@cityofwoodland.org

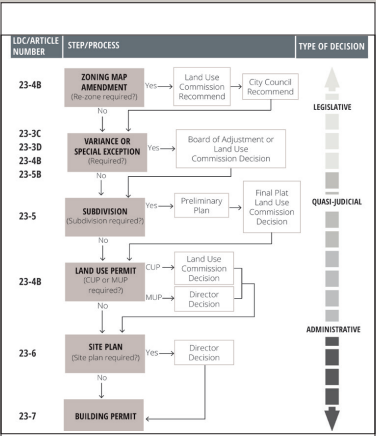
The City of Woodland hired Lisa Wise Consulting, Inc. to update its Zoning Code with a focus on more walkable, complete neighborhoods and corridors in an urban form. The goal of the update is a concise, consistent and user-friendly code that implements the vision established in the 2035 General Plan and replaces the Interim Zoning that was adopted as an urgency ordinance in 2018.

Much of the new opportunities for new single-family residential within the Woodland's boundaries have been developed, and the emphasis for the new code is to enable and incentivize future development in specific planned neighborhoods, future annexed lands and infill sites as well as mixed use and redevelopment. The update will also focus on modernizing and streamlining the blueprint for the future of the City's large and diverse industrial sector and older commercial development.

The project builds on LWC's participation in a charette facilitated by the California Chapter of the Congress for New Urbanism in 2017 where the community, City staff, elected officials and civic leaders formulated and confirmed the priorities for the code update.

The Comprehensive Zoning Code Update is funded through the State's recently enacted SB2 Planning Grants Program that is intended to streamline approvals and accelerate housing production.

To satisfy the City's commitment to an open, transparent and collaborative project, LWC worked with the City to develop a Public Outreach Program that includes Planning Commission, City Council and Historic Preservation Commission Study Sessions, Focus Area Workshops and a project web page.



PROPOSED BUDGET

LWC													
		Principal		Director		Senior		Associate		TOTAL			
		\$275		\$205		\$180		\$145					
		Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost		
TASK 1	BACKGROUND REVIEW AND TECHNICAL ANALYSIS	10	\$ 2,750	64	\$ 13,120	20	\$ 3,600	48	\$ 6,960	142	\$ 26,430		
TASK 2	PUBLIC OUTREACH	8	\$ 2,200	120	\$ 24,600	40	\$ 7,200	80	\$ 11,600	248	\$ 45,600		
TASK 3	PRELIMINARY DRAFT REGULATIONS BY PHASE	8	\$ 2,200	120	\$ 24,600	52	\$ 9,360	88	\$ 12,760	268	\$ 48,920		
TASK 4	PUBLIC REVIEW DRAFT ZONING CODE	12	\$ 3,300	60	\$ 12,300	80	\$ 14,400	120	\$ 17,400	272	\$ 47,400		
TASK 5	ENVIRONMENTAL REVIEW/CEQA DOCUMENTATION	-	\$ -	12	\$ 2,460	-	\$ -	24	\$ 3,480	36	\$ 5,940		
TASK 6	PUBLIC REVIEW AND ADOPTION; FINAL ZONING CODE	8	\$ 2,200	60	\$ 12,300	30	\$ 5,400	40	\$ 5,800	138	\$ 25,700		
TOTAL BASE FEE		46	\$ 12,650	436	\$ 89,380	222	\$ 39,960	400	\$ 58,000	\$ 1,104	\$ 199,990		
TASK 7	Optional Task-Handbooks and Handouts												
TASK 7.A	Zoning Handbook									\$	50,000		
TASK 7.B	Infill Guidelines Handout									\$	25,000		
TASK 7.C	Objective Standards for Multi-family Development Handout									\$	45,000		
	TOTAL OPTIONAL TASKS										120,000		
TOTAL BASE FEE PLUS OPTIONAL TASKS										\$	319,990		

APPENDIX
Resumes

LWC

MARTHA MILLER, AICP
Director

Martha Miller has over 16 years experience as a land use planner and project manager specializing in development regulations, specific plans, master plans, transit-oriented development strategies, and community engagement. Her experience as a public sector planner, where she managed comprehensive community plan updates, subdivisions plans, and development and entitlement projects brings a unique and valuable perspective to LWC. Martha's strength is leading complex projects with multiple subconsultants on technical ordinances for industrial land use regulations, landscaping, hillsides, parking, sustainability, planned development, and community benefits. Martha's approach to making better cities is marked by a careful assessment of client needs and available resources, and bringing best practices from form-based, performance-based, and Euclidean applications.



Relevant Project Experience:

- Alameda County, CA, Castro Valley General Plan Implementation
- El Monte, CA, Comprehensive Zoning Ordinance and Citywide Design Guidelines Update
- Fresno, CA, Development Code Update
- Goleta, CA, New Zoning Ordinance and Coastal Implementation Plan
- Hayward, CA, Industrial District Regulations Update
- Hayward, CA, Form-Based Codes Update
- Honolulu, HI, Transit Oriented Development Land Use Ordinance Amendments
- Lake Tahoe, CA, Tahoe Region Local Planning Implementation
- Morro Bay, CA, Comprehensive Zoning Code and Coastal Implementation Plan Update
- Mammoth Lakes, CA, Commercial Districts Development Standards
- Newark, CA, Comprehensive Zoning Ordinance Update
- Placer County, CA, Area Plan and Implementing Ordinance
- Porterville, CA, Development Code Update
- Pomona, CA, Zoning and Subdivision Code Update
- Princeton, San Mateo County, CA, General Plan, Zoning, and Local Coastal Plan Update
- San Carlos, CA, Zoning Ordinance Update
- San Gabriel, CA, "Greening the Code" Zoning Amendments
- Santa Barbara, CA, New Zoning Ordinance
- South San Francisco, CA, Zoning Ordinance Update
- West Hollywood, CA, Norma Triangle Neighborhood Overlay District and Design Guidelines
- West Sacramento, CA, Zoning Modernization Project
- Yuba County, CA, Development Code Update

PAST WORK EXPERIENCE

California Polytechnic State University
San Luis Obispo, CA, Lecturer, 2017 - Present

RRM Design Group
San Luis Obispo, CA, Principal Planner,
2015 - 2017

Dyett & Bhatia Urban and Regional Planners
San Francisco, CA, Principal, 2008 - 2015

San Luis Obispo County
San Luis Obispo, CA, Senior Planner, 2004 - 2008
Planner, 2000 - 2003

Sapphos Environmental
Pasadena, CA, Urban Planner/Environmental
Analyst, 2003 - 2004

EDUCATION

California Polytechnic State University
San Luis Obispo, CA, Master of City & Regional
Planning

Purdue University
West Lafayette, IN, B.S. Industrial Engineering

CERTIFICATIONS & MEMBERSHIPS

American Institute of Certified Planners
2004 - Present

American Planning Association
2002 - Present
California Central Coast San Luis Obispo
Subsection Director (2015 - 2017)

AWARDS

American Planning Association, 2014
Los Angeles Section Award, San Gabriel
"Greening the Code"

SCAG Sustainability Award, 2014
San Gabriel "Greening the Code"

APPENDIX

Resumes

LISA WISE, AICP

President, Owner

LWC

As a certified planner and public accountant, Lisa has over 30 years of experience in zoning code updates, land use economics, housing policy, financial feasibility analysis, and the management of complex projects. Lisa is considered a national expert on code reform and housing policy and presents on the topics regularly at State and National APA, League of California Cities, ULI, and the New Partners for Smart Growth conferences. Lisa recently received the CNU Paul Crawford award for Excellence in Planning. She is the former Chair and currently serves on the Steering Committee of the Form Based Code Institute, as adjunct faculty and lectures on Urban Planning and Real Estate Finance at California Polytechnic State University in San Luis Obispo and on the Dean's Leadership Council.

Lisa has been directly responsible for a breadth of large-scale projects that assess land use policy and economic performance, and ultimately make recommendations for more vibrant and resilient communities. These include 34 code updates, 35 economic projects, 23 master and specific plans, 20 housing elements, and several inclusionary and employee housing studies.

Prior to starting LWC in 2006, Lisa worked for land use planning firm Crawford, Multari & Clark Associates. From 1990 to 1999, Lisa was a Manager at PricewaterhouseCoopers (PwC), one of the "Big Four" international accounting, financial services and management consulting firms. At PwC, Lisa's responsibilities included managing large financial services engagements, building client relationships, mentoring staff, and teaching in-house classes.

Relevant Project Experience:

- Alameda County, CA, Ashland Cherryland Business District Specific Plan Update and Form Based Code
- Austin, TX, Land Development Code Update
- Benicia, CA, Mixed-Use Master Plan and Form Based Code
- Beverly Hills, CA, Economic Sustainability Plan
- Cincinnati, OH, Neighborhood Annexation Form Based Code Study
- Flagstaff, AZ, Zoning Ordinance Update
- Grover Beach, CA, Zoning Code Update and West Grand Ave. Master Plan
- Hayward, CA, Downtown Specific Plan and Form Based Code
- Kingsburg, CA, Development Code Update, Form Based Code, and Economic Study
- Las Vegas, NV, Downtown Form-Based Code
- Livermore, CA, Development Code Update
- Lompoc, CA, Zoning Code Update
- Long Beach, CA, Short Term Rental Housing Program and Regulations
- Malibu, CA, Zoning Code and Local Implementation Plan Update
- Mesa, AZ, Form Based Code and Regulating Plan
- Petaluma, CA, SMART Rail Station Areas: TOD Master Plan
- Richmond, CA, Livable Corridors Plan and Form Based Code
- San Luis Obispo, CA, Economic Development Strategic Plan
- Soledad, CA, Downtown Specific Plan, Vision, and Form Based Code
- Tehachapi, CA, Zoning Code Update, Housing Element 4th/5th Cycle
- Westerville, OH, Zoning Code Update



PAST WORK EXPERIENCE

- California Polytechnic State University
San Luis Obispo, CA, Adjunct Faculty, 2002 - Present
- Crawford, Multari & Clark Associates
San Luis Obispo, CA, Professional Consultant,
2001 - 2006
- San Luis Obispo County
San Luis Obispo, CA, Staff Planner, 2000 - 2001
- Governor's Office of Planning & Research
Sacramento, CA, Intern, 1999 - 2000
- PricewaterhouseCoopers, LLP
New York, NY, Financial Services Manager, 1990 - 1999

EDUCATION

- California Polytechnic State University
San Luis Obispo, CA, Master of City & Regional
Planning, 2001
- DePaul University
Chicago, IL, M.S. Accountancy, 1990
- University of Cincinnati
Cincinnati, OH, B.S. Business Administration in
Marketing & Finance, 1987

CERTIFICATIONS & MEMBERSHIPS

- American Planning Association (APA)
2001 - Present
- Certified Public Accountant, 1991
- Congress for New Urbanism
2003 - Present
Paul Crawford Award for Excellence in Planning, 2017
- Form-Based Code Institute
Chair, 2015 - 2018; Treasurer, 2014 - 2015
- Dean's Leadership Council
California Polytechnic, School of Architecture
2018-Present

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LWC

KATHRYN SLAMA
Senior Associate

Kathryn has over seven years of hands-on zoning code, housing, station area planning, and project management experience, and is the Senior in charge of LWC's Los Angeles office. Kathryn leads the team on detailed policy and regulatory analysis, formulation of implementation strategies, housing policy, and streamlined and compliant zoning codes. Kathryn has worked with communities large and small across the country to reach consensus on priorities and develop strategies to clarify, streamline, and modernize development codes, with a focus on economic revitalization, resilience, and enabling well-designed places to live, shop, and do business. At LWC, Kathryn has managed technical analysis and code engagements, in Alameda County, Austin TX, Las Vegas, NV, Hayward, Hermosa Beach, Livermore, Long Beach, and Malibu, CA.

Kathryn holds a Bachelor of Arts degree in Environmental Studies from University of California, Santa Barbara and a Master of City and Regional Planning degree from California Polytechnic University, San Luis Obispo, where she graduated at the top of her class. Kathryn brings strong writing and graphic skills, and a fresh perspective on technical planning theory, and practice to the firm.

Relevant Project Experience:

- Alameda County, CA, Ashland Cherryland Business District Specific Plan Update and Form Based Code
- Alameda County, CA, Castro Valley General Plan Implementation, Zoning Code Update, and Specific Plan
- Austin, TX, Land Development Code Update
- Burbank, CA, Mixed Use Development Standards Ordinance
- Calipatria, CA, Zoning Ordinance Update
- Hayward, CA, Downtown Specific Plan and Form-Based Code
- Hayward, CA, Form-Based Codes Update
- Hermosa Beach, CA, General Plan Update
- Kaua'i County, West Kaua'i Form Based COde
- Las Vegas, NV, Downtown Master Plan
- Lompoc, CA, Zoning Code Update
- Long Beach, CA, Zoning Code Audit
- Malibu, CA, Zoning Code and Local Implementation Plan Update
- Pacific Grove, CA, Development Code Update
- Rancho Cucamonga, CA, North Eastern Sphere Annexation Project
- San Luis Obispo County, CA, Oceano Revitalization Plan
- Soledad, CA, Downtown Specific Plan, Vision, and Form Based Code
- Tehachapi, CA, Zoning Ordinance Update



PAST WORK EXPERIENCE

- California Polytechnic State University
San Luis Obispo, CA, Teaching Assistant
January 2013 - June 2013
- City of Clearlake, CA
Graduate Student Planner
September 2012 - June 2013
- City of Carpinteria, CA
Graduate Student Planner
March 2012 - June 2012

EDUCATION

- California Polytechnic State University
San Luis Obispo, CA, Master of City & Regional Planning
- University of California, Santa Barbara
B.A., Environmental Studies

CERTIFICATIONS & MEMBERSHIPS

- American Planning Association
2011 - Present
- Cal Poly Graduate Student Planning Association
2011 - 2013

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JEN DAUGHERTY, AICP
Senior Associate

LWC

At LWC, Jen focuses on managing complex long-range planning projects, developing projections, and assuring LWC's deliverables exceed client expectations and are submitted on time and within budget. Jen has ten years of public sector experience in a diversity of planning engagements including specific plans, master plans, zoning code updates, and housing elements. While at LWC, Jen has been the Project Manager for several technical analysis and code projects, including projects in Lompoc, Vallejo, and Westerville, OH. She holds a Master of Business Administration from Indiana University and Bachelor of Arts degrees in Environmental Studies and Geography from University of California, Santa Barbara. Jen combines her MBA and public sector experience for a strategic and balanced approach to planning and the economics of land use.

Jen's experience includes analysis and approvals of complex entitlement projects, housing element updates, housing code and fee work, grant programs, environmental review, and project management. In Lompoc, Jen worked closely with the community, City staff, and City legal counsel to craft the award-winning Lompoc Sign Code, which was adopted unanimously in December 2016.

Jen has strong public engagement skills and experience grounded in maintaining open lines of communication, raising public awareness, and building relationships aimed at feasible implementation strategies.

Relevant Project Experience:

- Local Government Commission, Local Funding Guidebook
- Lompoc, CA, Zoning Code Update
- Mammoth Lakes, CA, Clearwater Specific Plan Concept Review
- Mammoth Lakes, CA, General Plan Update
- Mammoth Lakes, CA, Sign Ordinance Update and Negative Declaration
- Mammoth Lakes, CA, Snowcreek Master Plan Update
- Mammoth Lakes, CA, Zoning Code Update
- Marin County, CA, Code Amendments
- Moraga, CA, Downtown Specific Plan Implementation
- Paso Robles, CA, Beechwood Specific Plan
- Rancho Cucamonga, CA, Pro Forma Development for the North Eastern Sphere Annexation Specific Plan Transfer of Development Rights Analysis
- San Pablo, CA, Priority Development Area Implementation Plan
- Tehachapi, CA, Oak Tree Village Specific Plan
- University of Hawaii Infrastructure Master Plan Financial Analysis
- Vallejo, CA, Zoning Code Update
- Westerville, OH, Zoning Code Update



PAST WORK EXPERIENCE

- Town of Mammoth Lakes, CA
Senior Planner
March 2014 - August 2015
- Town of Mammoth Lakes, CA
Associate Planner
December 2007 - February 2014
- Town of Mammoth Lakes, CA
Assistant Planner
June 2006 - November 2007

EDUCATION

- Indiana University
Bloomington, IN, Master of Business Administration, 2015
- University of California, Santa Barbara
B.A., Environmental Studies, 2004
B.A., Geography, 2004

CERTIFICATIONS & MEMBERSHIPS

- American Institute of Certified Planners
2015 - Present
- American Planning Association
2013 - Present
- Association of Environmental Professionals
2013 - Present

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LWC

SPENCER JOHNSON, CNU-A

Associate Planner / Designer

Spencer specializes in long-range planning, urban and graphic design, hybrid codes, land use economics, and developing deliverables that cater to the client's needs. He works closely with the LWC team, subconsultant partners, and clients to develop graphics, conduct research, and produce effective reports and facilitate training and community engagement efforts. Spencer brings strong technical expertise in graphic design and modeling software (Adobe Creative Suite and SketchUp) and participates in all aspects of LWC projects from initiation to completion.

Spencer has served as Deputy Project Manager on several LWC projects, including the Las Vegas Downtown Form-Based Code and Henderson, NV Development Code Update, where he helped facilitate formal educational activities, and documented and analyzed development patterns and conditions in key corridors, and nodes. In May 2018, Spencer earned the Congress for New Urbanism accreditation (CNU-A) through the University of Miami School of Architecture and he currently serves as the Membership Inclusion Officer of the American Planning Association (APA), California Central Coast Chapter.

Prior to LWC, Spencer worked at the San Francisco-based urban design and architecture firm, Van Meter Williams Pollack LLP (VMWP) where he assisted in the design of several TOD and affordable housing projects around the Bay Area. Spencer holds a Bachelor of Science degree in City & Regional Planning from California Polytechnic State University, San Luis Obispo.

Relevant Project Experience:

- Austin, TX, Land Development Code Update
- Compton, CA, Artesia Station Transit-Oriented Development Specific Plan
- Hayward, CA, Downtown Specific Plan and Code
- Henderson, NV, Development Code Update
- Las Vegas, NV, Downtown Form-Based Code
- Lompoc, CA, Zoning Code Update
- Marin County, CA, Code Amendments
- Marin County, CA, Short-Term Vacation Rentals Report
- Paso Robles, CA, Beechwood Specific Plan
- San Luis Obispo, CA, San Luis Ranch Specific Plan
- Seaside, CA, General Plan Update Market Report
- Tehachapi, CA, Oak Tree Village Specific Plan
- Tempe, AZ, Transportation Overlay District Code Update
- Vallejo, CA, Zoning Code Update
- Westerville, OH, Zoning Code Update



PAST WORK EXPERIENCE

- Van Meter Williams Pollack LLP
San Francisco, CA, Intern, Urban Design
January 2015 - September 2015
- Northern Tool & Equipment
Faribault, MN, Intern, Design Engineering
June 2014 - August 2014
- California Polytechnic State University
San Luis Obispo, CA, Event Planner
August 2013 - June 2016

EDUCATION

- California Polytechnic State University
San Luis Obispo, CA, B.S., City & Regional
Planning

CERTIFICATIONS & MEMBERSHIPS

- Congress for New Urbanism
Accredited Professional, 2018 - Present
- American Planning Association
Membership Inclusion Officer, CA Central Coast,
2018 - Present
Member, 2015 - Present
- California Polytechnic State University
'Best Collaborator' Designation
Associated Students in Planning, Vice President,
2013 - 2014
- League of American Bicyclists
Bicycle Friendly Communities Gold Rating
Contributor for San Luis Obispo

APPENDIX

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KIMMIE NGUYEN, AICP

Associate



Kimmie supports LWC’s long-range planning efforts through policy regulatory frameworks and spatial data analysis, and production of client deliverables and outreach materials. Kimmie brings strong public-sector experience in project review and analysis of use permit entitlements with a focus on implementation of land use policy aimed at achieving community objectives and economic and fiscal feasibility. She has has a keen sense of how urban design affects the user experience and how to apply a holistic approach, taking into account building mass, setbacks, façade design, sidewalks and streetscapes. Kimmie has excellent written and spoken communication skills, and is adept at managing correspondence with clients and government agencies, or taking meticulous field notes from stakeholder interviews, workshops, and public meetings.

Prior to LWC, Kimmie was a Planner at Sonoma County, where she reviewed and processed affordable housing developments, design review projects, and zoning code amendments. She also served as a staff liaison to the County’s Landmarks Commission, overseeing grant programs to preserve and rehabilitate historic resources. She has also worked in Los Angeles Metro’s Planning Division to establish standardized station design elements. Kimmie holds a Bachelor of Science in Urban and Regional Studies and a Minor in Architecture from Cornell University, and a Master of Planning from University of Southern California, Price School of Public Policy.

Relevant Project Experience:

- Alameda County, CA, Castro Valley General Plan Implementation
- Arlington, MA, Sign Regulations Update
- Buena Park, CA, City Yard Form-Based Code
- Grover Beach, CA, Parking Regulations Update
- Half Moon Bay, CA, Poplar Beach Gateways Plan
- Hayward, CA, Industrial District Regulations Update
- Los Angeles County, CA, Metro Purple Line Extension and Regional Connector Station Area Plans
- Morgan Hill, CA, Freeway Oriented Sign Ordinance and Design Guidelines
- Morro Bay, CA, Comprehensive Zoning Code and Local Coastal Implementation Plan Update
- Orange, CA, Comprehensive Sign Code Update
- Portland, ME, Comprehensive Sign Code Update
- Sonoma County, CA, Roseland Village Mixed-Use Development Plan
- Vacaville, CA, Land Use and Development Code Audit
- West Sacramento, CA, Zoning Modernization Project



PAST WORK EXPERIENCE

- County of Sonoma
Planner I
November 2016 - November 2017
- Los Angeles County Metropolitan Transportation Authority
Intern, Systemwide Planning & Design
January 2016 - November 2016
- City of West Hollywood
Intern, Current & Historic Preservation Planning
January 2015 - February 2016
- City of Buena Park
Intern, Planning Division
May 2011 - August 2011

EDUCATION

- University of Southern California
Master of Planning
- Cornell University
B.S, Urban and Regional Studies
Minor, Architecture

MEMBERSHIPS

- American Institute of Certified Planners
2019 - Present
- American Planning Association (APA)
2014 - Present

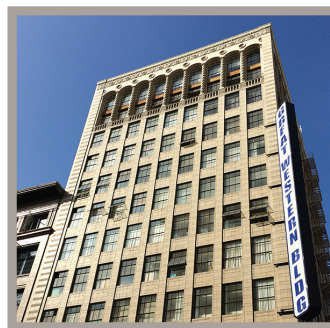
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SAN LUIS OBISPO



SAN FRANCISCO



LOS ANGELES

CITY OF ST. HELENA

RESOLUTION No. 2019-

RESOLUTION OF THE COUNCIL OF THE CITY OF ST. HELENA AWARDING A PROFESSIONAL SERVICES AGREEMENT TO LISA WISE CONSULTING, INC. FOR THE CITY OF ST. HELENA ZONING CODE UPDATE IN AN AMOUNT NOT-TO-EXCEED \$319,990

RECITALS

- A. City Council Goal 4, Work Item J is to initiate and update the City's Zoning Code Ordinance; and
- B. On Friday, July 26, 2019, the City of St. Helena issued a Request for Proposal (RFP) for the City's Zoning Code Update; and
- C. At the close of the RFP, four proposals were submitted to the City and all four firms were selected to be interviewed; and
- D. Following the interviews, staff recommended Lisa Wise Consulting, Inc. (LWC) be awarded a Professional Services Agreement (PSA) for Zoning Code Update services; and
- E. LWC has demonstrated they have skills and knowledge to complete the Zoning Code Update; and
- F. Founded in 2006, LWC is an urban planning and economics firm that specializes in enabling pedestrian and transit-oriented neighborhoods, and facilitating sustainable, well-designed places to live, work, and recreate. LWC has a deep understanding of planning policy and implementation, market opportunities, and development review and entitlements for complex projects; and
- G. City and Consultant now desire to enter into a PSA for Zoning Code Update services; and
- H. The total amended contract is for a not-to-exceed amount of \$319,990.

RESOLUTION

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

1. Award of the PSA to Lisa Wise Consulting, Inc. is categorically exempt from CEQA under Section 15323; and

2. The City Council approves a Professional Services Agreement with Lisa Wise Consulting, Inc. for the City's Zoning Code update for a total contract amount not-to-exceed \$319,990; and
3. The City Council authorizes the City Manager to execute the agreement on behalf of the City.

Approved at a Regular Meeting of the St. Helena City Council on November 12, 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



Report to the City Council
Regular City Council - 12 Nov 2019

Agenda Section: CONSENT ITEMS

Subject: Consideration and proposed approval of a Resolution rescinding Resolution 2017-18 and approval of a Resolution updating Policy P-FI-0009 Low Income Water and Wastewater Subsidy program.

CEQA Categorically Exempt, Section 15323
Determination:

Prepared By: April Mitts, Finance Director

Reviewed By: Mark T. Prestwich, City Manager

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

The City of St. Helena offers a Water and Wastewater Subsidy program (CARE Program) to qualifying low income families per Policy P-FI-0009 *Low Income Water and Wastewater Subsidy*. At the July 23, 2019 City Council meeting a request was made by City Council to re-evaluate the CARE program criteria. The re-evaluation of the CARE program criteria is being coupled with the transition to bi-monthly utility billing to update the current CARE program policy.

DISCUSSION

There are three categories of recommended changes to P-FI-0009. They are as follows:

Bi-Monthly Billing Changes

Effective January 1, 2020, the City of St. Helena will transition back to a bi-monthly billing cycle for utility customers. Based on this change, the current CARE program policy needs to be updated prior to implementation. To accommodate the new billing cycles, the following recommended updates have been made to P-FI-0009:

1. Section 7 - Language updated from "Monthly bill credits" have been updated to "Bi-Monthly bill credits"

2. Added language to accommodate tenants who are not owners of the property and who receive a check from the City instead of a bill credit. This language provides a process for the tenant to receive either a monthly or a bi-monthly check from the City of St. Helena dependent on how often they pay their utility bill.

Clean-up Language

After review of the current policy, staff is recommending the following changes:

1. Section 3. a. This change notes that updates for the PG&E and HUD current income limits are updated annually in May and December, respectively.
2. Section 3. Annual Gross Income - this chart has been updated to include the PG&E limits as well as the HUD limits and removes foot note to chart.
3. Section 4. b. Removes the previous date of June 30, 2018.
4. Section 6. b. Removes the previous maximum amounts listed from the FY 2017 and FY 2018 adopted budgets.
5. Section 6. b. Spells out Fiscal Year (previously FY)
6. Section 9.a.i. - Corrects typographical error
7. Section 10.a. Removes the previous date of June 30, 2018 and updates to state the policy will be reviewed annually.
8. Section 11. a.i, and ii. - Deleted section as it no longer applies.

Re-Evaluation of CARE Program Criteria

As directed by City Council, staff reviewed the current CARES program eligibility criteria. The current CARES program utilizes the most current income limit information from the PG&E Care Program and the CA Department of Housing and Community Development (HCD) Official State Income Limits for very low-income and extremely low-income as the basis for qualifying for the City's CARE program. HCD updates income limits based on U.S. Department of Housing and Urban Development (HUD) revisions to the Section 8 Income Limits. HUD updates these limits to reflect changes in median family income levels for different size households and income limits for extremely low-, very low-, and low-income households.

The current CARES program incorporates both very low-income and extremely low-income which reflects 50% and 60% of the median family income (MFI) for Napa County respectively. In order to expand the CARES program, staff is recommending the City Council update the CARES eligibility requirements to include low-income which reflects 80% of the MFI for Napa County. PG&E income limits will remain the same and typically follow very-low and extremely-low income guidelines. The recommended income limits are shown in the chart below and reflected in Section 3.a. of P-FI-0009.

Chart 1 - Recommended Income Limits

Number of Persons in Household	PG&E CARES Gross Annual Household Income Limits	HUD Low-Income Gross Annual Household Income Limits
1	33,820	55,650
2	33,820	63,600
3	42,660	71,550
4	51,500	79,500
5	60,340	85,900
6	69,180	92,250
7	78,020	98,600
8	86,860	105,950
9	95,700	112,350
10	104,540	118,700

Attachment 1 is the State Income Limits for 2019 as established by HCD, page 8 of the attachment lists the Income Categories for Napa County with an area median income of \$100,400 for a four person household.

If adopted, this recommendation will be in line with the income eligibility requirements of the Community Development Block Grant (CDBG) the City received in conjunction with the City of Napa Housing Authority for its Housing Rehabilitation Program which uses low-income limits. The low income limit is set by the Federal and State regulations of the CDBG program.

Section 3 of P-FI-0009 includes the addition of low-income category as qualifying for the CARES program.

A redline version and clean version of the recommended policy changes are included at Attachment 2 and Attachment 3.

FISCAL IMPACT

The total fiscal impact for including low-income as eligible are unknown at this time. Under the current policy (very low- and extremely-low income guidelines) the fiscal impact has been as follows:

Fiscal Year	Average Number of Participants	Annual Fiscal Impact
FY 18	108	\$45,626
FY 19	105	\$54,132
FY 20 (estimated)	99	\$53,728 (estimated)

If adopted, staff will continue to provide updates to the City Council on the number of participants as well as the estimated annual fiscal impact.

RECOMMENDED ACTION

Staff recommends City Council adopt a Resolution rescinding Resolution 2017-18 and approval of a Resolution updating Policy P-FI-0009 Low Income Water and Wastewater Subsidy program.

ATTACHMENTS

[Attachment 1 - HCD Income-Limits-2019](#)

[Attachment 2 - P-FI-0009 Low Income Policy 110119 Redline](#)

[Attachment 3 - P-FI-0009 Low Income Policy 110119 Clean](#)

[Attachment 4 - Resolution to Amend P-FI-0009 CARES Policy](#)

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT

2020 W. El Camino Avenue, Suite 500
 Sacramento, CA 95833
 (916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov



May 6, 2019

MEMORANDUM FOR: Interested parties

FROM: Zachary Olmstead, Deputy Director
 Division of Housing Policy Development

SUBJECT: State Income Limits for 2019

Attached are briefing materials and State Income Limits for 2019 that are now in effect and replace 2018 State Income Limits. Income limits reflect updated median income and household income levels for extremely low-, very low-, low-, and moderate-income households for California's 58 counties. The 2019 State Income Limits are on the Department of Housing and Community Development (HCD) website at <http://www.hcd.ca.gov/grants-funding/income-limits/state-and-federal-income-limits.shtml>.

State Income Limits apply to designated programs, are used to determine applicant eligibility (based on the level of household income) and may be used to calculate affordable housing costs for applicable housing assistance programs. Use of State Income Limits are subject to a particular program's definition of income, family, family size, effective dates, and other factors. In addition, definitions applicable to income categories, criteria, and geographic areas sometimes differ depending on the funding source and program, resulting in some programs using other income limits.

The attached briefing materials detail California's 2019 Income Limits and were updated based on: (1) changes to income limits the U.S. Department of Housing and Urban Development (HUD) released on April 24, 2019 for its Public Housing, Section 8, Section 202 and Section 811 programs and (2) adjustments HCD made based on State statutory provisions and its 2013 Hold Harmless (HH) Policy. Since 2013, HCD's HH Policy has held State Income Limits harmless from any decreases in household income limits and median income levels that HUD may apply to the Section 8 Income Limits. HUD determined its HH Policy was no longer necessary due to federal law changes in 2008 (Public Law 110-98) prohibiting rent decreases in federal or private activity bond funded projects.

For questions concerning State Income Limits, please contact HCD staff at (916) 263-2911.

2019 State Income Limits Briefing Materials California Code of Regulations, Title 25, Section 6932

Overview

The Department of Housing and Community Development (HCD), pursuant to Health & Safety Code Section 50093(c), must file updates to its State Income Limits with the Office of Administrative Law. HCD annually updates these income limits based on U.S. Department of Housing and Urban Development (HUD) revisions to the Section 8 Income Limits that HUD released on April 24, 2019.

HUD annually updates its Section 8 Income Limits to reflect changes in median family income levels for different size households and income limits for extremely low-, very low-, and low-income households. HCD, pursuant to statutory provisions, makes the following additional revisions: (1) If necessary, increase a county's area median income to equal California's non-metropolitan median income, (2) adjusts area median income and household income category levels to not result in any decrease for any year after 2009 pursuant to HCD's February 2013 Hold Harmless (HH) Policy. HCD's HH Policy was implemented to replace HUD's HH Policy, discontinued in 2009, to not decrease income limits and area median income levels below a prior year's highest level and, (3) determines income limits for California's moderate-income category.

Following are brief summaries of technical methodologies used by HUD and HCD in updating income limits for different household income categories. For additional information, please refer to HUD's briefing materials at <https://www.huduser.gov/portal/datasets/il/il19/IncomeLimitsMethodology-FY19.pdf>.

HUD Methodology

HUD Section 8 Income Limits begin with the production of median family incomes. HUD uses the Section 8 program's Fair Market Rent (FMR) area definitions in developing median incomes, which means developing median incomes for each metropolitan area, parts of some metropolitan areas, and each non-metropolitan county. The 2019 FMR area definitions for California are unchanged from last year. HUD calculates Section 8 Income Limits for every FMR area with adjustments for family size and for areas with unusually high or low family income or housing-cost-to-income relationships.

Extremely Low-Income

In determining the extremely low-income limit, HUD uses the Federal Poverty Guidelines, published by the Department of Health and Human Services. HUD compares the appropriate poverty guideline with 60% of the very low-income limit and choose the greater of the two. The value may not exceed the very low-income level.

Very Low-Income

The very low-income limits are the basis for all other income limits. The very low-income limit typically reflects 50 percent of median family income (MFI) and HUD's MFI figure generally equals two times HUD's 4-person very low-income limit. HUD may adjust the very low-income limit for an area or county to account for conditions that warrant special considerations. As such, the very low-income limit may not always equal 50% MFI.

Low-Income

In general, most low-income limits represent the higher level of: (1) 80 percent of MFI or, (2) 80 percent of state non-metropolitan median family income. However, due to adjustments that HUD sometimes makes to the very low-income limit, strictly calculating low-income limits as 80 percent of MFI could produce unintended anomalies inconsistent with statutory intent (e.g. very low-income limits being higher than low-income limits). Therefore, HUD's briefing materials specify that, with some exceptions, the low-income limit reflect 160 percent of the very low-income limit.

2019 State Income Limits Briefing Materials California Code of Regulations, Title 25, Section 6932

HUD may apply additional adjustments to areas with unusually high or low housing-costs-to-income relationships and for other reasons. This could result in low-income limits exceeding MFI.

Median Family Income/Area Median Income

HUD references and estimates the MFI in calculating the income limits. California law and State Income Limits reference Area Median Income (AMI) that, pursuant to Health & Safety Code 50093(c), means the MFI of a geographic area, estimated by HUD for its Section 8 Program.

HUD's calculations of Section 8 Income Limits begin with the production of MFI estimates. This year, MFI estimates use the 2016 American Community Survey. HUD then adjusts the survey data to account for anticipated income growth by applying the Consumer Price Index inflation forecast published by the Congressional Budget Office through mid-2019. HUD uses the MFI to calculate very low-income limits, used as the basis to calculate income limits for other income categories. For additional information, please see HUD's methodology describing 2019 MFI's at <https://www.huduser.gov/portal/datasets/il/il19/Medians-Methodology-FY19r.pdf>.

Adjustment Calculations

HUD may apply adjustments to areas with unusually high or low family income, uneven housing-cost-to-income relationship, or other reasons. For example, HUD applies an increase if the four-person very low-income limit would otherwise be less than the amount at which 35 percent of it equals 85 percent of the annualized two-bedroom Section 8 FMR (or 40th percentile rent in 50th percentile FMR areas). The purpose is to increase the income limit for areas where rental-housing costs are unusually high in relation to the median income.

In certain cases, HUD also applies an adjustment to the income limits based on the state non-metropolitan median family income level. In addition, HUD restricts adjustments so income limits do not increase more than five percent of the previous year's very low-income figure OR twice the increase in the national MFI, whichever is greater. For the 2019 income limits, the maximum increase is 10% from the previous year. This adjustment does not apply to the extremely low-income limits.

Please refer to HUD briefing materials for additional information on the adjustment calculations.

Income Limit Calculations for Household Sizes Other Than 4-Persons

The income limit statute requires adjustments for family size. The legislative history and conference committee report indicates that Congress intended that income limits should be higher for larger families and lower for smaller families. The same family size adjustments apply to all income limits, except extremely low-income limits, which are set at the poverty income threshold. They are as follows:

Number of Persons in Household:	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
Adjustments:	70%	80%	90%	Base	108%	116%	124%	132%

Income Limit Calculations for Household Sizes Greater Than 8-Persons

For households of more than eight persons, refer to the formula at the end of the table for 2019 Income Limits. Due to the adjustments HUD can make to income limits in a given county, table data should be the only method used to determine program eligibility. Arithmetic calculations are applicable only when a household has more than eight members. Please refer to HUD's briefing material for additional information on family size adjustments.

2019 State Income Limits Briefing Materials
California Code of Regulations, Title 25, Section 6932

HCD Methodology

State law (Health & Safety Code Section 50093, et. seq.) prescribes the methodology HCD uses to update the State Income Limits. HCD utilizes HUD's Section 8 Income Limits. HCD's methodology involves: (1) if necessary, increasing a county's median income established by HUD to equal California's non-metropolitan county median income determined by HUD, (2) applying HCD's HH Policy, in effect since 2013, to not allow decreases in area median income levels and household income category levels, (3) applying to the median income the same family size adjustments HUD applies to the income limits, and (4) determining income limit levels applicable to California's moderate-income households defined by law as household income not exceeding 120 percent of county area median income.

Area Median Income and Income Category Levels

HCD, pursuant to federal and State law, adjusts median income levels for all to counties so they are not less than the non-metropolitan county median income established by HUD (\$64,800 for 2019). Next, HCD, for all counties, applies its HH policy to ensure area median income and income limits for all household income categories do not fall below any level achieved in the prior year.

Moderate-Income Levels

HCD is responsible for establishing California's moderate-income limit levels. After calculating the 4-person area median income (AMI) level as previously described, HCD sets the maximum moderate-income limit to equal 120 percent of the county's AMI.

Applicability of California's Official State Income Limits

Applicability of the State Income Limits are subject to particular programs as program definitions of factors such as income, family, and household size vary. Some programs, such as Multifamily Tax Subsidy Projects (MTSPs), use different income limits. For MTSPs, separate income limits apply per provisions of the Housing and Economic Recovery Act (HERA) of 2008 (Public Law 110-289). Income limits for MTSPs are used to determine qualification levels as well as set maximum rental rates for projects funded with tax credits authorized under Section 42 of the Internal Revenue Code (Code). In addition, MTSP income limits apply to projects financed with tax-exempt housing bonds issued to provide qualified residential rental development under Section 142 of the Code. These income limits are available at <http://www.huduser.org/datasets/mtsp.html>.

Section 6932. 2019 Income Limits

County	Income Category	Number of Persons in Household							
		1	2	3	4	5	6	7	8

Last page instructs how to use income limits to determine applicant eligibility and calculate affordable housing cost and rent

Alameda County Area Median Income: \$111,700	Extremely Low	26050	29750	33450	37150	40150	43100	46100	49050
	Very Low Income	43400	49600	55800	61950	66950	71900	76850	81800
	Low Income	69000	78850	88700	98550	106450	114350	122250	130100
	Median Income	78200	89350	100550	111700	120650	129550	138500	147450
	Moderate Income	93850	107250	120650	134050	144750	155500	166200	176950

Alpine County Area Median Income: \$94,900	Extremely Low	18150	20750	23350	25900	30170	34590	39010	43430
	Very Low Income	30250	34600	38900	43200	46700	50150	53600	57050
	Low Income	46100	52650	59250	65800	71100	76350	81600	86900
	Median Income	66450	75900	85400	94900	102500	110100	117700	125250
	Moderate Income	79750	91100	102500	113900	123000	132100	141250	150350

Amador County Area Median Income: \$73,600	Extremely Low	15500	17700	21330	25750	30170	34590	39010	43430
	Very Low Income	25800	29450	33150	36800	39750	42700	45650	48600
	Low Income	41250	47150	53050	58900	63650	68350	73050	77750
	Median Income	51500	58900	66250	73600	79500	85400	91250	97150
	Moderate Income	61800	70650	79450	88300	95350	102450	109500	116550

Butte County Area Median Income: \$66,500	Extremely Low	14000	16910	21330	25750	30170	34590	39010	43430
	Very Low Income	23300	26600	29950	33250	35950	38600	41250	43900
	Low Income	37250	42600	47900	53200	57500	61750	66000	70250
	Median Income	46550	53200	59850	66500	71800	77150	82450	87800
	Moderate Income	55850	63850	71800	79800	86200	92550	98950	105350

Calaveras County Area Median Income: \$75,300	Extremely Low	15850	18100	21330	25750	30170	34590	39010	43430
	Very Low Income	26400	30150	33900	37650	40700	43700	46700	49700
	Low Income	42200	48200	54250	60250	65100	69900	74750	79550
	Median Income	52700	60250	67750	75300	81300	87350	93350	99400
	Moderate Income	63250	72300	81300	90350	97600	104800	112050	119250

Colusa County Area Median Income: \$64,800	Extremely Low	13650	16910	21330	25750	30170	34590	39010	42800
	Very Low Income	22700	25950	29200	32400	35000	37600	40200	42800
	Low Income	36300	41500	46700	51850	56000	60150	64300	68450
	Median Income	45350	51850	58300	64800	70000	75150	80350	85550
	Moderate Income	54450	62200	70000	77750	83950	90200	96400	102650

Contra Costa County Area Median Income: \$111,700	Extremely Low	26050	29750	33450	37150	40150	43100	46100	49050
	Very Low Income	43400	49600	55800	61950	66950	71900	76850	81800
	Low Income	69000	78850	88700	98550	106450	114350	122250	130100
	Median Income	78200	89350	100550	111700	120650	129550	138500	147450
	Moderate Income	93850	107250	120650	134050	144750	155500	166200	176950

Del Norte County Area Median Income: \$64,800	Extremely Low	13650	16910	21330	25750	30170	34590	39010	42800
	Very Low Income	22700	25950	29200	32400	35000	37600	40200	42800
	Low Income	36300	41500	46700	51850	56000	60150	64300	68450
	Median Income	45350	51850	58300	64800	70000	75150	80350	85550
	Moderate Income	54450	62200	70000	77750	83950	90200	96400	102650

County	Income Category	Number of Persons in Household							
		1	2	3	4	5	6	7	8

Last page instructs how to use income limits to determine applicant eligibility and calculate affordable housing cost and rent

El Dorado County	Extremely Low	17600	20100	22600	25750	30170	34590	39010	43430
	Very Low Income	29300	33450	37650	41800	45150	48500	51850	55200
	Low Income	46850	53550	60250	66900	72300	77650	83000	88350
	Median Income	58500	66900	75250	83600	90300	97000	103650	110350
	Moderate Income	70200	80250	90250	100300	108300	116350	124350	132400

Area Median Income: **\$83,600**

Fresno County	Extremely Low	13650	16910	21330	25750	30170	34590	39010	42800
	Very Low Income	22700	25950	29200	32400	35000	37600	40200	42800
	Low Income	36300	41500	46700	51850	56000	60150	64300	68450
	Median Income	45350	51850	58300	64800	70000	75150	80350	85550
	Moderate Income	54450	62200	70000	77750	83950	90200	96400	102650

Area Median Income: **\$64,800**

Glenn County	Extremely Low	13650	16910	21330	25750	30170	34590	39010	42800
	Very Low Income	22700	25950	29200	32400	35000	37600	40200	42800
	Low Income	36300	41500	46700	51850	56000	60150	64300	68450
	Median Income	45350	51850	58300	64800	70000	75150	80350	85550
	Moderate Income	54450	62200	70000	77750	83950	90200	96400	102650

Area Median Income: **\$64,800**

Humboldt County	Extremely Low	13650	16910	21330	25750	30170	34590	39010	42800
	Very Low Income	22700	25950	29200	32400	35000	37600	40200	42800
	Low Income	36300	41500	46700	51850	56000	60150	64300	68450
	Median Income	45350	51850	58300	64800	70000	75150	80350	85550
	Moderate Income	54450	62200	70000	77750	83950	90200	96400	102650

Area Median Income: **\$64,800**

Imperial County	Extremely Low	13650	16910	21330	25750	30170	34590	39010	42800
	Very Low Income	22700	25950	29200	32400	35000	37600	40200	42800
	Low Income	36300	41500	46700	51850	56000	60150	64300	68450
	Median Income	45350	51850	58300	64800	70000	75150	80350	85550
	Moderate Income	54450	62200	70000	77750	83950	90200	96400	102650

Area Median Income: **\$64,800**

Inyo County	Extremely Low	15300	17450	21330	25750	30170	34590	39010	43430
	Very Low Income	25450	29100	32750	36350	39300	42200	45100	48000
	Low Income	40750	46550	52350	58150	62850	67500	72150	76800
	Median Income	50900	58150	65450	72700	78500	84350	90150	95950
	Moderate Income	61050	69800	78550	87250	94250	101200	108200	115150

Area Median Income: **\$72,700**

Kern County	Extremely Low	13650	16910	21330	25750	30170	34590	39010	42800
	Very Low Income	22700	25950	29200	32400	35000	37600	40200	42800
	Low Income	36300	41500	46700	51850	56000	60150	64300	68450
	Median Income	45350	51850	58300	64800	70000	75150	80350	85550
	Moderate Income	54450	62200	70000	77750	83950	90200	96400	102650

Area Median Income: **\$64,800**

Kings County	Extremely Low	13650	16910	21330	25750	30170	34590	39010	42800
	Very Low Income	22700	25950	29200	32400	35000	37600	40200	42800
	Low Income	36300	41500	46700	51850	56000	60150	64300	68450
	Median Income	45350	51850	58300	64800	70000	75150	80350	85550
	Moderate Income	54450	62200	70000	77750	83950	90200	96400	102650

Area Median Income: **\$64,800**

County	Income Category	Number of Persons in Household							
		1	2	3	4	5	6	7	8

Last page instructs how to use income limits to determine applicant eligibility and calculate affordable housing cost and rent

Lake County Area Median Income: \$64,800	Extremely Low	13650	16910	21330	25750	30170	34590	39010	42800
	Very Low Income	22700	25950	29200	32400	35000	37600	40200	42800
	Low Income	36300	41500	46700	51850	56000	60150	64300	68450
	Median Income	45350	51850	58300	64800	70000	75150	80350	85550
	Moderate Income	54450	62200	70000	77750	83950	90200	96400	102650

Lassen County Area Median Income: \$69,400	Extremely Low	14600	16910	21330	25750	30170	34590	39010	43430
	Very Low Income	24300	27800	31250	34700	37500	40300	43050	45850
	Low Income	38850	44400	49950	55500	59950	64400	68850	73300
	Median Income	48600	55500	62450	69400	74950	80500	86050	91600
	Moderate Income	58300	66650	74950	83300	89950	96650	103300	109950

Los Angeles County Area Median Income: \$73,100	Extremely Low	21950	25050	28200	31300	33850	36350	39010	43430
	Very Low Income	36550	41800	47000	52200	56400	60600	64750	68950
	Low Income	58450	66800	75150	83500	90200	96900	103550	110250
	Median Income	51150	58500	65800	73100	78950	84800	90650	96500
	Moderate Income	61400	70150	78950	87700	94700	101750	108750	115750

Madera County Area Median Income: \$64,800	Extremely Low	13650	16910	21330	25750	30170	34590	39010	42800
	Very Low Income	22700	25950	29200	32400	35000	37600	40200	42800
	Low Income	36300	41500	46700	51850	56000	60150	64300	68450
	Median Income	45350	51850	58300	64800	70000	75150	80350	85550
	Moderate Income	54450	62200	70000	77750	83950	90200	96400	102650

Marin County Area Median Income: \$136,800	Extremely Low	33850	38700	43550	48350	52250	56100	60000	63850
	Very Low Income	56450	64500	72550	80600	87050	93500	99950	106400
	Low Income	90450	103350	116250	129150	139500	149850	160150	170500
	Median Income	95750	109450	123100	136800	147750	158700	169650	180600
	Moderate Income	114900	131300	147750	164150	177300	190400	203550	216700

Mariposa County Area Median Income: \$65,500	Extremely Low	13800	16910	21330	25750	30170	34590	39010	42800
	Very Low Income	22950	26200	29500	32750	35400	38000	40650	43250
	Low Income	36700	41950	47200	52400	56600	60800	65000	69200
	Median Income	45850	52400	58950	65500	70750	76000	81200	86450
	Moderate Income	55000	62900	70750	78600	84900	91200	97450	103750

Mendocino County Area Median Income: \$64,800	Extremely Low	13650	16910	21330	25750	30170	34590	39010	42800
	Very Low Income	22700	25950	29200	32400	35000	37600	40200	42800
	Low Income	36300	41500	46700	51850	56000	60150	64300	68450
	Median Income	45350	51850	58300	64800	70000	75150	80350	85550
	Moderate Income	54450	62200	70000	77750	83950	90200	96400	102650

Merced County Area Median Income: \$64,800	Extremely Low	13650	16910	21330	25750	30170	34590	39010	42800
	Very Low Income	22700	25950	29200	32400	35000	37600	40200	42800
	Low Income	36300	41500	46700	51850	56000	60150	64300	68450
	Median Income	45350	51850	58300	64800	70000	75150	80350	85550
	Moderate Income	54450	62200	70000	77750	83950	90200	96400	102650

County	Income Category	Number of Persons in Household							
		1	2	3	4	5	6	7	8

Last page instructs how to use income limits to determine applicant eligibility and calculate affordable housing cost and rent

Modoc County Area Median Income: \$64,800	Extremely Low	13650	16910	21330	25750	30170	34590	39010	42800
	Very Low Income	22700	25950	29200	32400	35000	37600	40200	42800
	Low Income	36300	41500	46700	51850	56000	60150	64300	68450
	Median Income	45350	51850	58300	64800	70000	75150	80350	85550
	Moderate Income	54450	62200	70000	77750	83950	90200	96400	102650

Mono County Area Median Income: \$81,200	Extremely Low	17050	19500	21950	25750	30170	34590	39010	43430
	Very Low Income	28450	32500	36550	40600	43850	47100	50350	53600
	Low Income	44750	51150	57550	63900	69050	74150	79250	84350
	Median Income	56850	64950	73100	81200	87700	94200	100700	107200
	Moderate Income	68200	77950	87700	97450	105250	113050	120850	128650

Monterey County Area Median Income: \$74,100	Extremely Low	18900	21600	24300	26950	30170	34590	39010	43430
	Very Low Income	31450	35950	40450	44900	48500	52100	55700	59300
	Low Income	50300	57500	64700	71850	77600	83350	89100	94850
	Median Income	51850	59300	66700	74100	80050	85950	91900	97800
	Moderate Income	62250	71100	80000	88900	96000	103100	110250	117350

Napa County Area Median Income: \$100,400	Extremely Low	21100	24100	27100	30100	32550	34950	39010	43430
	Very Low Income	35150	40200	45200	50200	54250	58250	62250	66300
	Low Income	55650	63600	71550	79500	85900	92250	98600	104950
	Median Income	70300	80300	90350	100400	108450	116450	124500	132550
	Moderate Income	84350	96400	108450	120500	130150	139800	149400	159050

Nevada County Area Median Income: \$85,100	Extremely Low	16750	19150	21550	25750	30170	34590	39010	43430
	Very Low Income	27900	31900	35900	39850	43050	46250	49450	52650
	Low Income	44650	51000	57400	63750	68850	73950	79050	84150
	Median Income	59550	68100	76600	85100	91900	98700	105500	112350
	Moderate Income	71450	81700	91900	102100	110250	118450	126600	134750

Orange County Area Median Income: \$97,900	Extremely Low	24950	28500	32050	35600	38450	41300	44150	47000
	Very Low Income	41550	47500	53450	59350	64100	68850	73600	78350
	Low Income	66500	76000	85500	94950	102550	110150	117750	125350
	Median Income	68550	78300	88100	97900	105750	113550	121400	129250
	Moderate Income	82250	94000	105750	117500	126900	136300	145700	155100

Placer County Area Median Income: \$83,600	Extremely Low	17600	20100	22600	25750	30170	34590	39010	43430
	Very Low Income	29300	33450	37650	41800	45150	48500	51850	55200
	Low Income	46850	53550	60250	66900	72300	77650	83000	88350
	Median Income	58500	66900	75250	83600	90300	97000	103650	110350
	Moderate Income	70200	80250	90250	100300	108300	116350	124350	132400

Plumas County Area Median Income: \$70,700	Extremely Low	14650	16910	21330	25750	30170	34590	39010	43430
	Very Low Income	24400	27850	31350	34800	37600	40400	43200	45950
	Low Income	39000	44600	50150	55700	60200	64650	69100	73550
	Median Income	49500	56550	63650	70700	76350	82000	87650	93300
	Moderate Income	59400	67900	76350	84850	91650	98450	105200	112000

County	Income Category	Number of Persons in Household							
		1	2	3	4	5	6	7	8

Last page instructs how to use income limits to determine applicant eligibility and calculate affordable housing cost and rent

Riverside County Area Median Income: \$69,700	Extremely Low	15100	17250	21330	25750	30170	34590	39010	43430
	Very Low Income	25150	28750	32350	35900	38800	41650	44550	47400
	Low Income	40250	46000	51750	57450	62050	66650	71250	75850
	Median Income	48800	55750	62750	69700	75300	80850	86450	92000
	Moderate Income	58550	66900	75300	83650	90350	97050	103750	110400

Sacramento County Area Median Income: \$83,600	Extremely Low	17600	20100	22600	25750	30170	34590	39010	43430
	Very Low Income	29300	33450	37650	41800	45150	48500	51850	55200
	Low Income	46850	53550	60250	66900	72300	77650	83000	88350
	Median Income	58500	66900	75250	83600	90300	97000	103650	110350
	Moderate Income	70200	80250	90250	100300	108300	116350	124350	132400

San Benito County Area Median Income: \$84,500	Extremely Low	21450	24500	27550	30600	33050	35500	39010	43430
	Very Low Income	35700	40800	45900	51000	55100	59200	63250	67350
	Low Income	57150	65300	73450	81600	88150	94700	101200	107750
	Median Income	59150	67600	76050	84500	91250	98000	104800	111550
	Moderate Income	71000	81100	91250	101400	109500	117600	125750	133850

San Bernardino County Area Median Income: \$69,700	Extremely Low	15100	17250	21330	25750	30170	34590	39010	43430
	Very Low Income	25150	28750	32350	35900	38800	41650	44550	47400
	Low Income	40250	46000	51750	57450	62050	66650	71250	75850
	Median Income	48800	55750	62750	69700	75300	80850	86450	92000
	Moderate Income	58550	66900	75300	83650	90350	97050	103750	110400

San Diego County Area Median Income: \$86,300	Extremely Low	22500	25700	28900	32100	34700	37250	39850	43430
	Very Low Income	37450	42800	48150	53500	57800	62100	66350	70650
	Low Income	59950	68500	77050	85600	92450	99300	106150	113000
	Median Income	60400	69050	77650	86300	93200	100100	107000	113900
	Moderate Income	72500	82850	93200	103550	111850	120100	128400	136700

San Francisco County Area Median Income: \$136,800	Extremely Low	33850	38700	43550	48350	52250	56100	60000	63850
	Very Low Income	56450	64500	72550	80600	87050	93500	99950	106400
	Low Income	90450	103350	116250	129150	139500	149850	160150	170500
	Median Income	95750	109450	123100	136800	147750	158700	169650	180600
	Moderate Income	114900	131300	147750	164150	177300	190400	203550	216700

San Joaquin County Area Median Income: \$71,400	Extremely Low	14700	16910	21330	25750	30170	34590	39010	43430
	Very Low Income	24500	28000	31500	35000	37800	40600	43400	46200
	Low Income	39200	44800	50400	56000	60500	65000	69450	73950
	Median Income	50000	57100	64250	71400	77100	82800	88550	94250
	Moderate Income	60000	68550	77150	85700	92550	99400	106250	113100

San Luis Obispo County Area Median Income: \$87,500	Extremely Low	18900	21600	24300	26950	30170	34590	39010	43430
	Very Low Income	31500	36000	40500	44950	48550	52150	55750	59350
	Low Income	50350	57550	64750	71900	77700	83450	89200	94950
	Median Income	61250	70000	78750	87500	94500	101500	108500	115500
	Moderate Income	73500	84000	94500	105000	113400	121800	130200	138600

County	Income Category	Number of Persons in Household							
		1	2	3	4	5	6	7	8

Last page instructs how to use income limits to determine applicant eligibility and calculate affordable housing cost and rent

San Mateo County	Extremely Low	33850	38700	43550	48350	52250	56100	60000	63850
	Very Low Income	56450	64500	72550	80600	87050	93500	99950	106400
	Low Income	90450	103350	116250	129150	139500	149850	160150	170500
	Median Income	95750	109450	123100	136800	147750	158700	169650	180600
	Moderate Income	114900	131300	147750	164150	177300	190400	203550	216700

Area Median Income: **\$136,800**

Santa Barbara County	Extremely Low	23200	26500	29800	33100	35750	38400	41050	43700
	Very Low Income	38650	44150	49650	55150	59600	64000	68400	72800
	Low Income	61850	70650	79500	88300	95400	102450	109500	116600
	Median Income	55700	63700	71650	79600	85950	92350	98700	105050
	Moderate Income	66850	76400	85950	95500	103150	110800	118400	126050

Area Median Income: **\$79,600**

Santa Clara County	Extremely Low	30750	35150	39550	43900	47450	50950	54450	57950
	Very Low Income	51250	58550	65850	73150	79050	84900	90750	96600
	Low Income	72750	83150	93550	103900	112250	120550	128850	137150
	Median Income	92000	105100	118250	131400	141900	152400	162950	173450
	Moderate Income	110400	126150	141950	157700	170300	182950	195550	208150

Area Median Income: **\$131,400**

Santa Cruz County	Extremely Low	25800	29450	33150	36800	39750	42700	45650	48600
	Very Low Income	42950	49100	55250	61350	66300	71200	76100	81000
	Low Income	68900	78750	88600	98400	106300	114150	122050	129900
	Median Income	68600	78400	88200	98000	105850	113700	121500	129350
	Moderate Income	82300	94100	105850	117600	127000	136400	145800	155250

Area Median Income: **\$98,000**

Shasta County	Extremely Low	13650	16910	21330	25750	30170	34590	39010	42800
	Very Low Income	22700	25950	29200	32400	35000	37600	40200	42800
	Low Income	36300	41500	46700	51850	56000	60150	64300	68450
	Median Income	45350	51850	58300	64800	70000	75150	80350	85550
	Moderate Income	54450	62200	70000	77750	83950	90200	96400	102650

Area Median Income: **\$64,800**

Sierra County	Extremely Low	15850	18100	21330	25750	30170	34590	39010	43430
	Very Low Income	26400	30200	33950	37700	40750	43750	46750	49800
	Low Income	42250	48250	54300	60300	65150	69950	74800	79600
	Median Income	50250	57450	64600	71800	77550	83300	89050	94800
	Moderate Income	60300	68900	77550	86150	93050	99950	106850	113700

Area Median Income: **\$71,800**

Siskiyou County	Extremely Low	13650	16910	21330	25750	30170	34590	39010	42800
	Very Low Income	22700	25950	29200	32400	35000	37600	40200	42800
	Low Income	36300	41500	46700	51850	56000	60150	64300	68450
	Median Income	45350	51850	58300	64800	70000	75150	80350	85550
	Moderate Income	54450	62200	70000	77750	83950	90200	96400	102650

Area Median Income: **\$64,800**

Solano County	Extremely Low	18000	20600	23150	25750	30170	34590	39010	43430
	Very Low Income	30000	34300	38600	42850	46300	49750	53150	56600
	Low Income	48000	54850	61700	68550	74050	79550	85050	90500
	Median Income	60000	68550	77150	85700	92550	99400	106250	113100
	Moderate Income	72000	82300	92550	102850	111100	119300	127550	135750

Area Median Income: **\$85,700**

County	Income Category	Number of Persons in Household							
		1	2	3	4	5	6	7	8

Last page instructs how to use income limits to determine applicant eligibility and calculate affordable housing cost and rent

Sonoma County	Extremely Low	22700	25950	29200	32400	35000	37600	40200	43430
	Very Low Income	37800	43200	48600	54000	58350	62650	67000	71300
	Low Income	60500	69150	77800	86400	93350	100250	107150	114050
	Median Income	65300	74650	83950	93300	100750	108250	115700	123150
	Moderate Income	78350	89550	100750	111950	120900	129850	138800	147750

Stanislaus County	Extremely Low	13650	16910	21330	25750	30170	34590	39010	42800
	Very Low Income	22700	25950	29200	32400	35000	37600	40200	42800
	Low Income	36300	41500	46700	51850	56000	60150	64300	68450
	Median Income	45350	51850	58300	64800	70000	75150	80350	85550
	Moderate Income	54450	62200	70000	77750	83950	90200	96400	102650

Sutter County	Extremely Low	13650	16910	21330	25750	30170	34590	39010	42800
	Very Low Income	22700	25950	29200	32400	35000	37600	40200	42800
	Low Income	36300	41500	46700	51850	56000	60150	64300	68450
	Median Income	45350	51850	58300	64800	70000	75150	80350	85550
	Moderate Income	54450	62200	70000	77750	83950	90200	96400	102650

Tehama County	Extremely Low	13650	16910	21330	25750	30170	34590	39010	42800
	Very Low Income	22700	25950	29200	32400	35000	37600	40200	42800
	Low Income	36300	41500	46700	51850	56000	60150	64300	68450
	Median Income	45350	51850	58300	64800	70000	75150	80350	85550
	Moderate Income	54450	62200	70000	77750	83950	90200	96400	102650

Trinity County	Extremely Low	13650	16910	21330	25750	30170	34590	39010	42800
	Very Low Income	22700	25950	29200	32400	35000	37600	40200	42800
	Low Income	36300	41500	46700	51850	56000	60150	64300	68450
	Median Income	45350	51850	58300	64800	70000	75150	80350	85550
	Moderate Income	54450	62200	70000	77750	83950	90200	96400	102650

Tulare County	Extremely Low	13650	16910	21330	25750	30170	34590	39010	42800
	Very Low Income	22700	25950	29200	32400	35000	37600	40200	42800
	Low Income	36300	41500	46700	51850	56000	60150	64300	68450
	Median Income	45350	51850	58300	64800	70000	75150	80350	85550
	Moderate Income	54450	62200	70000	77750	83950	90200	96400	102650

Tuolumne County	Extremely Low	13950	16910	21330	25750	30170	34590	39010	43400
	Very Low Income	23250	26600	29900	33200	35900	38550	41200	43850
	Low Income	37200	42500	47800	53100	57350	61600	65850	70100
	Median Income	46700	53350	60050	66700	72050	77350	82700	88050
	Moderate Income	56050	64050	72050	80050	86450	92850	99250	105650

Ventura County	Extremely Low	22000	25150	28300	31400	33950	36450	39010	43430
	Very Low Income	36650	41850	47100	52300	56500	60700	64900	69050
	Low Income	58600	67000	75350	83700	90400	97100	103800	110500
	Median Income	68450	78250	88000	97800	105600	113450	121250	129100
	Moderate Income	82150	93900	105600	117350	126750	136150	145500	154900

County	Income Category	Number of Persons in Household							
		1	2	3	4	5	6	7	8

Last page instructs how to use income limits to determine applicant eligibility and calculate affordable housing cost and rent

Yolo County	Extremely Low	18450	21100	23750	26350	30170	34590	39010	43430
	Very Low Income	30800	35200	39600	43950	47500	51000	54500	58050
	Low Income	49250	56250	63300	70300	75950	81550	87200	92800
	Median Income	61550	70300	79100	87900	94950	101950	109000	116050
	Moderate Income	73850	84400	94950	105500	113950	122400	130800	139250

Yuba County	Extremely Low	13650	16910	21330	25750	30170	34590	39010	42800
	Very Low Income	22700	25950	29200	32400	35000	37600	40200	42800
	Low Income	36300	41500	46700	51850	56000	60150	64300	68450
	Median Income	45350	51850	58300	64800	70000	75150	80350	85550
	Moderate Income	54450	62200	70000	77750	83950	90200	96400	102650

Instructions:

Eligibility Determination:

Use household size income category figures in this chart. Determine eligibility based on actual number of persons in household and total of gross income for all persons.

Determination of Income Limit for Households Larger than Eight Persons:

Per person (PP) adjustment above 8: (1) multiply 4-person income limit by eight percent (8%), (2) multiply result by number of persons in excess of eight, (3) add the amount to the 8-person income limit, and (4) round to the nearest \$50.

Yuba County							
E X A M P L E	4 persons	8% PP Adj	+ 8 persons	=9 persons	8 person +	8% Adj x 2	=10 persons
Extremely Low	25,750	2060	42,800	44,850	42,800	4120	46,900
Very Low Income	32,400	2592	42,800	45,400	42,800	5184	48,000
Lower Income	51,850	4148	68,450	72,600	68,450	8296	76,750
Moderate Income	77,750	6220	102,650	108,850	102,650	12440	115,100

Calculation of Housing Cost and Rent:

Refer to Health & Safety Code Sections 50052.5 and 50053. Use benchmark household size and multiply against applicable percentages defined in H&SC using Area Median Income identified in this chart.

Determination of Household Size:

For projects with no federal assistance, household size is set at number of bedrooms in unit plus one.

For projects with federal assistance, household size may be set by multiplying 1.5 against the number of bedrooms in unit.

HUD Income Limits release: 4/24/19

HUD FY 2019 California median incomes:

State median income: \$82,200

Metropolitan county median income: \$82,800

Non-metropolitan county median income: \$64,800

Note: Authority cited: Section 50093, Health and Safety Code. Reference: Sections 50079.5, 50093, 50105 and 50106, Health and Safety Code.

 City of St. Helena Council Policy Low Income Water and Wastewater Subsidy		Policy Type Council	
		Resolution No. 2017-189	
		Page 1 of 4	
Policy Title Low Income Water and Wastewater Subsidy		Approved by City Manager	
Effective Date February 15, 2017 January 1, 2020	Supersedes: Resolution 2006-44 2017- 18	Policy Section	Policy Number P-FI-0009

PURPOSE

The St. Helena City Council desires to offer financial assistance to low-income water and/or wastewater customers.

POLICY

1. Eligibility

- a. Receive water and/or wastewater services from the City of St. Helena
- b. Meet the income guidelines outlined in Section 3
- c. Provide copy of PG&E bill showing CARE rate for water/wastewater account holder or provide income documentation to City for approval
- d. Customer must live (primary residence) at the address at which the discount applies
- e. Customer must account for all sources of qualifying *household* income (see Section 2)
 - i. Qualification is based on the total gross income of everyone living in the household
- f. Customer must notify the City of St Helena Water Department when no longer eligible
- g. Eligibility is renewed annually in June
- h. For residential customers only (single family, multi-family and mobile/manufactured homes)

2. Income Verification

- a. To ensure consistency with the PG&E CARE Program income requirements, the City will request the same income information and back-up documents as the PG & E CARE program
- b. Customers must black out any account numbers or Social Security numbers
- c. Customers must provide income information for *all* members of the household. This information may include several of the documents listed below:

Policy Title Low Income Water and Wastewater Subsidy			
Effective Date February 15, 2017 <u>January 1, 2020</u>	Supersedes: Resolution 2006-44 <u>2017-18</u>	Policy Section	Policy Number P-FI-0009

If you or someone in your household participates in	You should send in a copy of:
Public Assistance Programs Medicaid/Medi-Cal, Supplemental Security Income (SSI), CalFresh/SNAP (Food Stamps), LIHEAP, WIC, Healthy Families A & B, Cal WORKs (TANF), National School Lunch Program (NSLP), Bureau of Indian Affairs General Assistance, Head Start Income Eligible (Tribal Only)	Award letter(s) OR letter of participation in the program(s)

If you or someone in your household receives income from:	You should send in a copy of:
Wages, Salaries, Tips, Commissions	Two most recent consecutive check stubs, W2 or IRS 1040 Form
Pensions, Social Security, SSP, SSDI, Disability Payments, Workers Compensation, Unemployment Benefits, VA Benefits, Foster Care Payments	Award letter(s), two most recent consecutive check stubs or the most recent bank statement (to show direct deposit)
School Grants, Scholarships, Other Aid	Award letter(s) OR two most recent consecutive check stubs
Insurance and/or Legal Settlements	Settlement documents
Child and/or Spousal Support	Court documents OR two most recent consecutive check stubs
Farm Income	First page of IRS form 1040
Interest and/or Dividends from Savings, Stocks, Bonds, Mutual Funds	IRS Form 1040 or IRS Form 1099(s) or three consecutive bank statements
401K or IRA withdrawals or Annuities	Investment account statement(s), IRS Form 1040 or IRS Form 1099
Capital Gains	Investment account statement(s), IRS Form 1040 or IRS Form 1099
Rental and/or Royalty Income	IRS Form 1040 AND Schedule E for rental Income
Profit from Self-Employment	IRS Form 1040 and Schedule C
Gambling/Lottery Winnings	Determined on a case-by-case basis
Union Strike Fund Benefits	Two most recent consecutive benefit check stubs
Cash Income (when you have not filed federal or state taxes)	Signed letter detailing type of work, estimated monthly amount of cash payment, employer name and phone number
Monetary gifts, none of the examples apply, or if you do not receive any income	Signed letter explaining the current source(s) of income used to support your household.

3. Gross Income Limits

Policy Title Low Income Water and Wastewater Subsidy			
Effective Date February 15, 2017 <u>January 1, 2020</u>	Supersedes: Resolution 2006-44 <u>2017-18</u>	Policy Section	Policy Number P-FI-0009

- a. The City will use the most current income limit information from the PG&E Care Program (updated annually in May) and/or the CA Department of Housing and Community Development Official State Income Limits for Napa County (updated annually in December) for the low-income, extremely low income, and very low income categories. The highest income limit shall apply. As of ~~February 14, 2017~~May 2019 the income limits for both PG&E and HUD are:

Number of Persons in Household	PG&E CARES Established Total Gross Annual Household Income	HUD Established Total Gross Annual Household Income
1-2	<u>\$33,820 or less</u>	\$35,000 <u>\$55,650</u> or less*
<u>2</u>	<u>\$33,820 or less</u>	<u>\$63,600 or less</u>
3	<u>\$42,660 or less</u>	\$40,320 <u>\$71,550</u> or less
4	<u>\$51,500 or less</u>	\$48,600 <u>\$79,500</u> or less
5	<u>\$60,340 or less</u>	\$56,880 <u>\$85,900</u> or less
6	<u>\$69,180 or less</u>	\$65,160 <u>\$92,250</u> or less
7	<u>\$78,020 or less</u>	\$73,460 <u>\$98,600</u> or less
8	<u>\$86,860 or less</u>	\$81,780 <u>\$105,950</u> or less
9	<u>\$95,700 or less</u>	\$90,100 <u>\$112,350</u> or less
10	<u>\$104,540 or less</u>	\$98,420 <u>\$118,700</u> or less
Each additional person, add	<u>\$8,840</u>	\$8,320 Utilize formula developed by <u>HUD</u>

*Incomes between \$32,041 and \$35,000 are not eligible through PG&E CARE but do qualify under this program. Income verification must be completed by the City

4. Discount Amount

- a. Customers will receive a discount of 50% off the base rate of water and/or wastewater services.
- b. This will be reviewed by staff annually ~~on or before June 30, beginning June 30, 2018~~ to determine suitability. Any changes will be approved by the City Council.

5. Eligibility Renewal

- a. Renewal information must be received by the City before June 30 annually
- b. Participants will be notified by mail to resubmit their eligibility information

6. General Fund Limit and Waitlist

- a. The maximum General Fund Subsidy will be ~~\$80,000 in FY 16/17 and \$90,000 in FY 17/18.~~ Future maximum amounts will be determined as part of during the annual budget adoption process.
- b. Higher amounts can be authorized by City Council during the Fiscal Year.
- c. Staff will provide information on projected subsidy expenses during each Finance Department Quarterly Report
- d. If customer demand exceeds projected General Fund subsidy, a waitlist will be created
- e. Waitlist is first come-first served when funds become available.

Policy Title Low Income Water and Wastewater Subsidy			
Effective Date February 15, 2017January 1, 2020	Supersedes: Resolution 2006-442017- 18	Policy Section	Policy Number P-FI-0009

- i. If wait exceeds 6 months, customers must re-submit income eligibility information

7. Subsidy Distribution

- a. When the owner and the account holder are the same individual, a bi-monthly bill credit will be issued.
- b. When the owner and the account holder are not the same individual or in the case of a shared meter then one of the following will occur:
 - i. If a written agreement is signed by the City, owner, and account holder - a bi-monthly bill credit is directly given to the account holder who must then pass this to the tenant via a reduced utility bill or rent reduction, all subsidies must be given to the eligible tenant and not spread across all tenants.
 - ii. If a written agreement is not possible - the City will do one of the following:
 - 1. If the tenant pays for water/wastewater utilities to the account holder on a bi-monthly basis, the City will issue a bi-monthly check to the account holder following the receipt of payment of the issuance of the bi-monthly utility bill.
 - 1-2. If the tenant pays for water/wastewater utilities to the account holder on a monthly basis, the City will issue a monthly check to the tenant.
 - ii. ~~All subsidies must be given to the eligible tenant and not spread across all tenants.~~
 - iii. Tenants can notify the City if subsidies are not being properly applied, at which point the City will notify the account holder and issue a bi-monthly or monthly check to the tenant.
- c. Definitions
 - i. Owner – is the legal property owner of a parcel
 - ii. Account holder – is the name on a water and/or wastewater account
 - iii. Tenant – is a leaseholder of a house, apartment, condominium, or similar residential dwelling OR the owner of an individual mobile/manufactured home in a mobile home park.

8. Program Acceptance

- a. Customers may apply at any time, however they may be placed on a waitlist based on funding availability.
- b. Customers will provide income eligibility information to the City who has to up to 60 days to provide a determination.
- c. Subsidies will be distributed as listed in Section 7.
- d. For customers described in Section 7(b), additional time may be required for written agreements before subsidy can be distributed.

9. Marketing and Outreach

Policy Title Low Income Water and Wastewater Subsidy			
Effective Date February 15, 2017 <u>January 1, 2020</u>	Supersedes: Resolution 2006-44 <u>2017-18</u>	Policy Section	Policy Number P-FI-0009

- a. The City will attempt to reach all eligible customers about the program including:
 - i. Creating partnerships to share information
 - ii. Brochures at City Hall, Library, Non-Profits, and other gathering places
 - iii. Bill Inserts
 - iv. Website and/or Email notification
 - v. Community Presentations
 - vi. Farmer's Market
 - vii. Bilingual outreach

10. Policy Review

- a. This is a revised methodology for calculating subsidies for low income customers. This policy should be reviewed ~~prior to June 30, 2018~~ annually for consistency with applicable state laws, income levels and discount rates.

11. Transition Period

- a. ~~With Council adoption of this policy on February 14, 2017~~
 - i. ~~Members of the program created under Resolution 2006-44 will have 60 days to re-verify their eligibility (last checked in January 2015). Notices will be sent to all enrollees. If information is not received by June 30th, then the discount will be discontinued. Any household may re-apply at any time and will be added to the program as funds are available.~~
 - ii. Marketing materials will be available on Tuesday, February 21, 2017

 City of St. Helena Council Policy Low Income Water and Wastewater Subsidy		Policy Type Council	
		Resolution No. 2019-	
		Page 1 of 4	
Policy Title Low Income Water and Wastewater Subsidy		Approved by City Manager	
Effective Date January 1, 2020	Supersedes: Resolution 2017-18	Policy Section	Policy Number P-FI-0009

PURPOSE

The St. Helena City Council desires to offer financial assistance to low-income water and/or wastewater customers.

POLICY

1. Eligibility

- a. Receive water and/or wastewater services from the City of St. Helena
- b. Meet the income guidelines outlined in Section 3
- c. Provide copy of PG&E bill showing CARE rate for water/wastewater account holder or provide income documentation to City for approval
- d. Customer must live (primary residence) at the address at which the discount applies
- e. Customer must account for all sources of qualifying *household* income (see Section 2)
 - i. Qualification is based on the total gross income of everyone living in the household
- f. Customer must notify the City of St Helena Water Department when no longer eligible
- g. Eligibility is renewed annually in June
- h. For residential customers only (single family, multi-family and mobile/manufactured homes)

2. Income Verification

- a. To ensure consistency with the PG&E CARE Program income requirements, the City will request the same income information and back-up documents as the PG &E CARE program
- b. Customers must black out any account numbers or Social Security numbers
- c. Customers must provide income information for *all* members of the household. This information may include several of the documents listed below:

Policy Title Low Income Water and Wastewater Subsidy			
Effective Date January 1, 2020	Supersedes: Resolution 2017-18	Policy Section	Policy Number P-FI-0009

If you or someone in your household participates in	You should send in a copy of:
Public Assistance Programs	Award letter(s) OR letter of participation in the program(s)
Medicaid/Medi-Cal, Supplemental Security Income (SSI), CalFresh/SNAP (Food Stamps), LIHEAP, WIC, Healthy Families A & B, Cal WORKs (TANF), National School Lunch Program (NSLP), Bureau of Indian Affairs General Assistance, Head Start Income Eligible (Tribal Only)	

If you or someone in your household receives income from:	You should send in a copy of:
Wages, Salaries, Tips, Commissions	Two most recent consecutive check stubs, W2 or IRS 1040 Form
Pensions, Social Security, SSP, SSDI, Disability Payments, Workers Compensation, Unemployment Benefits, VA Benefits, Foster Care Payments	Award letter(s), two most recent consecutive check stubs or the most recent bank statement (to show direct deposit)
School Grants, Scholarships, Other Aid	Award letter(s) OR two most recent consecutive check stubs
Insurance and/or Legal Settlements	Settlement documents
Child and/or Spousal Support	Court documents OR two most recent consecutive check stubs
Farm Income	First page of IRS form 1040
Interest and/or Dividends from Savings, Stocks, Bonds, Mutual Funds	IRS Form 1040 or IRS Form 1099(s) or three consecutive bank statements
401K or IRA withdrawals or Annuities	Investment account statement(s), IRS Form 1040 or IRS Form 1099
Capital Gains	Investment account statement(s), IRS Form 1040 or IRS Form 1099
Rental and/or Royalty Income	IRS Form 1040 AND Schedule E for rental Income
Profit from Self-Employment	IRS Form 1040 and Schedule C
Gambling/Lottery Winnings	Determined on a case-by-case basis
Union Strike Fund Benefits	Two most recent consecutive benefit check stubs
Cash Income (when you have not filed federal or state taxes)	Signed letter detailing type of work, estimated monthly amount of cash payment, employer name and phone number
Monetary gifts, none of the examples apply, or if you do not receive any income	Signed letter explaining the current source(s) of income used to support your household.

3. Gross Income Limits

- a. The City will use the most current income limit information from the PG&E Care Program (updated annually in May) and/or the CA Department of Housing and Community

Policy Title Low Income Water and Wastewater Subsidy			
Effective Date January 1, 2020	Supersedes: Resolution 2017-18	Policy Section	Policy Number P-FI-0009

Development Official State Income Limits for Napa County (updated annually in December) for the low-income, extremely low-income, and very low-income categories. The highest income limit shall apply. As of May 2019, the income limits for both PG&E and HUD are:

Number of Persons in Household	PG&E CARES Established Total Gross Annual Household Income	HUD Established Total Gross Annual Household Income
1	\$33,820 or less	\$55,650 or less
2	\$33,820 or less	\$63,600 or less
3	\$42,660 or less	\$71,550 or less
4	\$51,500 or less	\$79,500 or less
5	\$60,340 or less	\$85,900 or less
6	\$69,180 or less	\$92,250 or less
7	\$78,020 or less	\$98,600 or less
8	\$86,860 or less	\$105,950 or less
9	\$95,700 or less	\$112,350 or less
10	\$104,540 or less	\$118,700 or less
Each additional person, add	\$8,840	Utilize formula developed by HUD

4. Discount Amount

- a. Customers will receive a discount of 50% off the base rate of water and/or wastewater services.
- b. This will be reviewed by staff annually to determine suitability. Any changes will be approved by the City Council.

5. Eligibility Renewal

- a. Renewal information must be received by the City before June 30 annually
- b. Participants will be notified by mail to resubmit their eligibility information

6. General Fund Limit and Waitlist

- a. The maximum General Fund Subsidy will be determined during the annual budget adoption process.
- b. Higher amounts can be authorized by City Council during the Fiscal Year.
- c. Staff will provide information on projected subsidy expenses during each Finance Department Quarterly Report
- d. If customer demand exceeds projected General Fund subsidy, a waitlist will be created
- e. Waitlist is first come-first served when funds become available.
 - i. If wait exceeds 6 months, customers must re-submit income eligibility information

7. Subsidy Distribution

- a. When the owner and the account holder are the same individual, a bi-monthly bill credit will be issued.

Policy Title Low Income Water and Wastewater Subsidy			
Effective Date January 1, 2020	Supersedes: Resolution 2017-18	Policy Section	Policy Number P-FI-0009

- b. When the owner and the account holder are not the same individual or in the case of a shared meter then one of the following will occur:
 - i. If a written agreement is signed by the City, owner, and account holder - a bi-monthly bill credit is directly given to the account holder who must then pass this to the tenant via a reduced utility bill or rent reduction, all subsidies must be given to the eligible tenant and not spread across all tenants.
 - ii. If a written agreement is not possible - the City will do one of the following:
 - 1. If the tenant pays for water/wastewater utilities to the account holder on a bi-monthly basis, the City will issue a bi-monthly check to the tenant following the issuance of the bi-monthly utility bill.
 - 2. If the tenant pays for water/wastewater utilities to the account holder on a monthly basis, the City will issue a monthly check to the tenant.
 - iii. Tenants can notify the City if subsidies are not being properly applied, at which point the City will notify the account holder and issue a bi-monthly or monthly check to the tenant.
- c. **Definitions**
 - i. Owner – is the legal property owner of a parcel
 - ii. Account holder – is the name on a water and/or wastewater account
 - iii. Tenant – is a leaseholder of a house, apartment, condominium, or similar residential dwelling OR the owner of an individual mobile/manufactured home in a mobile home park.

8. Program Acceptance

- a. Customers may apply at any time, however they may be placed on a waitlist based on funding availability.
- b. Customers will provide income eligibility information to the City who has to up to 60 days to provide a determination.
- c. Subsidies will be distributed as listed in Section 7.
- d. For customers described in Section 7(b), additional time may be required for written agreements before subsidy can be distributed.

9. Marketing and Outreach

- a. The City will attempt to reach all eligible customers about the program including:
 - i. Creating partnerships to share information
 - ii. Brochures at City Hall, Library, Non-Profits, and other gathering places
 - iii. Bill Inserts
 - iv. Website and/or Email notification
 - v. Community Presentations
 - vi. Farmer's Market
 - vii. Bilingual outreach

Policy Title Low Income Water and Wastewater Subsidy			
Effective Date January 1, 2020	Supersedes: Resolution 2017-18	Policy Section	Policy Number P-FI-0009

10. Policy Review

- a. This is a revised methodology for calculating subsidies for low income customers. This policy should be reviewed annually for consistency with applicable state laws, income levels and discount rates.

CITY OF ST. HELENA

RESOLUTION NO. 2019-__

Resolution approving Revision #2 to City of St. Helena City Council Policy P-FI-0009 Low Income Water and Wastewater Subsidy and repealing and rescinding Resolution 2017-18 and any previous policies or administrative memoranda which are inconsistent with City Council Policy P-FI-0009, Revision #2.

RECITALS

- A. The City desires to offer financial assistance to low-income water and/or wastewater customers; and
- B. On March 28, 2006, City Council adopted a policy via Resolution 2006-44 offering a 50% reduction of water and wastewater base rates to income eligible customers; and
- C. On February 14, 2017, City Council rescinded Resolution 2006-44 and adopted City Council Policy P-FI-0001 Revision #1 Low Income Water and Wastewater Subsidy (CARE program) via Resolution 2017-18 updating the policy; and
- D. At the July 23, 2019, City Council meeting a request was made by City Council to re-evaluate the CARE program criteria; and
- E. The re-evaluation of the CARE program is coupled with the transition to bi-monthly billing to update the current CARE program policy; and
- F. To avoid any inconsistencies with policy application, it is necessary to repeal and rescind any previous policies and procedures which conflict with City Council Policy P-FI-0009 Low Income Water and Wastewater Subsidy, Revision #2.

RESOLUTION

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

- 1. Approves Revision #2 to City of St. Helena City Council Policy P-FI-0009 Low Income Water and Wastewater Subsidy, Revision #2; and
- 2. Repeals and rescinds Resolution 2017-18 and any previous policies or administrative memoranda which are inconsistent with City Council Policy P-FI-0009 Low Income Water and Wastewater Subsidy, Revision #2.

Approved at a Regular Meeting of the St. Helena City Council on November 12, 2019, by the following vote:

Mayor Ellsworth:

Vice Mayor Dohring:

Councilmember Chouteau:

Councilmember Knudsen:

Councilmember Koberstein:

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzaferopoulos, City Clerk



Report to the City Council
Regular City Council - 12 Nov 2019

Agenda Section: OLD BUSINESS

**Subject: Receive and Discuss Presentation on Civic Institutions
Massing Concepts and Cost Estimates, and Provide
Direction Regarding Optimal Timing and Focus of Next Steps**

**CEQA Exempt
Determination:**

Prepared By: Mark T. Prestwich, City Manager

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

On September 17, 2018, the City Council approved a four-phase "City of St. Helena Civic Infrastructure Strategy" framework for City Council decision making to advance discussions for replacement of City Hall, Library improvements, and a possible Community/Recreation space. The Strategy was designed and developed in accordance with the City's Vision and Mission Statement (see attached) and built upon the criteria established by the 11-member citizen St. Helena Assets Planning Engagement (SHAPE) Committee to honor community values and characteristics. The Strategy consists of four distinct phases to organize the decision-making process and considers work completed during the SHAPE Committee process to be the first step of this comprehensive effort.

City of St. Helena Civic Infrastructure Strategy

- Phase 1 - Baseline Research/Public Engagement (Complete)
- Phase 2 - City Council Asset Prioritization and Analysis (Underway and nearing completion)
- Phase 3 - Planning, Cost Estimates, and Identification of Funding Strategy (Initiating Fall 2019)
- Phase 4 - Construction (To be determined)

Phase 1 Baseline research and initial public engagement activity is complete. Following a Request for Proposals (RFP) process and site visits in spring 2019, the City hired Noll & Tam Architects on May 28, 2019 to facilitate Phase 2 of the Strategy. The "Phase 2 City Council Asset Prioritization and Analysis" associated with Noll & Tam's Architectural Feasibility/Visioning consists of the following tasks:

1. **Needs Assessment** for the library, city hall, and recreational facilities based on interviews with city staff, community input, and design team's expertise with these building types.
2. **Site analysis** at the macro level of the entire town, and also at specifically identified civic sites that include the Adams Street property, City Hall site, Lyman Park site, and the Crane Park site as identified in the SHAPE report. Site analysis will also include mapping of existing cultural and social nodes, constraints, underutilized areas, traffic patterns, development zones, etc., that influence the town's viability and vitality. Analysis will be based on City staff and community input and the design team's observations.
3. **Space programming:** Preparation of proposed space program options for the Library, City Hall, and recreation facilities. Options will be first developed from the SHAPE report options and the needs assessment task as described above. Space program options may include combined or shared facilities between the three facility types that develop out of community and task force input and current trends appropriate to St. Helena.
4. **Site Test fits:** Specific sites will be test fit for the space programs as determined in task 3 above. Test fits will be diagrams showing relationship of building footprint to public outdoor space design, parking, circulation, and required setbacks. These site masterplan diagram options will be narrowed to two to three options for further development.
5. **Conceptual Site Plan/Floor Plans:** Two to three site master plan options that each include a Library, City Hall, and community recreation facility component will be developed into more detailed but still conceptual site and floor plans illustrating options for the space program(s) as defined in task 3 above. Design team will facilitate a process that assists the task force and City staff to prioritize which facility should be implemented first, with a phasing strategy for all three facilities.
6. **Massing and 3D architectural character sketches:** Conceptual massing sketches will be developed for up to three selected masterplan options from Task 5 above. Two to three Architectural character sketches will be developed for the selected priority concept building option that will be developed in Phase 2.
7. **Conceptual Construction Cost Estimates:** Up to three concept construction cost estimates for the selected masterplan concept options above, estimates will be largely based on square foot unit cost appropriate to the building type, quality of construction, regional market conditions, and will include appropriate contingencies. A fourth conceptual option was added at the meeting of August 26, 2019.
8. **Community Process:** Interviews with Council Members, key City staff, two-day storefront community "drop-in" open house/speed interviews, and steering

committee. The Community Process also envisioned a workshop 1) to seek input on priorities, and 2) to narrow down the concept design options (the focus of the August 26, 2019 workshop).

Noll & Tam's contracted work began with extensive community outreach including establishing a steering committee comprised of diverse community stakeholders. Other outreach included hosting an in-person storefront downtown on June 20 and 21, 2019 with guest speakers who are leaders in their respective fields, in-depth interviews with staff currently working in the current facilities and an online survey, which garnered 482 responses. Workshop materials, the flyers for the in-person workshop and storefront, and the survey were translated into Spanish to ensure inclusion of Spanish-speaking community members. During this time, Noll & Tam staff also created a website (civicsthelena.com) for housing timely information regarding the project for the community.

Pursuant to the work evolving with Phase 2, on August 26, 2019, the City Council held a public workshop to discuss concept site options for the St. Helena Library, City Hall, and conceptual Community/Recreational facilities. This workshop resulted in direction to further evaluate four options associated with City Hall replacement, Library improvements, and a conceptual Community/Recreation space. Direction was provided to have Noll & Tam Architects complete massing sketches and develop preliminary cost estimates for each of the four configurations.

On November 4, 2019, the City Council held a Special Meeting to discuss formulating a decision-making framework to guide important community decisions related to site selection, available funding, and financing options for its civic institutions as well as other infrastructure including storm drains and downtown streetscape. The Council agreed that use of citizen-based expert task force panels will precede any formal decisions related to site selection, funding strategy, etc. for civic buildings and related City infrastructure needs.

DISCUSSION

Noll & Tam Architects has prepared massing sketches and preliminary cost estimates for each of the Council requested configurations. The City Council's focus at the meeting of November 12, 2019 will be to receive the Noll & Tam presentation/information, discuss, and provide direction to City staff regarding optimal timing and focus of next steps including the use of task force panels described above.

FISCAL IMPACT

Attachments to the report provide summaries of cost estimates for construction and renovation of various civic buildings and are itemized below:

Aerials

Option 1 - Main Street Library

Option 2 - Renovated Library, New City Hall

Option 3 - New Library

Option 4 - New Library and New City Hall

Cost Estimates

Project soft costs explanation

Summary of Cost Estimates and Detail for Options 1-4

Summary Comparison Matrix

RECOMMENDED ACTION

Receive and discuss presentation on Civic Institutions Massing Concepts and Cost Estimates, and provide direction regarding optimal timing and focus of next steps.

ATTACHMENTS

[Option 1 Aerial](#)

[Option 1 Massing](#)

[Option 2 Aerial](#)

[Option 2 Massing](#)

[Option 3 Aerial](#)

[Option 3 Massing](#)

[Option 4 Aerial](#)

[Option 4 Massing](#)

[Explanation of Project Soft Costs](#)

[Cost Estimates](#)

[Comparison Matrix](#)

[St. Helena Vision and Mission Statements](#)



2-STORY
LIBRARY

MULTI-PURPOSE
ROOM WITH
ROOF DECK

COURTYARD

EXISTING LIBRARY BUILDING ON
LIBRARY LANE REMODELED FOR
CITY HALL OFFICES

ENTRY
TRELLIS

OPTIONAL:
50-CAR
UNDERGROUND
PARKING GARAGE

**NOLL
& TAM**
ARCHITECTS



Option 1 - Main Street New Library

REIMAGINING ST. HELENA'S
CIVIC SPACES



**NOLL
& TAM**
ARCHITECTS



Option 1 - Main Street New Library

**REIMAGINING ST. HELENA'S
CIVIC SPACES**





NOLL & TAM
ARCHITECTS



Option 2 - Renovated Library, New City Hall

REIMAGINING ST. HELENA'S
CIVIC SPACES



Option 3 - New Library

REIMAGINING ST. HELENA'S CIVIC SPACES



**NOLL
& TAM**
ARCHITECTS



Option 3 - New Library

**REIMAGINING ST. HELENA'S
CIVIC SPACES**





**NOLL
& TAM**
ARCHITECTS



Option 4 - New Library and City Hall

REIMAGINING ST. HELENA'S
CIVIC SPACES

PROJECT SOFT COSTS

In addition to hard construction costs for building and site improvements, there are other soft costs that must be accounted for to arrive at a total project cost. For budgeting purposes, typical soft costs can range from 25% to 35% of project costs dependent on each City's method of procuring and managing design & construction and the specifics of a construction project.

Soft Costs can include:

1. Inspections and testing
2. Professional architectural & engineering consultant fees
3. Project/ Construction management fees by outside consultant
4. City department fees, if required
5. Utility fees
6. Hazardous materials testing and removal
7. Soils and Geotech reports
8. CEQA consultant and filing if required
9. Arborist services
10. Furniture, Fixtures and Equipment (FF&E) allowance
11. Kitchen equipment
12. Children's playground equipment
13. Telecom, audio-visual and security equipment and cabling
14. Exterior Building monument signage and special signage
15. Public art
16. LEED certification fees
17. Third party enhanced commissioning of building's mechanical and electrical systems
18. Moving and relocation costs
19. Other Owner/City costs
20. Change order contingency for construction: 10% of construction cost minimum
21. Market conditions contingency for volatile bidding conditions
22. Project soft cost contingency

St Helena Civic Institutions Master Plan
Summary of Estimated Concept Costs
Nov. 1, 2019.

	Construction Cost today's \$\$\$
Option 1 (Main Street Library)	
*Relocated City Hall to Renovated Library Building @ Library Lane	
*New 2 story Library & Community Multipurpose Room/Council Chambers @ Main Street (Optional: over full basement parking garage)	
*New 1 story Park & Rec Building at Crane Park (same for all masterplan options)	
City Hall	\$8,455,515
Library+MPR/Council	\$23,946,377
*Lyman Park improvements	\$1,885,814
Park & Rec	\$7,436,000
Total	\$41,723,707
*Lyman Park improvements can be phased later	
Option 2 (Library Lane All buildings)	
*New 1 story City Hall @ Library Lane (Optional: Over partial basement parking garage)	
*Renovated Library Building + minor additions @ Library Lane	
*New 1 story Community Multipurpose Room/Council Chambers @ Library Lane	
*New 1 story Park & Rec Building at Crane Park (same for all masterplan options)	
City Hall	\$14,114,127
Library	\$11,703,382
MPR/Council	\$8,461,764
Park & Rec	\$7,436,000
Total	\$41,715,273
Option 3 (Library Lane All buildings)	
*Relocated City Hall to Renovated Library Building @ Library Lane	
*New 2 story Library Building @ Library Lane @ Library Lane (Optional: Over partial basement parking garage)	
*New 1 story Community Multipurpose Room/Council Chambers @ Library Lane	
*New 1 story Park & Rec Building at Crane Park (same for all masterplan options)	
City Hall	\$10,121,700
Library	\$16,251,724
MPR/Council	\$8,461,764
Park & Rec	\$7,436,000
Total	\$42,271,188
Option 4 (Library Lane All buildings)	
*All New : 2-story Library, 1- story City Hall & Community MPR/Council Chamber Buildings @ Library Lane (Optional: Over partial basement parking garage)	
*New 1 story Park & Rec Building at Crane Park (same for all masterplan options)	
City Hall	\$12,788,994
Library	\$16,655,434
MPR/Council	\$8,461,764
Park & Rec	\$7,436,000
Total	\$45,342,192
Optional Parking garage	
Full Basement Parking Garage - 48 cars (Applies to Option 1 @ Main Street)	\$4,658,000
Partial Basement Parking Garage-95 cars (Applies to Options 2,3, & 4 @ Library Lane)	\$4,152,000

NOTE:

Cost Estimates above are Construction Costs only for Building and Site costs in today's dollars.
 Total Project cost would also include escalation to point of construction + 25-30% soft costs.

St Helena Civic Institutions Master Plan**Concept Study Cost Estimates**

Nov. 1, 2019.

OPTION 1:

- * New 2 story Library & Community Multipurpose Room/Council Chambers @ Main Street
- * Relocated City Hall to Renovated Library Building @ Library Lane
- * New 1 story Park & Rec Building at Crane Park

1. NEW LIBRARY BUILDING @ City Hall Site	Enclosed Area-SF	Cost	Cost/sf
New Library & Community MPR/Council Chambers	22,250	\$22,539,000	\$1,013
Demo of Existing City Hall building @ Main St.	12,500	\$188,000	
Hazardous Materials Removal Allowance	12,500	\$125,000	
Subtotal		\$22,852,000	
Site Improvement at City Hall Site	20,899	\$1,094,377	\$52
Total Construction Cost (today's dollars)		\$23,946,377	
Escalation to midpt of construction Sept. 2022	16.73%	\$4,006,229	
Total Construction Cost + escalation		\$27,952,606	
Other project soft costs (25-30%)	30%	\$11,979,688	
Total Project Cost (includes escalation + soft costs)		\$39,932,295	
Optional premium for LEED Gold, Plat. or Net Zero (w/escalation)	10%	\$2,795,261	
Added Lyman Park improvements (can be phased)			
Site Improvement at Lyman Park (today's dollars)	22,893	\$1,885,814	\$82.38
Escalation to midpt of construction Sept. 2022	16.73%	\$315,497	
Total Construction Cost		\$2,201,311	
Other project soft costs (25-30%)	30%	\$943,419	
Total Project Cost (includes escalation + soft costs)		\$3,144,730	
Parking Garage option:			
Full Basement Parking Garage (48 cars)	19,000	\$4,658,000	\$245
Escalation to midpt of construction Sept. 2022	16.73%	\$779,283	
		\$5,437,283	
Other project soft costs (25-30%)	30%	\$2,330,264	
Total Project Cost (includes escalation + soft costs)		\$7,767,548	

2. RELOCATED CITY HALL (Stevenson Museum remains as is)			
Relocated City Hall at renovated Library (*12,700sf is existing library area and will accommodate 8,500sf for City offices + other uses)	12,700	\$7,947,000	\$626
Interior gut & selective demolition of existing library	12,700	\$191,000	
Hazardous Materials Removal Allowance	12,700	\$127,000	
Subtotal		\$8,265,000	
Credit for new roofing to be completed 2020		-\$410,485	
(*12,700sf is existing library area and will accommodate 8,500sf for City offices + other uses)		\$7,854,515	
Site Improvement at Library Lane	,8590	\$601,000	#VALUE!
Total Construction Cost (today's dollars)		\$8,455,515	
Escalation to midpt of construction Sept. 2022	16.73%	\$1,414,608	
Total Construction Cost		\$9,870,123	
Other project soft costs (25-30%)	30%	\$4,230,053	
Total Project Cost (includes escalation + soft costs)		\$14,100,175	
Optional premium for LEED Gold, Plat. or Net Zero (w/escalation)	10%	\$987,012	
3. PARK & REC COMMUNITY FACILITY			
New Park and Rec Building	6,500	\$6,506,000	\$1,001
Demo of Head Start building	2500	\$38,000	
Hazardous Materials Removal Allowance	2,500	\$25,000	
Subtotal		\$6,569,000	
Site Improvement at Crane Park	21,000	\$867,000	\$41
Total Construction Cost (today's dollars)		\$7,436,000	
Escalation to midpt of construction Sept. 2022	16.73%	\$1,244,043	
Total Construction Cost		\$8,680,043	
Other project soft costs (25-30%)	25%	\$2,893,348	
Total Project Cost (includes escalation + soft costs)		\$11,573,390	
Optional premium for LEED Gold, Plat. or Net Zero (w/escalation)	10%	\$868,004	

St Helena Civic Institutions Master Plan**Concept Study Cost Estimates**

Nov. 1, 2019.

OPTION 2:

- * Renovated Library Building + minor additions @ Library Lane
- * New 1 story City Hall & Community Multipurpose Room/Council Chambers @ Library Lane
- * New 1 story Park & Rec Building at Crane Park (same for all masterplan options)

	Enclosed Area-SF	Cost	Cost/sf
1. NEW CITY HALL BUILDING			
New City Hall: 8500sf offices + Stevenson Museum	11,050	\$10,915,000	\$988
Site Costs	56,005	\$3,199,127	\$57
Total Construction Cost (today's dollars)		\$14,114,127	
Escalation to midpt of construction Sept. 2022	16.73%	\$2,361,293	
Total Construction Cost		\$16,475,421	
Other project soft costs (25-30%)	30%	\$7,060,895	
Total Project Cost		\$23,536,315	
Optional premium for LEED Gold, Plat. or Net Zero (w/escalation)	10%	\$1,647,542	
2. NEW MULTI-PURPOSE /COUNCIL CHAMBERS BUILDING			
New Community MPR/Council Chambers Building	7,200	\$8,330,000	\$1,157
Site costs	7,200	\$131,764	\$18
Total Construction Cost (today's dollars)		\$8,461,764	
Escalation to midpt of construction Sept. 2022	16.73%	\$1,415,653	
Total Construction Cost		\$9,877,417	
Other project soft costs (25-30%)	30%	\$4,233,179	
Total Project Cost		\$14,110,596	
Optional premium for LEED Gold, Plat. or Net Zero (w/escalation)	10%	\$987,742	
Parking Garage option:			
Partial Basement Parking Garage (95 cars)	30,000	\$4,152,000	\$138
Escalation to midpt of construction Sept. 2022	16.73%	\$694,630	
Total Construction Cost		\$4,846,630	
Other project soft costs (25-30%)	30%	\$2,077,127	
		\$6,923,757	

3. RENOVATED LIBRARY + MINOR ADDITIONS			
Renovated Library + Additions	15,250	\$9,136,000	\$599
Interior gut & selective demolition of existing library	12,700	\$191,000	
Removal of Stevenson Museum	1,980	\$30,000	
Hazardous Materials Removal Allowance	14,680	\$146,800	
Subtotal		\$9,503,800	
Credit for new roofing to be completed 2019		-\$410,485	
		\$9,093,315	
Site costs	32,455	\$2,610,067	\$80
Total Construction Cost (today's dollars)		\$11,703,382	
Escalation to midpt of construction Sept. 2022	16.73%	\$1,957,976	
Total Construction Cost		\$13,661,358	
Other project soft costs (25-30%)	30%	\$5,854,868	
Total Project Cost		\$19,516,226	
Optional premium for LEED Gold, Plat. or Net Zero (w/escalation)	10%	\$1,366,136	
5. PARK & REC COMMUNITY FACILITY (Same all options)			
New Park and Rec Building	6,500	\$6,506,000	\$1,001
Demo of Head Start building	2,500	\$38,000	
Hazardous Materials Removal Allowance	2,500	\$25,000	
Subtotal		\$6,569,000	
Site Improvement at Crane Park	21,000	\$867,000	\$41
Total Construction Cost (today's dollars)		\$7,436,000	
Escalation to midpt of construction Sept. 2022	16.73%	\$1,244,043	
Total Construction Cost		\$8,680,043	
Other project soft costs (25-30%)	25%	\$2,893,348	
Total Project Cost		\$11,573,390	
Optional premium for LEED Gold, Plat. or Net Zero (w/escalation)	10%	\$868,004	

St Helena Civic Institutions Master Plan**Concept Study Cost Estimates**

Nov. 1, 2019.

OPTION 3:

- * New 2 story Library Building @ Library Lane
- * New 1 story Community Multipurpose Room/Council Chambers @ Library Lane
- * Relocated City Hall to Renovated Library Building @ Library Lane
- * New 1 story Park & Rec Building at Crane Park

	Enclosed Area-SF	Cost	Cost/sf
1. NEW LIBRARY BUILDING			
New Library	14,300	\$13,869,000	\$970
Site costs	42,598	\$2,382,724	\$56
Total Construction Cost (today's dollars)		\$16,251,724	
Escalation to midpt of construction Sept. 2022	16.73%	\$2,718,913	
Total Construction Cost		\$18,970,637	
Other project soft costs (25-30%)	30%	\$8,130,273	
Total Project Cost		\$27,100,910	
Optional premium for LEED Gold, Plat. or Net Zero (w/escalation)	10%	\$1,897,064	
2. NEW MULTI-PURPOSE /COUNCIL CHAMBERS BUILDING			
New Community MPR/Council Chambers Building	7,200	\$8,330,000	\$1,157
Site costs	7,200	\$131,764	\$18
Total Construction Cost (today's dollars)		\$8,461,764	
Escalation to midpt of construction Sept. 2022	16.73%	\$1,415,653	
Total Construction Cost		\$9,877,417	
Other project soft costs (25-30%)	30%	\$4,233,179	
Total Project Cost		\$14,110,596	
Optional premium for LEED Gold, Plat. or Net Zero (w/escalation)	10%	\$987,742	
Parking Garage option:			
Partial Basement Parking Garage (95 cars)	30,000	\$4,152,000	\$138
Escalation to midpt of construction Sept. 2022	16.73%	\$694,630	
Total Construction Cost		\$4,846,630	
Other project soft costs (25-30%)	30%	\$2,077,127	
		\$6,923,757	

3. RELOCATED CITY HALL			
Relocated City Hall at existing Library (*12,700sf is existing library area and will accommodate 8,500sf for City offices + other uses)	12,700	\$7,947,000	\$626
Interior gut & selective demolition of existing library	12,700	\$191,000	
Removal of Stevenson Museum	1,980	\$30,000	
Hazardous Materials Removal Allowance	14,680	\$146,800	
Subtotal		\$8,314,800	
Credit for new roofing to be completed 2019		-\$410,485	
		\$7,904,315	
Site costs	45,863	\$2,217,385	\$48
Total Construction Cost (today's dollars)		\$10,121,700	
Escalation to midpt of construction Sept. 2022	16.73%	\$1,693,360	
Total Construction Cost		\$11,815,061	
Other project soft costs (25-30%)	30%	\$5,063,597	
Total Project Cost		\$16,878,658	
Optional premium for LEED Gold, Plat. or Net Zero (w/escalation)	10%	\$1,181,506	
3. PARK & REC COMMUNITY FACILITY (Same all options)			
New Park and Rec Building	6,500	\$6,506,000	\$1,001
Demo of Head Start building	2,500	\$38,000	
Hazardous Materials Removal Allowance	2,500	\$25,000	
Subtotal		\$6,569,000	
Site Improvement at Crane Park	21,000	\$867,000	\$41
Total Construction Cost (today's dollars)		\$7,436,000	
Escalation to midpt of construction Sept. 2022	16.73%	\$1,244,043	
Total Construction Cost		\$8,680,043	
Other project soft costs (25-30%)	25%	\$2,893,348	
Total Project Cost		\$11,573,390	
Optional premium for LEED Gold, Plat. or Net Zero (w/escalation)	10%	\$868,004	

St Helena Civic Institutions Master Plan**Concept Study Cost Estimates**

Nov. 1, 2019.

OPTION 4:

* All New : 2-story Library, 1- story City Hall & MPR/Council Chamber Buildings @ Library Lane

* New 1 story Park & Rec Building at Crane Park (same for all masterplan options)

	Enclosed Area-SF	Cost	Cost/sf
1. NEW LIBRARY BUILDING			
New Library	14,300	\$13,869,000	\$970
Site costs	46,208	\$2,786,434	\$60
Total Construction Cost (today's dollars)		\$16,655,434	
Escalation to midpt of construction Sept. 2022	16.73%	\$2,786,454	
Total Construction Cost		\$19,441,888	
Other project soft costs (25-30%)	30%	\$8,332,238	
Total Project Cost		\$27,774,126	
Optional premium for LEED Gold, Plat. or Net Zero (w/escalation)	10%	\$1,944,189	
2. NEW MULTI-PURPOSE /COUNCIL CHAMBERS BUILDING			
New Community MPR/Council Chambers Building	7,200	\$8,330,000	\$1,157
Site costs	7,200	\$131,764	\$18
Total Construction Cost (today's dollars)		\$8,461,764	
Escalation to midpt of construction Sept. 2022	16.73%	\$1,415,653	
Total Construction Cost		\$9,877,417	
Other project soft costs (25-30%)	30%	\$4,233,179	
Total Project Cost		\$14,110,596	
Optional premium for LEED Gold, Plat. or Net Zero (w/escalation)	10%	\$987,742	
Parking Garage option:			
Partial Basement Parking Garage (95 cars)	30,000	\$4,152,000	\$138
Escalation to midpt of construction Sept. 2022	16.73%	\$694,630	
Total Construction Cost		\$4,846,630	
Other project soft costs (25-30%)	30%	\$2,077,127	
		\$6,923,757	

3. NEW CITY HALL			
New City Hal: 8500sf offices + Stevenson Museum	11,050	\$9,938,000	\$899
Remove existing library	12,700	\$191,000	
Removal of Stevenson Museum	1,980	\$30,000	
Hazardous Materials Removal Allowance	14,680	\$146,800	
Subtotal		\$10,305,800	
Site costs	42,253	\$2,483,194	\$59
Total Construction Cost (today's dollars)		\$12,788,994	
Escalation to midpt of construction Sept. 2022	16.73%	\$2,139,599	
Total Construction Cost		\$14,928,593	
Other project soft costs (25-30%)	30%	\$6,397,968	
Total Project Cost		\$21,326,561	
Optional premium for LEED Gold, Plat. or Net Zero (w/escalation)	10%	\$1,492,859	
3. PARK & REC COMMUNITY FACILITY (Same all options)			
New Park and Rec Building	6,500	\$6,506,000	\$1,001
Demo of Head Start building	2500	\$38,000	
Hazardous Materials Removal Allowance	2,500	\$25,000	
Subtotal		\$6,569,000	
Site Improvement at Crane Park	21,000	\$867,000	\$41
Total Construction Cost (today's dollars)		\$7,436,000	
Escalation to midpt of construction Sept. 2022	16.73%	\$1,244,043	
Total Construction Cost		\$8,680,043	
Other project soft costs (25-30%)	25%	\$2,893,348	
Total Project Cost		\$11,573,390	
Optional premium for LEED Gold, Plat. or Net Zero (w/escalation)	10%	\$868,004	

St Helena Civic Institutions Master Plan

NOV. 1, 2019.

Comparison Matrix

		OPTION 1 (MAIN STREET LIBRARY)		OPTION 2 (LIBRARY LN. - RENOVATED LIBRARY)		OPTION 3 (LIBRARY LN. - RENOVATED CITY HALL)		OPTION 4 (LIBRARY LN. - ALL NEW BLDGS.)	
1	ITEMIZED PROJECT COST IN TODAY'S \$\$\$ (numbers rounded)	CITY HALL	\$8.5M	CITY HALL	\$14M	CITY HALL	\$10M	CITY HALL	\$12.8M
		LIBRARY + MPR/ COUNCIL	\$24M	LIBRARY	\$11.7M	LIBRARY	\$16M	LIBRARY	\$16.6M
		MPR/COUNCIL	INCLUDED ABOVE	MPR/COUNCIL	\$8.5M	MPR/COUNCIL	\$8.5M	MPR/COUNCIL	\$8.5M
		LYMAN PARK IMPROVEMENTS	\$2M	SITE IMPROVMENTS	INCLUDED ABOVE	SITE IMPROVMENTS	INCLUDED ABOVE	SITE IMPROVMENTS	INCLUDED ABOVE
		PARK & REC	\$7.5M	PARK & REC	\$7.5M	PARK & REC	\$7.5M	PARK & REC	\$7.5M
2	OVERALL PROJECT COST	\$41.7M		\$41.7M		\$42.2M		\$45.3M	
3	PHASING for interim moves	PHASING REQUIRED (City hall must vacate to interim location)		PHASING REQUIRED (Library vacates then moves back in)		PHASING REQUIRED (Library must vacate for relocated City Hall)		NO PHASING REQUIRED if new library constructed first	
4	PARKING	REQUIRED: 104 GARAGE: 48		REQUIRED: 150 ON-SITE+ GARAGE : 107		REQUIRED: 150 ON-SITE + GARAGE : 107		REQUIRED: 180 ON-SITE + GARAGE: 155	
	Optional Garage	FULL BSMT PARKING GARAGE (48 CARS)	\$4.6M	PARTIAL PARKING GARAGE (95 CARS)	\$4.1M	PARTIAL PARKING GARAGE (95 CARS)	\$4.1M	PARTIAL PARKING GARAGE (95 CARS)	\$4.1M
5	ADDT'L AMENITIES	LYMAN PARK IMPROVEMENTS LYMAN PARK CAFÉ		VINYARD VIEWS/SETTING COMMUNITY GATHERING		VINYARD VIEWS/SETTING COMMUNITY GATHERING		VINYARD VIEWS/SETTING COMMUNITY GATHERING	
6	SYNERGY	DOWNTOWN SYNERGY		MAXIMIZES COMMUNITY SYNERGY		MAXIMIZES COMMUNITY SYNERGY		MAXIMIZES COMMUNITY SYNERGY	
7	RELATIONSHIP TO DOWNTOWN	POTENTIAL ADD TO REVITALIZATION OF MAIN STREET		WALKABLE TO MAIN STREET NEW STEVENSON MUSEUM @ ADAMS ST CORNER IS POTENTIAL DRAW FROM MAIN ST		WALKABLE TO MAIN STREET NEW LIBRARY @ ADAMS ST CORNER IS POTENTIAL DRAW FROM MAIN ST		WALKABLE TO MAIN STREET NEW LIBRARY @ ADAMS ST CORNER IS POTENTIAL DRAW FROM MAIN ST	

City of St. Helena

Vision Statement

The City of St. Helena will strive to be economically sustainable, and continue to be family-friendly, diverse and safe community which prudently manages its financial and human resources, continues to upkeep and improve its infrastructure, ensures its water security, provides a full range of housing, business, cultural and recreational opportunities and embraces and retains its historic, small-town character, beautiful natural environment and high quality of life.

Mission Statement

The City of St. Helena is dedicated to serving the needs and desires of our citizens by:

- Maintaining and improving our short and long-term economic sustainability
- Offering excellent professional services to all customers
- Establishing, improving and maintaining City infrastructure
- Maintaining and encouraging an environmentally sustainable community
- Preserving and embracing the historic, small-town, rural character of St Helena.
- Expanding and improving recreational services and facilities and cultural opportunities
- Encouraging a wide range of innovative, well-designed housing available for residents of all ages and income levels
- Facilitating full civic participation and ongoing communication
- Strengthening partnerships with the private, non-profit and public sectors

Vision and Mission Statements adopted by the City of St. Helena City Council on April 12, 2016, Resolution No. 2016-47.

RECEIVED

10 Nov 2019

OCT 12 2019

CITY CLERK'S OFFICE
CITY OF ST. HELENA

Saint Helena City Council,
RE: Regular Council Meeting of November 12, 2019

There is a mountain of useful information in the Noll and Tam analysis/staff report. The a la carte nature of it should BEGIN to inform, enable and empower any number of solutions moving forward.

I believe that any iteration/option should be able to pass through a rigorous set of guides and tests. Successfully engaging in that exercise will produce the most supportable solutions.

The most effective solutions will be best guided by the most useful set of questions.

Perhaps like these (by no means the definitive list):

What is the most appropriate scale? I believe this consideration is most critical and should be applied to our approach to the interwoven set of solutions and to each facet/portion of solution.

What other spaces in town do/can serve those functions? Is there overlap? Which can do best?

Do these (and which) solutions consider and begin to address our infrastructure priorities and overall infrastructure strategy?

Which solutions and locations serve those functions best and with the highest elevating effect to the overall ecosystem of Saint Helena?

Do these (and which) solutions consider and begin to build in LONG TERM financial viability and vitality?

Do these (and which) solutions consider and begin to build in LONG TERM enrichment and vibrancy?

Do these (and which) solutions consider and most effectively dovetail into and enhance Saint Helena's "brand" or character?

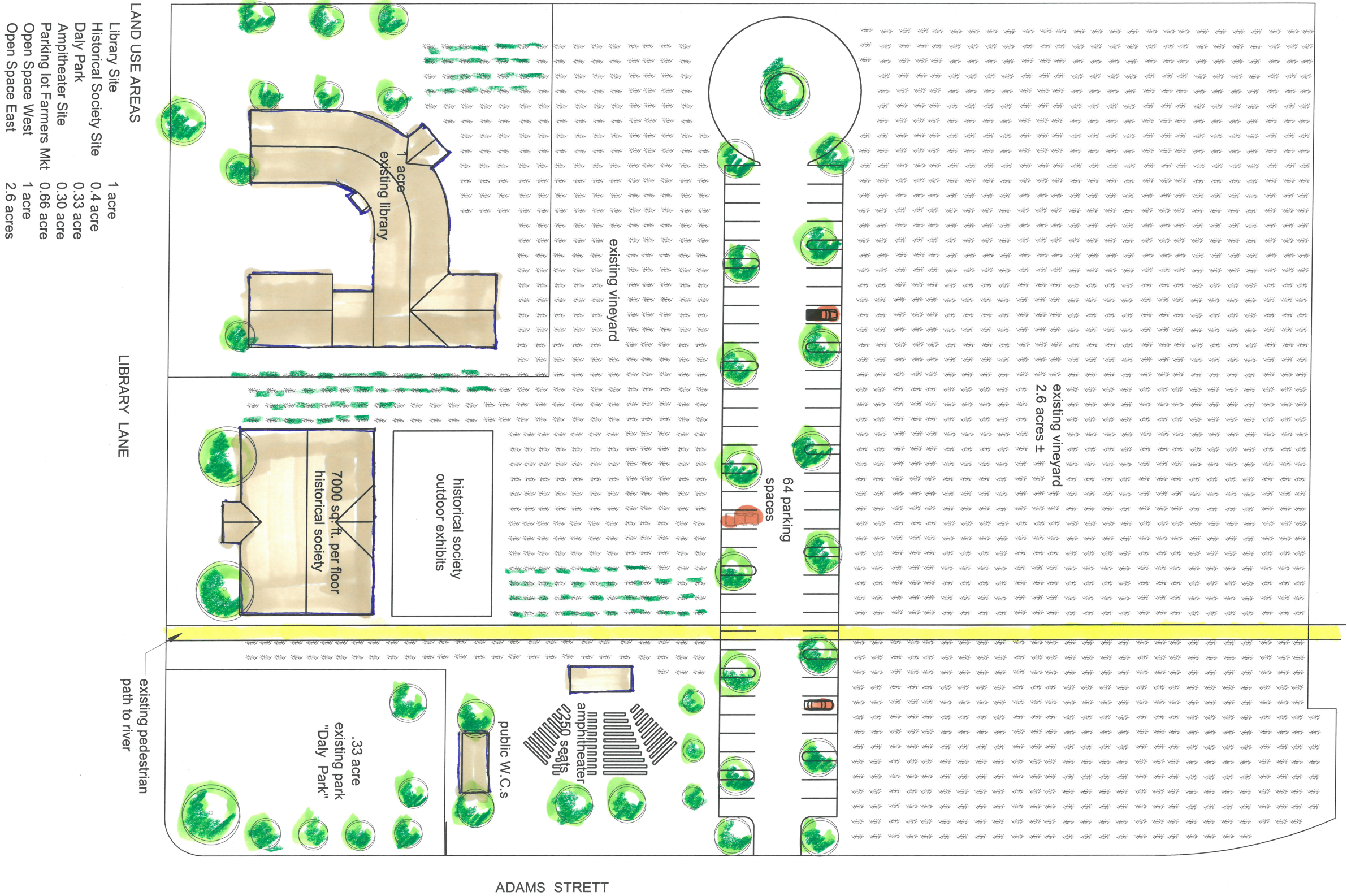
Have we fully explored the creative/varied public/private partnerships to solve these problems?

How do WE fold in and strengthen these recommendations and data into a contextual framework informed and strengthened by use of our varied and deep resource of engaged/energetic locals(people)?

Do these (and which) solutions best consider and begin to contribute to a successful master plan?

Sincerely,

Daniel Hale





CITY COUNCIL MEETING
November 12th, 2019

REIMAGINING ST. HELENA'S CIVIC SPACES

CITY OF ST. HELENA

NOLL & TAM ARCHITECTS

Janet Tam, Principal In Charge
Trina Goodwin, Library Interior Architect
Tom Beil, Project Manager, Project Architect

WRT | Planners + Designers

TONIGHT'S GOALS

1. DESIGN TEAM UPDATE

- DEVELOPMENT OF (4) MASTER PLAN OPTIONS
- 3-D MASSING SKETCHES
- CONCEPTUAL COST ESTIMATES

2. RECEIVE COUNCIL & COMMUNITY COMMENTS

(4) Master Plan Options



LYMAN PARK

- New two-story Library
- Multi-Purpose Room
- Outdoor Courtyard



LIBRARY LANE

- Existing Library renovated for City Hall



CRANE PARK

- Park & Rec Office and Program space

Master Plan Option 1 New Library on Main Street



LYMAN PARK
 • 23,000 s.f. City Owned Parcel



LIBRARY LANE 2.1 acres total parcel
 • Existing Library renovated
 • New City Hall and Stevenson Museum
 • Multi-Purpose Room
 • Outdoor Plaza



CRANE PARK
 • Park & Rec Office and Program space

Master Plan Option 2 New Town Square at Library Lane



LYMAN PARK
 • 23,000 s.f. City Owned Parcel



LIBRARY LANE 2.1 acres total parcel
 • Existing Library renovated for City Hall
 • New Stevenson Museum
 • New two-story Library
 • Multi-Purpose Room
 • Outdoor Plaza



CRANE PARK
 • Park & Rec Office and Program space

Master Plan Option 3 New Town Square at Library Lane



LYMAN PARK
 • 23,000 s.f. City Owned Parcel



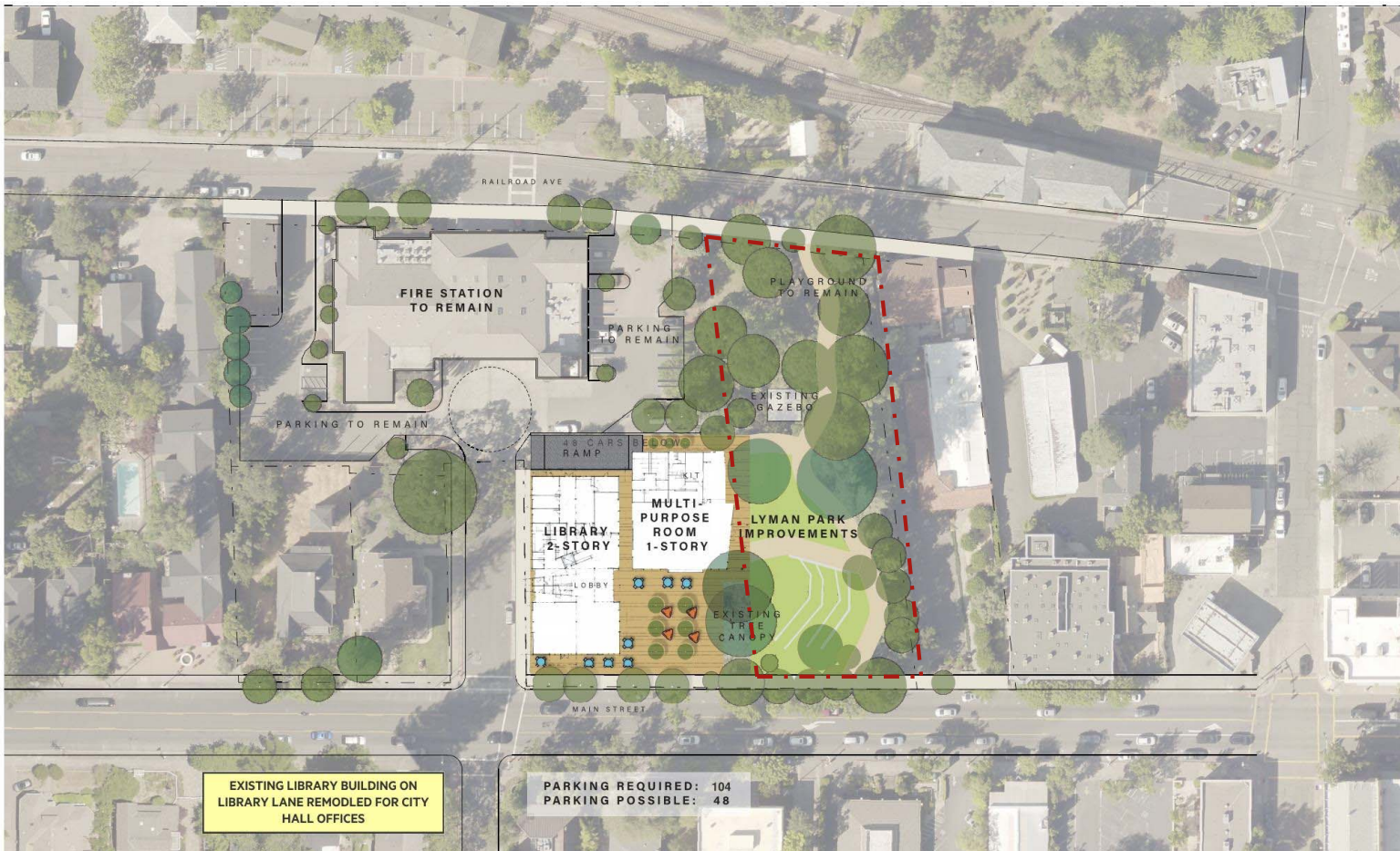
LIBRARY LANE 2.1 acres total parcel
 • New City Hall with Stevenson Museum
 • New two-story Library
 • Multi-Purpose Room
 • Outdoor Plaza



CRANE PARK
 • Park & Rec Office and Program space

Master Plan Option 4 New Town Square at Library Lane

Site Plans + Building Massing Studies



Option 1 - Main Street New Library

REIMAGINING ST. HELENA'S
CIVIC SPACES





**NOLL
& TAM**
ARCHITECTS



Option 2 - Renovated Library, New City Hall

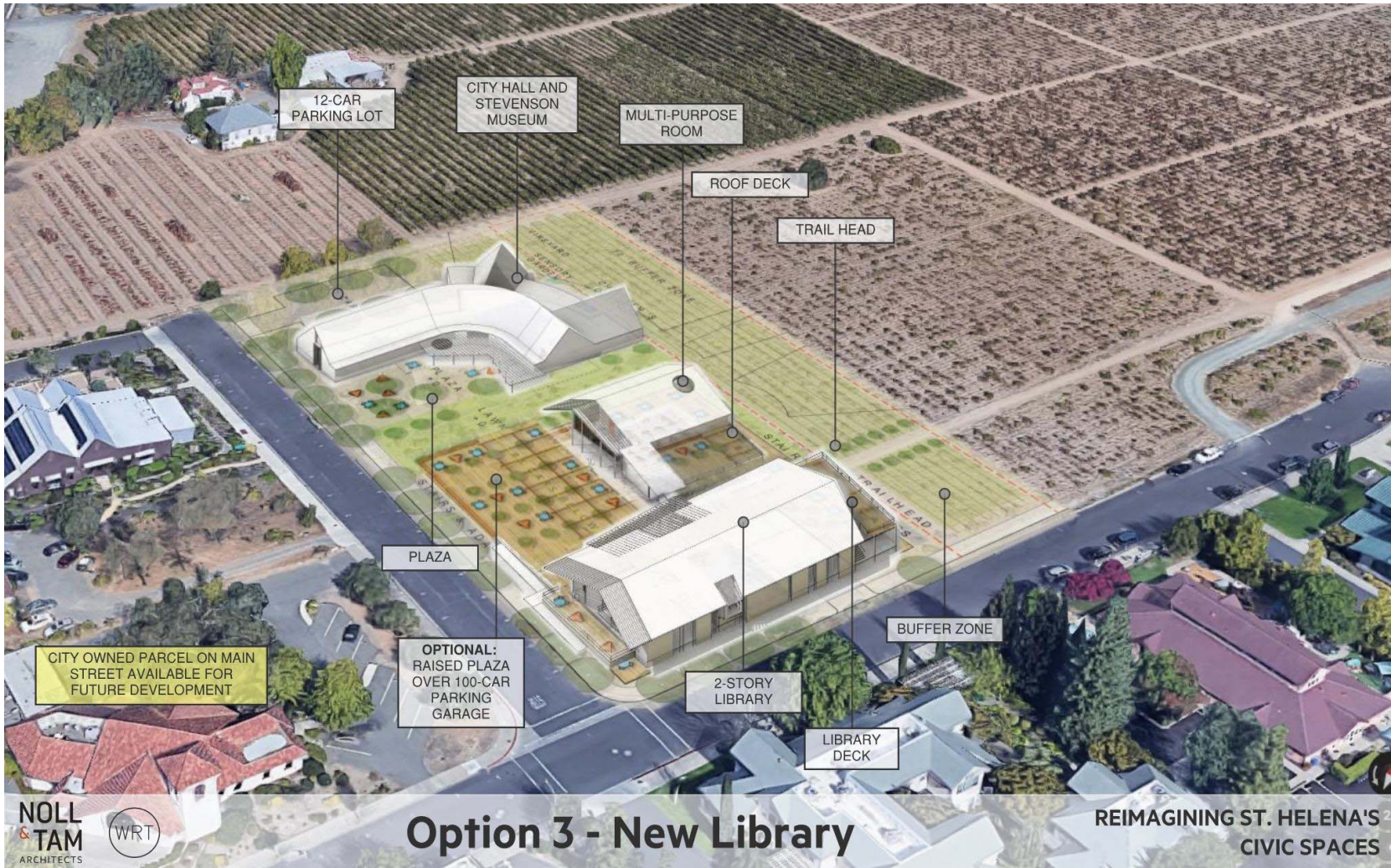
REIMAGINING ST. HELENA'S
CIVIC SPACES





Option 3 - New Library

REIMAGINING ST. HELENA'S
CIVIC SPACES

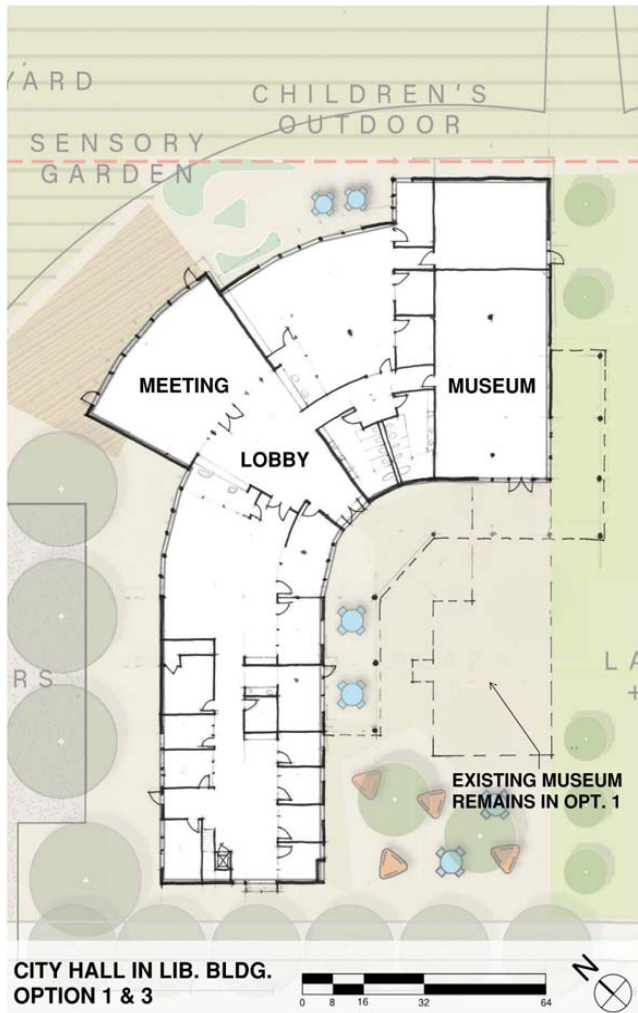




Option 4 - New Library and City Hall

REIMAGINING ST. HELENA'S
CIVIC SPACES

EXAMPLE FLOOR PLANS & INTERIOR DESIGN EXAMPLES



City Hall Program (excludes Police*)

Total size

Proposed

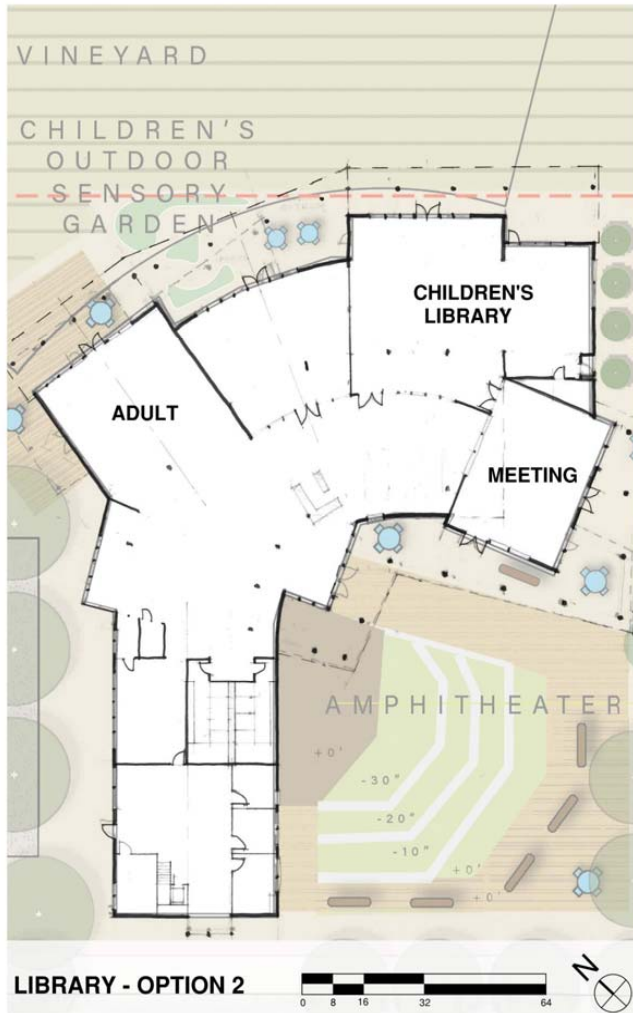
8,500

Existing- A

8,500

- City Manager
- City Clerk
- Finance Department
- Building Department
- Planning Department
- Public Works Staff space
- HR/IT Department
- Park and Recreation staff

EXISTING LIBRARY BUILDING = 12,700 SF



Library Program

Total Size

Proposed

15,250 sf

Existing- L
(excludes
12,700 sf

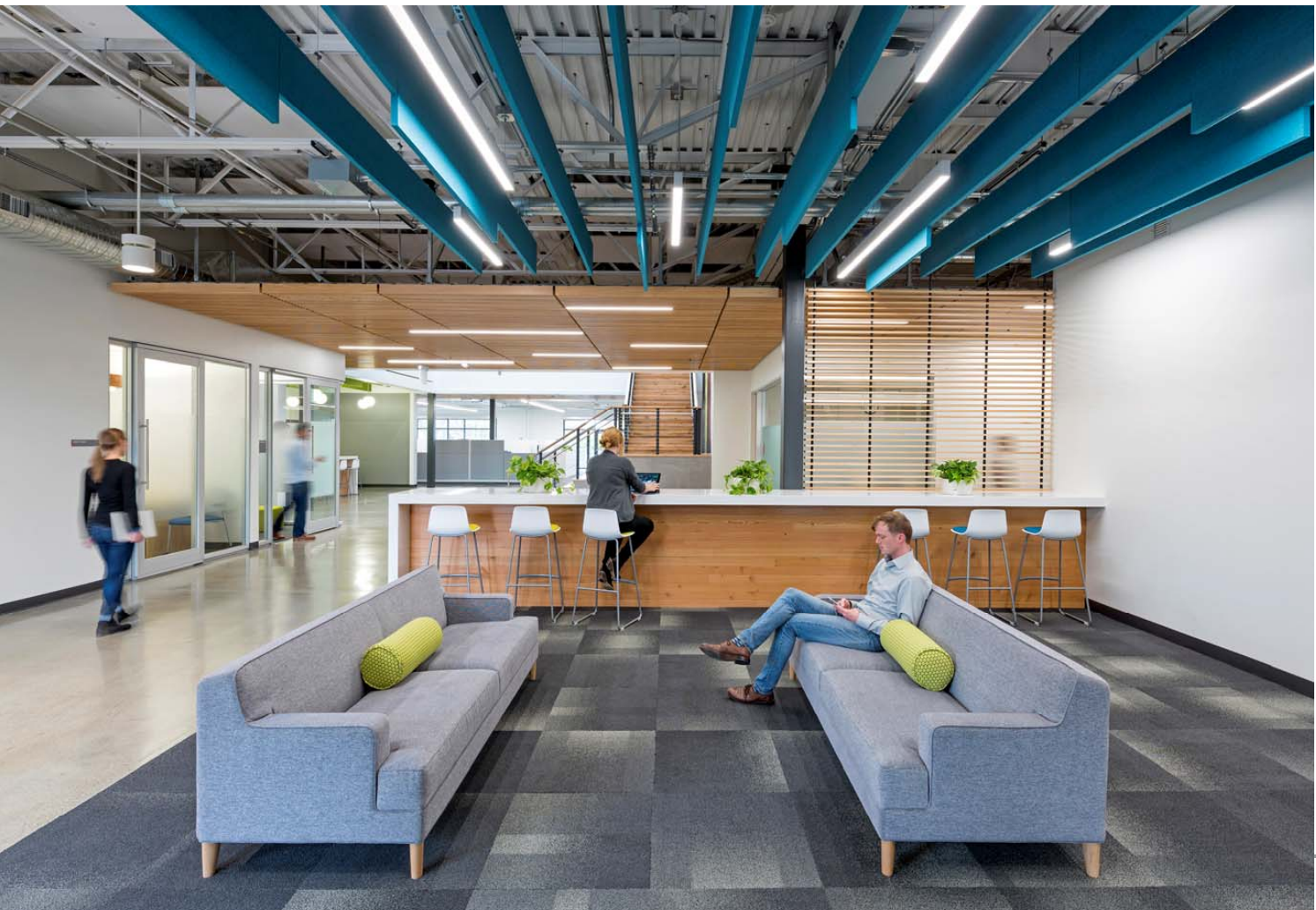
Areas below are additions to the existing program

- Larger children's area,
- Larger teen space
- New meeting room -seats 60
- 2 small meeting rooms

EXISTING LIBRARY BUILDING = 12,700 SF



























COMPARING OPTIONS

COMPARISON MATRIX

		OPTION 1 (MAIN STREET LIBRARY)		OPTION 2 (LIBRARY LN. - RENOVATED LIBRARY)		OPTION 3 (LIBRARY LN. - RENOVATED CITY HALL)		OPTION 4 (LIBRARY LN. - ALL NEW BLDGS.)	
1	ITEMIZED CONSTRUCTION COSTS IN TODAY'S \$\$\$ (numbers rounded)	CITY HALL	\$8.5M	CITY HALL	\$14M	CITY HALL	\$10M	CITY HALL	\$12.8M
		LIBRARY + MPR/ COUNCIL	\$24M	LIBRARY	\$11.7M	LIBRARY	\$16M	LIBRARY	\$16.6M
		MPR/COUNCIL	INCLUDED ABOVE	MPR/COUNCIL	\$8.5M	MPR/COUNCIL	\$8.5M	MPR/COUNCIL	\$8.5M
		LYMAN PARK IMPROVEMENTS	\$2M	SITE IMPROVMENTS	INCLUDED ABOVE	SITE IMPROVMENTS	INCLUDED ABOVE	SITE IMPROVMENTS	INCLUDED ABOVE
		PARK & REC	\$7.5M	PARK & REC	\$7.5M	PARK & REC	\$7.5M	PARK & REC	\$7.5M
2	OVERALL CONSTRUCTION COST FOR ALL BUILDINGS	\$41.7M		\$41.7M		\$42.2M		\$45.3M	
3	PHASING for interim moves	PHASING REQUIRED (City hall must vacate to interim location)		PHASING REQUIRED (Library vacates then moves back in)		PHASING REQUIRED (Library must vacate for relocated City Hall)		NO PHASING REQUIRED if new library constructed first	
4	PARKING	REQUIRED: 104 GARAGE: 48		REQUIRED: 150 ON-SITE+ GARAGE : 107		REQUIRED: 150 ON-SITE + GARAGE : 107		REQUIRED: 180 ON-SITE + GARAGE: 155	
	Optional Garage	FULL BSMT PARKING GARAGE (48 CARS)	\$4.6M	PARTIAL PARKING GARAGE (95 CARS)	\$4.1M	PARTIAL PARKING GARAGE (95 CARS)	\$4.1M	PARTIAL PARKING GARAGE (95 CARS)	\$4.1M
5	ADD'T'L AMENITIES	LYMAN PARK IMPROVEMENTS LYMAN PARK CAFÉ		VINYARD VIEWS/SETTING COMMUNITY GATHERING		VINYARD VIEWS/SETTING COMMUNITY GATHERING		VINYARD VIEWS/SETTING COMMUNITY GATHERING	
6	SYNERGY	DOWNTOWN SYNERGY		MAXIMIZES COMMUNITY SYNERGY		MAXIMIZES COMMUNITY SYNERGY		MAXIMIZES COMMUNITY SYNERGY	
7	RELATIONSHIP TO DOWNTOWN	POTENTIAL ADD TO REVITALIZATION OF MAIN STREET		WALKABLE TO MAIN STREET NEW STEVENSON MUSEUM @ ADAMS ST CORNER IS POTENTIAL DRAW FROM MAIN ST		WALKABLE TO MAIN STREET NEW LIBRARY @ ADAMS ST CORNER IS POTENTIAL DRAW FROM MAIN ST		WALKABLE TO MAIN STREET NEW LIBRARY @ ADAMS ST CORNER IS POTENTIAL DRAW FROM MAIN ST	

COST ESTIMATES

Establishing a Budget

Construction Costs + Soft Costs = Total Project Costs

Construction Costs Includes:

- **Building** construction or renovation
+ Demolition + Hazardous Materials removal, if required
- **Site work**, includes site utilities, surface parking, landscaping
- 20% Design Contingency at early phase

Other Added Construction Costs:

- Escalation (costs in today's dollars, then escalated to midpoint of construction)
5% per year, compounded annually
- Premiums for construction phasing

Establishing a Budget

Soft costs are typically 25%-30% of total project cost

Soft Costs Include:

- Design & Construction Management Fees
- City Staff Expenses
- Moving Costs/Interim Housing
- Utility Fees
- Site Surveys, Geotechnical Reports
- 3rd Party Inspection & Testing Fees
- Building Permits
- FF&E (Furniture, Fixtures, Equipment)
- A/V, telecommunications, security equipment
- Project/Construction Contingency (10% typical)
- Other City/Owner expenses

CONCEPT COST ESTIMATES

INCLUDES BUILDING + SITE COSTS IN TODAY'S \$\$

	Option 1	Option 2	Option 3	Option 4
1. City Hall	\$8.5M	\$14M	\$10M	\$12.8M
2. Library+MP Room	\$24M			
3. Library only		\$11.7M	\$16M	\$16.6M
4. MP Room only		\$8.5M	\$8.5M	\$8.5M
5. Park & Rec Facility	\$7.5M	\$7.5M	\$7.5M	\$7.5M
<u>Additive Options:</u>				
6. Net Zero Energy features		Add 10% to construction cost		
7. Underground Parking Garage		Add \$4M to \$4.6M to associated option		
8. Lyman Park site improvements		Add \$2M to Option 1		
(For Total Project Budget add Escalation and Soft Costs)				

BENCHMARK EXAMPLES

Project	Bid Date	Building Area	Bldg. Cost in today's \$\$	Bldg. Unit cost
1. New Los Altos Community Center	2019	24,500 sf	\$20.3M	\$829
2. New Atherton City Hall + Police	2019	26,474 sf	\$21.2M	\$802
3. New Atherton Library (w/sustainable features)	2019	9,970 sf	\$11.7M	\$1,173
4. New East Palo Alto Youth Center	2018	25,622 sf	\$21.6M	\$843
5. Fremont City Hall	2019	13,915 sf	\$12.9M	\$927
6. New Burlingame Community Center	to be bid 2020	35,700 sf	\$25.5M	\$713
7. New Burlingame UG Parking Garage	to be bid 2020	41 spaces	\$8.2M	\$200k/space
8. New Capitola Library	2019	11,770 sf	\$12M	\$1,020
9. Mission Branch Library, Santa Clara (remodel)	2017	8,400	\$4.6	\$548
8. New Healdsburg (remodel+addition)	2016	13,500 sf	\$5.4	\$400

Our St Helena Concept Estimates in today's \$\$:

New Building Construction: \$900/sf to \$1,157/sf

Renovation of existing Library: \$600/sf to \$626/sf

New Partial / Fully UG Garage: \$45K/space and \$97k/space

NEXT STEPS

Council to establish

- **A site selection criteria**
- **A decision-making process &**
- **Overall priorities**

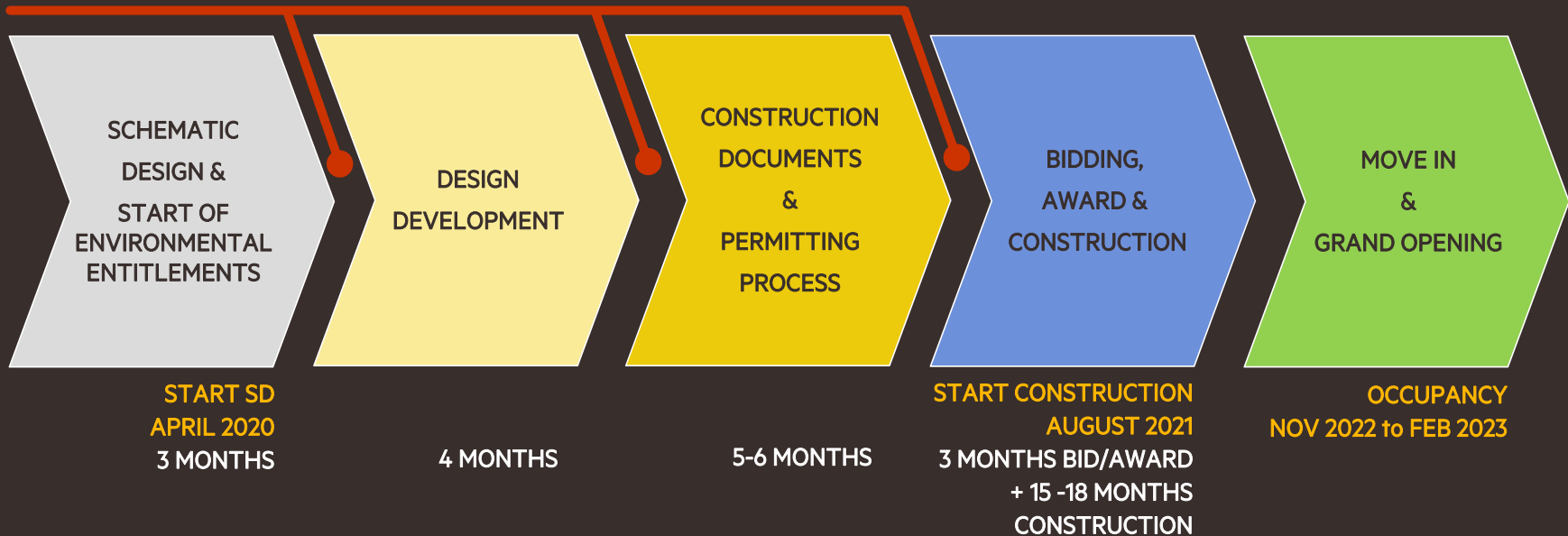
Early 2020

- **Select which project(s) and site development will move forward to design and construction**

DESIGN & CONSTRUCTION SEQUENCE

EXAMPLE

CITY REVIEW & COST ESTIMATING MILESTONES





CITY COUNCIL MEETING
November 12th, 2019

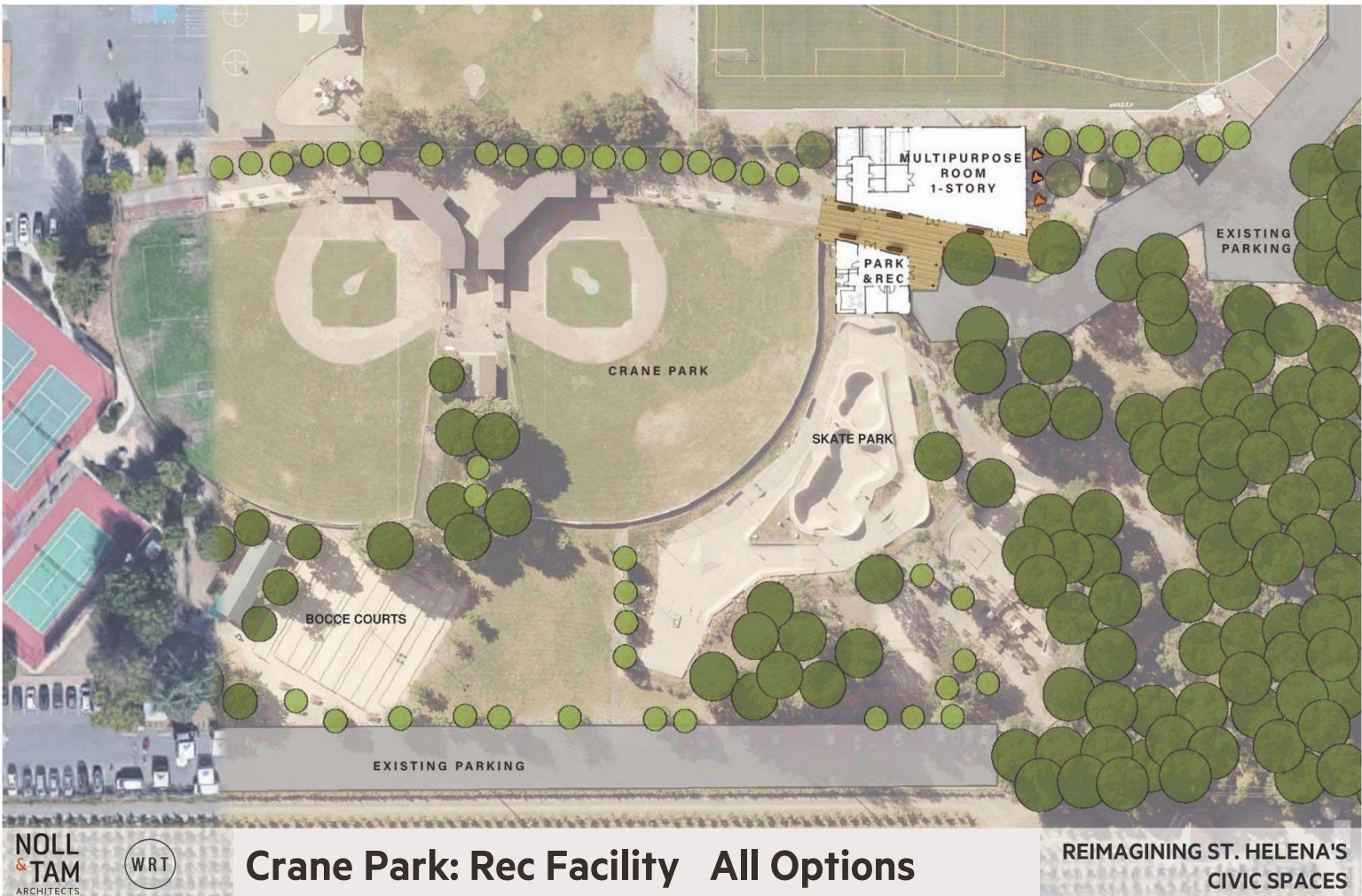
REIMAGINING ST. HELENA'S CIVIC SPACES

CITY OF ST. HELENA

NOLL & TAM ARCHITECTS

Janet Tam, Principal In Charge
Trina Goodwin, Library Interior Architect
Tom Beil, Project Manager, Project Architect

WRT | Planners + Designers



Program Summary

Library Program

Proposed

Existing-

Total Size

15,250 sf

12,700 sf

Areas below are additions to the existing program

- Larger children's area,
- Larger teen space
- New meeting room -seats 60
- 2 small meeting rooms

City Hall Program (excludes Police*)

Proposed

Existing-

Total size

8,500

8,500

- City Manager
- City Clerk
- Finance Department
- Building Department
- Planning Department
- Public Works Staff space
- HR/IT Department

City Council Chambers Option 2

Proposed

Existing

Total size

7,000

0

- Lecture style seating for 200/180 at tables
- Fixed Dias
- Commercial kitchen
- Study Session conference room

Park and Recreation Program Spaces

Proposed

Railroad

Total size

6,500-

2,500

- Minimum Program
 - (2) 30 seat reconfigurable classrooms
 - Multipurpose room 2,500 square foot w/kitchenette
 - Park and Rec offices

(*Police space requirements will be discussed separately)

ST HELENA FEASIBILITY PLANING/VISIONING FOR CIVIC FACILITIES



Report to the City Council
Regular City Council - 12 Nov 2019

Agenda Section: OLD BUSINESS

Subject: Consideration and discussion of the existing no parking zone on Main Street affecting the residences at 1820, 1830, 1846, 1856, 1862, and 1872 Main Street

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

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

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

On August 28, 2018, City Council directed to staff to work with a consultant to provide design plans for an alternate alignment of Highway 29/Main Street at Pratt Avenue and consult with Caltrans to determine if a realignment, with exceptions, is possible in order to reinstate parking on the west side of Main Street. Currently there are six properties affected by a no parking zone: 1820, 1830, 1846, 1856, 1862, and 1872 Main Street. The affected properties had parking prior to the realignment of Main Street in order to accommodate a new northbound left turn pocket into the Las Alcobas Hotel. In addition, the two property owners on the west side of Main Street have expressed interest in the removal of parking in order to facilitate the realignment.

On November 27, 2018, City Council authorized a professional services agreement with RSA+ that included new survey collection, full design of the preferred alternative design based on updated information, coordination with Caltrans for the proposed realignment, and construction bid assistance for a not-to-exceed amount of \$43,600.

On May 20, 2019, RSA+ met with Mayor Ellsworth, Vice Mayor Dohring, and the Public Works Director to discuss the initial survey and findings of the existing Highway 29 alignment and proposed realignment. At the meeting, RSA+ recommended keeping the

current alignment for safety reasons and existing Caltrans design constraints on Highway 29/Main Street, but suggested a parking pocket alternative. RSA+ received direction to proceed with preliminary engineering for the parking alternative and to provide a report of their findings so that it could be presented to all the affected residents and to City Council.

On August 28, 2019, RSA+ updated City staff that a summary report would be available for review and comment in early September. City staff noticed affected properties informing them of a September 11, 2019 meeting to discuss the findings of RSA+'s study. Only one property owner attended and was in favor of keeping the street alignment in its current configuration. However, the property owner expressed interest in an improved crosswalk at Pratt Avenue. City staff received recent follow-up from two additional property owners that were not available to attend the September 11, 2019 meeting. City staff mailed a copy of the report to all affected property owners to solicit additional feedback prior to the November 12, 2019 City Council meeting.

DISCUSSION

The attached report titled, "St. Helena Highway 29 Striping Alignment" by RSA+ dated September 10, 2019, includes three conceptual plans for lane and parking configuration along Main Street (Highway 29) north and south of the Pratt Avenue intersection. Conceptual plans considered by RSA+ are as follows:

1. Option 1 - Reinstate parallel parking along the northbound section of Highway 29 with Caltrans standard highway lane and striping design;
2. Option 2 - Reinstate parallel parking along the northbound section of Highway 29 with reduced Caltrans standard highway lane and striping design; and
3. Option 3 - No lane and striping redesign, but an option for parking pockets and bulb-outs in conjunction with the existing striping and lane lines that individual property owners could opt-in.

Options 1 and 2 have been discussed at previous Council meetings and require extensive Caltrans engagement and approval and construction costs could be significant depending on what Caltrans would allow for in design exceptions. In addition, RSA+ stated the prior striping configuration was not safe in that vehicles backing out of their driveway had limited visibility around vehicles parked parallel along the curb; therefore, RSA+ recommends conceptual plan Option 3. Option 3 would not require any additional striping to be installed, would limit Caltrans involvement, allows for the existing York Creek bridge and tunnel of elms to be preserved, and allows for desired parking along property frontages with added safety measures.

Option 3 incorporates parking pockets that would allow the City and individual property owners to choose if they would want to incorporate parking or not. The proposed parking pockets are 8 feet wide measured from the existing curb face and serve as an additional safety measure by providing greater visibility to vehicles exiting from the existing driveways onto Main Street. Estimated costs associated per single or double parking pocket are between \$15,000 and \$22,000 and would require dedication of right-

of-way to the City by the individual property owners. The parking would not solely belong to the property owner unless City Council further directed a permit program to do so.

City staff is recommending City Council receive the report, discuss, and provide further direction to staff on the options provided.

Grant funds to improve the crosswalk on Highway 29/Main Street at Pratt Avenue and at Elmhurst were awarded earlier this year; staff will prepare a separate staff report to City Council to discuss and potentially create a Capital Improvement Project to support design and construction of the crosswalk project in the near future.

FISCAL IMPACT

The total fiscal impact is unknown at this time and is dependent on the option selected. Additional funds have not been budgeted or identified for work other than design.

RECOMMENDED ACTION

City staff is recommending City Council receive the report, discuss, and provide further direction to staff on the options provided.

ATTACHMENTS

[2019-11-05 St. Helena Striping Alignment Report](#)

[BULB OUT EXHIBIT](#)

[BULB OUT](#)



ST. HELENA HIGHWAY 29 STRIPING ALIGNMENT

For

ST. HELENA, CALIFORNIA

Prepared for:

Erica Ahmann Smithies
Public Works Director/City Engineer
City of St. Helena
1572 Railroad Avenue
St. Helena, CA 94574

Project #4118053.0

September 10, 2019

Revised: November 5, 2019

1515 Fourth Street, Napa, CA 94559

www.rsacivil.com

(707) 252-3301 v. (707) 252-4966 f.



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I. Executive Summary

RSA+ has prepared three conceptual plans for the lane and parking configuration, along Main Street (Highway 29) north and south of the Pratt Avenue intersection. The first being the Caltrans standard lane and striping design with parallel parking placed back on the east side of the road. The second being a reduced standard lane and striping design, also allowing parallel parking on the east side of the road. The third alternative is with no lane and striping redesign, but an option with parking pockets and bulb-outs in conjunction with the existing striping and lane lines.

It is our understanding the main purpose of evaluating these alternatives is to place parking back on the east side of the road in front of the 6 residences south of Pratt Avenue. The recommended design is the third option, which leaves the lane striping as-is, and provides the option to have parking, along the residences on an “as-wanted” basis. Additionally, this option shows bulb-outs at the intersection, which would aid in reducing the crosswalk distance, and providing a safer crossing, should the Vine Trail alignment be pursued along this corridor.

The recommended alternative of the parking pockets requires that each property owner wanting a parking pocket dedicate in fee, or easement the area required for the parking space and re-routed sidewalk.

II. Background

The Las Alcobas hotel project was originally approved and conditioned to remove parking on the east side of Highway 29 south of Pratt Avenue. Prior to project construction, the property owners along the eastern side of the street questioned why it was required for the parking to be removed. The developer of the project and their engineer showcased that keeping parking along the east side of the street, in conjunction with the required left turn lane into the Las Alcobas project, required lane shifts and reductions to Caltrans standards. These reduced standards would have required Caltrans to allow a new project to install non-standard elements, and it was agreed upon that this was not the direction the City Council at the time wanted to take. Thus, the project remained as approved, parking was removed, and the lane lines to the north of Pratt Avenue were allowed to remain in their current configuration.

III. Existing Conditions

The existing layout has parking in the south-bound direction, and no parking in the north-bound direction of Main Street. A left-turn lane in the north-bound direction provides access to the Las Alcobas Hotel. The existing left-turn lane, and striping in the south-bound direction, provides access to Pratt Avenue. Neither direction’s existing striping layout are to Caltrans standards. A NVTa bus stop exists in the northbound direction at the Pratt Avenue intersection. Sidewalk exists along each side of the street. Main Street begins to curve approximately 200 feet from the Pratt Avenue Intersection. Just west of the curve exists a bridge limiting the available deceleration median and storage lane length.



IV. Alternatives Analyzed

The first design analyzed added parking, without requiring any exceptions to Caltrans' standards. The analysis showed that the standard striping layout would impact the bridge to the north of Pratt Avenue and the tunnel of elms. The existing bridge width cannot accommodate the lane widths and curvature of the Caltrans specified median deceleration, and storage length per table 405.2B and figure 405.2B.

The second alternative analyzed was to design the lanes to fit within the physical parameters of the bridge and elm tunnel. This required reduced Caltrans standards, which would require a formal request to Caltrans to allow lesser standards. These types of requests are discretionary, and the outcome of allowing such reduced standards is not known without formally submitting a plan to Caltrans.

The final alternative surfaced during a concept review meeting with City staff. In order to minimize impacts that would otherwise affect the bridge, elms and require Caltrans exception, an alternative design was developed to provide the parking without re-striping Main Street. As such, the existing striping would remain and portions of the sidewalk would be removed and replaced, to accommodate the additional parking, creating parking pockets. Additionally, bulb-outs at the Pratt Avenue intersection is an alternative that is shown on this third option, to serve as an added safety measure by decreasing the crosswalk length for pedestrians heading northbound toward the future Vine Trail alignment. The bulb-outs and parking pockets do not need to go together and can be selected as an "either/or option", as part of this alternative.

V. Recommendations

RSA+ recommends option 3 for a variety of reason. This design does not require any new striping to be installed, and limited Caltrans involvement would be required. The existing bridge over York Creek and the tunnel of elms is preserved in its current state. This option does provide the desired parking along with added safety measures.

The recommended design incorporates parking pockets that allows the City and each property owner to choose which properties want to incorporate parking or not. These pockets are 8 feet wide measured from the existing curb face. The parking pockets also serve as an additional safety measure, by providing greater visibility to vehicles exiting from the existing driveways onto Main Street. The prior configuration was not safe in that vehicles backing out of their driveway had limited visibility around vehicles parked parallel, and along the curb.

In the recommended alternative, the sidewalk would meander around the parking pockets, and would need to maintain the required 4 feet minimum width. As such, portions of the sidewalk would encroach into the adjacent parcel(s), and would require the property owner to dedicate approximately 110 square feet for single space, and 200 square feet for a double space in fee or easement.

A cost estimate of the preferred alternative is provided as an attachment to this document.

ST. HELENA HIGHWAY 29
STRIPING ALIGNMENT



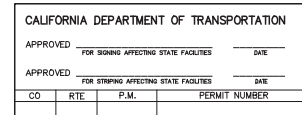
EXHIBIT 1

ORIGINAL LAS ALCOBAS LAYOUT, DELINEATION, AND SIGN PLAN



STRIPING DEMOLITION SCHEDULE	
	DESCRIPTION
①	REMOVE EXISTING CENTERLINE STRIPE STA 10+00 TO STA 13+71
②	REMOVE EXISTING FOG LINE STA 12+79 TO STA 13+80
③	REMOVE CROSSWALK STRIPING STA 12+68 TO STA 13+82

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1515 Fourth Street v 707.252.3301
Napa, California 94559 f 707.252.4966

THE CONTRACTOR SHALL POSSESS THE CLASS (OR CLASSES)
OF LICENSE AS SPECIFIED IN THE "NOTICE TO CONTRACTORS"

	DESIGN	BY LNB	CHECKED BWF/PSW	LOAD FACTOR DESIGN	LIVE LOADING: HS20-44 AND ALTERNATIVE AND PERMIT DESIGN LOAD		PROJECT ENGINEER JEREMY N SILL	BRIDGE NO.		LAS ALCOBAS HOTEL, STATE HIGHWAY 29
	DETAILS	BY DEL/JFW	CHECKED BWF/PSW	LAYOUT	BY LNB	CHECKED BWF/PSW		N/A		
	QUANTITIES	BY LNB	CHECKED BWF/PSW	SPECIFICATIONS	BY LNB	PLANS AND SPECS COMPARED		MILE POST	29.25	

DESIGN GENERAL PLAN SHEET (REV.3/1/99)

ORIGINAL SCALE IN ENGLISH
UNITS FOR REDUCED PLANS

LA	
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REVISION DATES (PRELIMINARY STAGE ONLY)				

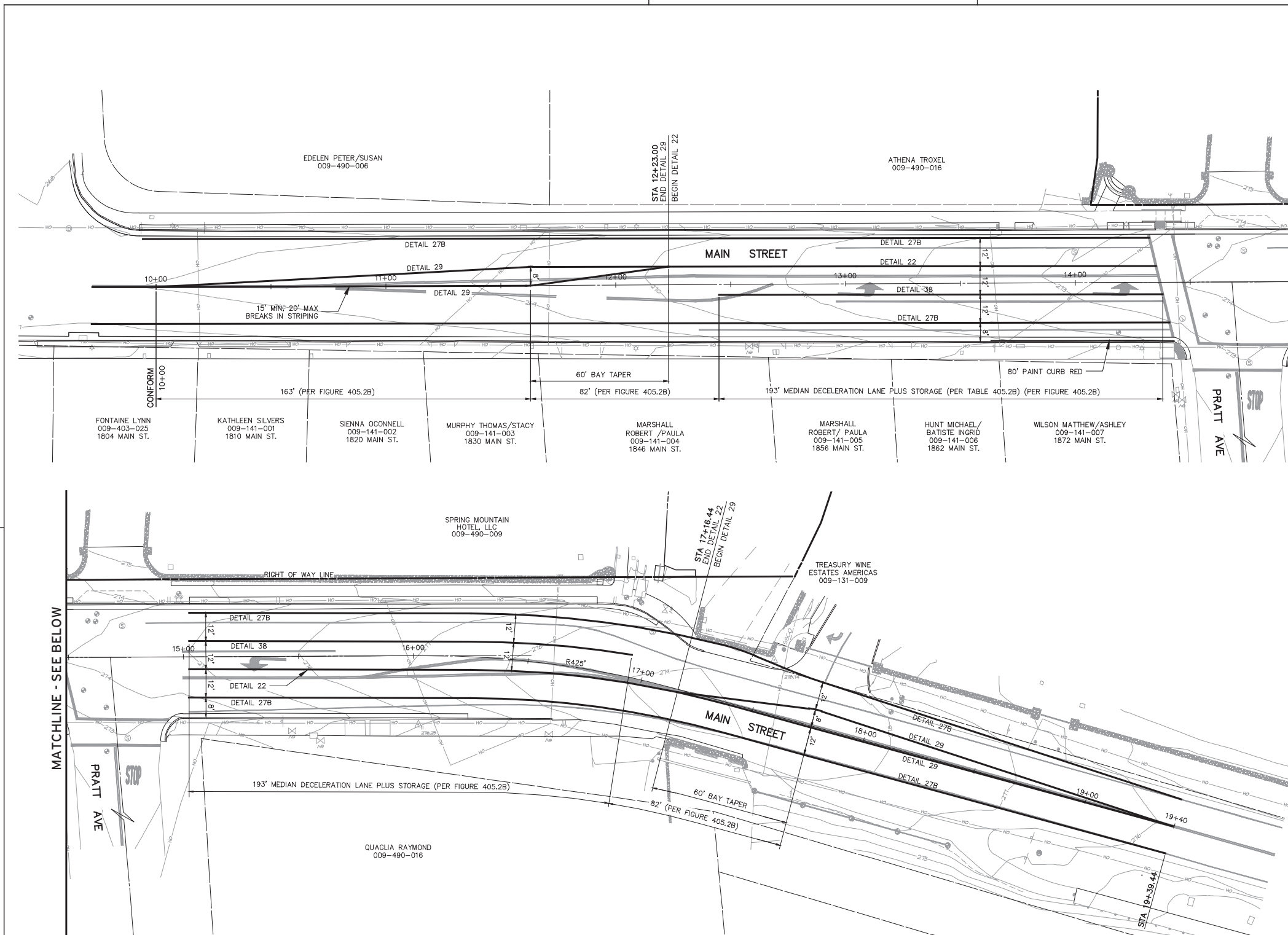
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ST. HELENA HIGHWAY 29
STRIPING ALIGNMENT



EXHIBIT 2

OPTION 1 – STRIPING DESIGN WITHOUT EXCEPTIONS TO CALTRANS STANDARDS



DIST	COUNTY	ROUTE	PROJECT POST MILE	SHEET No.	TOTAL SHEETS
04	NAPA	SR 29	29.25-29.29	2	2

REGISTERED CIVIL ENGINEER

PLANS APPROVAL DATE

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REGISTERED PROFESSIONAL ENGINEER

JEREMY N SILL

No. 73257

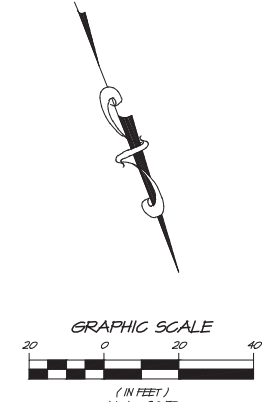
Exp. 12.31.2020

CIVIL ENGINEER

STATE OF CALIFORNIA

MATCHLINE - SEE BELOW

MATCHLINE - SEE BELOW



THE CONTRACTOR SHALL POSSESS THE CLASS (OR CLASSES) OF LICENSE AS SPECIFIED IN THE "NOTICE TO CONTRACTORS".

RSA+

1515 FOURTH STREET
NAPA, CALIF. 94559
OFFICE (707) 252.3301
+ www.RSAcivil.com +

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1980

DESIGN GENERAL PLAN SHEET (REV.3/1/99)	DESIGN	BY DMD/MJC	CHECKED JNS/DMD	LOAD FACTOR DESIGN	LIVE LOADING: HS20-44 AND ALTERNATIVE AND PERMIT DESIGN LOAD	PROJECT ENGINEER JEREMY N SILL	BRIDGE NO. N/A	ST HELENA LEFT TURN REALIGNMENT PLAN																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																
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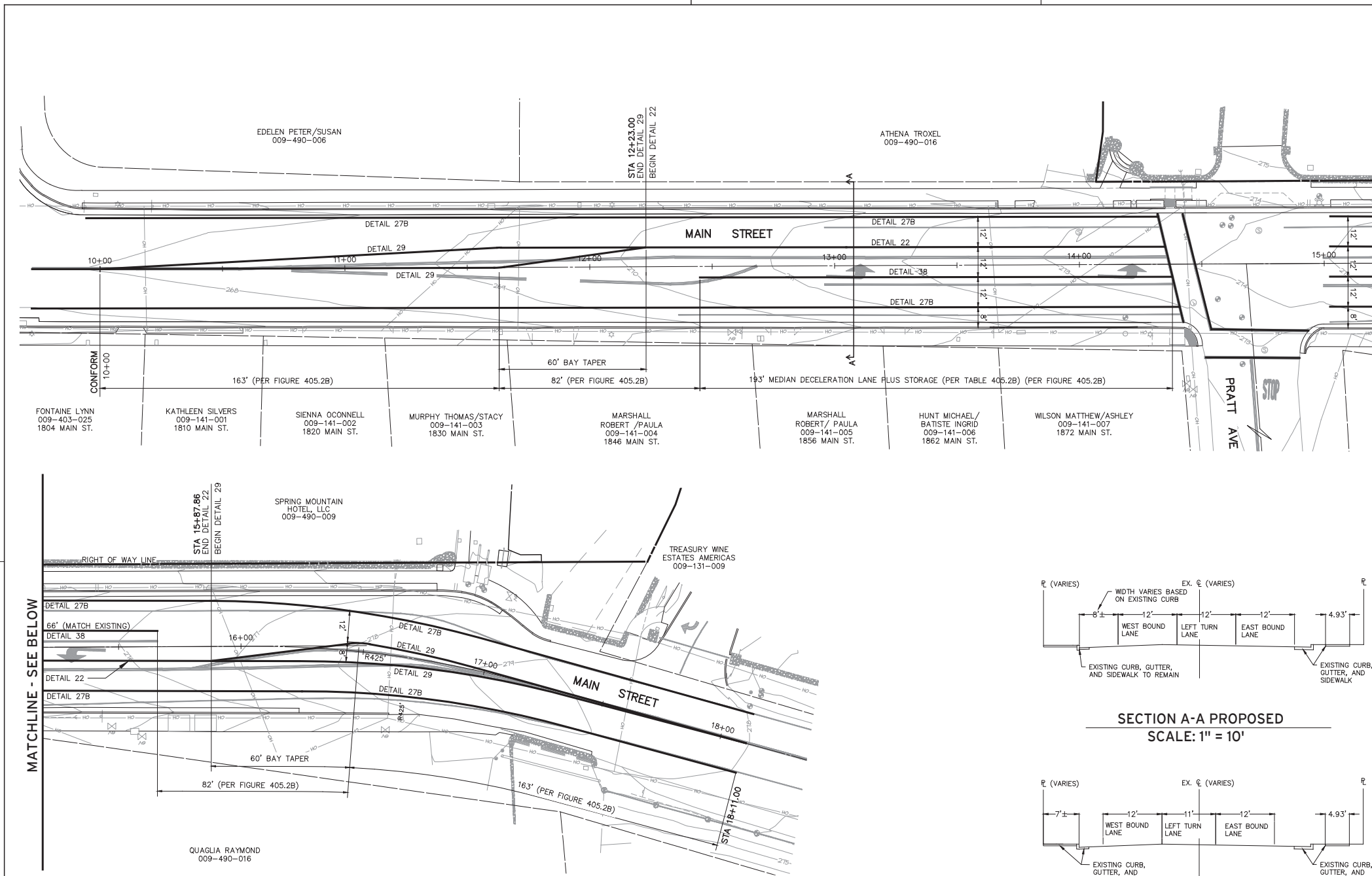
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ST. HELENA HIGHWAY 29
STRIPING ALIGNMENT



EXHIBIT 3

OPTION 2 – STRIPING DESIGN WITH EXCEPTIONS TO CALTRANS STANDARDS

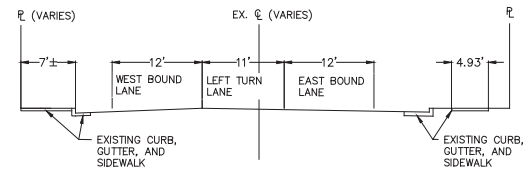
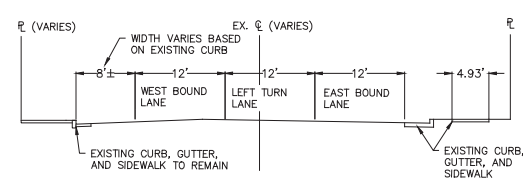
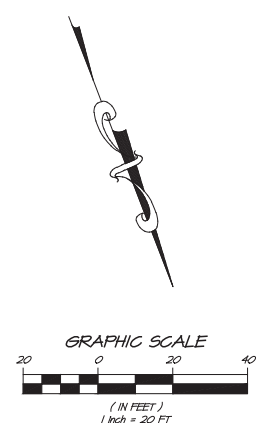
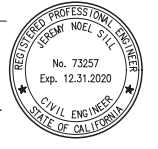


DIST	COUNTY	ROUTE	PROJECT POST MILE	SHEET No.	TOTAL SHEETS
04	NAPA	SR 29	29.25-29.29	1	2

REGISTERED CIVIL ENGINEER _____

PLANS APPROVAL DATE _____

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DESIGN				BY				CHECKED				LOAD FACTOR DESIGN				LIVE LOADING: HS20-44 AND ALTERNATIVE AND PERMIT DESIGN LOAD				BRIDGE NO.				ST HELENA LEFT TURN REALIGNMENT PLAN							
DETAILS				BY DEL				CHECKED JNS/DMD				LAYOUT				BY MJC				CHECKED DMD/JNS				N/A				STRIPING LAYOUT			
QUANTITIES				BY MJC				CHECKED JNS/DMD				SPECIFICATIONS				BY MJC				PLANS AND SPECS COMPARED				29.25							

DESIGN GENERAL PLAN SHEET (REV.3/1/99)

ORIGINAL SCALE IN ENGLISH UNITS FOR REDUCED PLANS

0 20 40 60 80 100 120 140 160 180 200

FILE => SEPTEMBER 2019 4118053.0/DESIGN/CALTRANS/

CU EA

DISREGARD PRINTS BEARING EARLIER REVISION DATES

REVISION DATES (PRELIMINARY STAGE ONLY)

NO.	DATE	DESCRIPTION
1		
2		

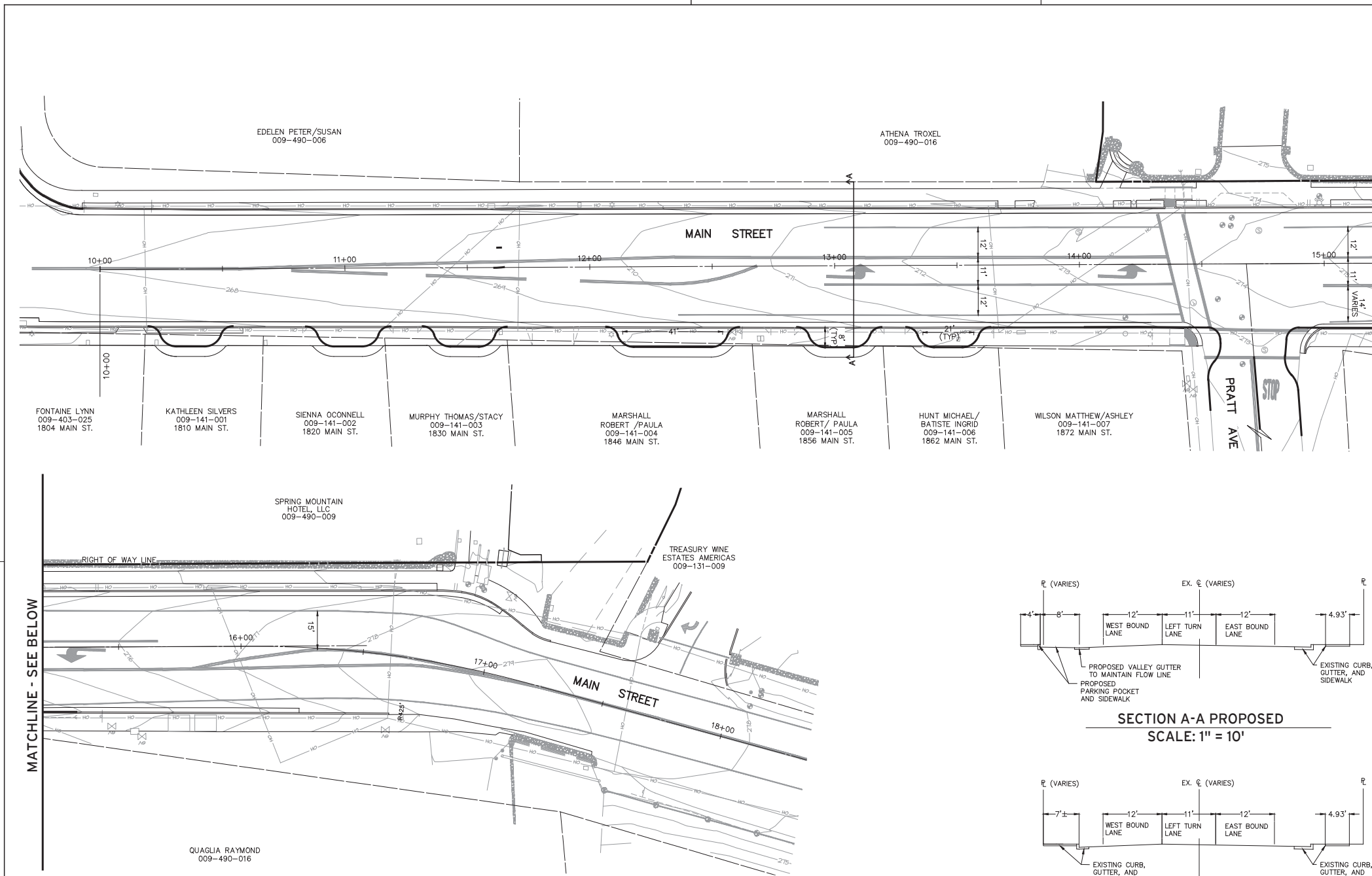
PRELIMINARY - NOT FOR CONSTRUCTION

ST. HELENA HIGHWAY 29
STRIPING ALIGNMENT



EXHIBIT 4

OPTION 3 – DESIGN WITH PARKING POCKETS/BULB-OUTS, AND NO NEW STRIPING

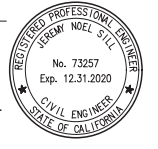


DIST	COUNTY	ROUTE	PROJECT POST MILE	SHEET No.	TOTAL SHEETS
04	NAPA	SR 29	29.25-29.29	1	2

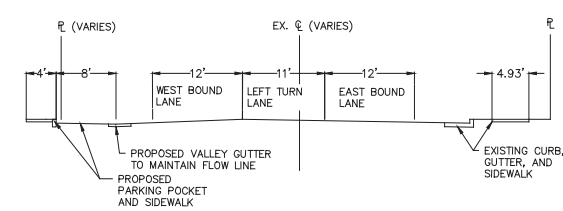
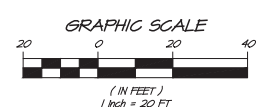
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PLANS APPROVAL DATE _____

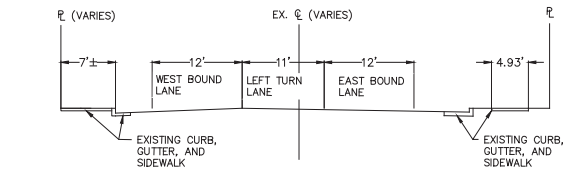
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MATCHLINE - SEE BELOW



SECTION A-A PROPOSED
SCALE: 1" = 10'



SECTION A-A EXISTING
SCALE: 1" = 10'

THE CONTRACTOR SHALL POSSESS THE CLASS (OR CLASSES) OF LICENSE AS SPECIFIED IN THE "NOTICE TO CONTRACTORS".



DESIGN GENERAL PLAN SHEET (REV.3/1/99)	DESIGN	BY DMD/MJC	CHECKED JNS/DMD	LOAD FACTOR DESIGN	LIVE LOADING: HS20-44 AND ALTERNATIVE AND PERMIT DESIGN LOAD	PROJECT ENGINEER JEREMY N SILL	BRIDGE NO.	ST HELENA LEFT TURN REALIGNMENT PLAN										
	DETAILS	BY DEL	CHECKED JNS/DMD	LAYOUT	BY MJC		CHECKED DMD/JNS	N/A	PREFERRED STRIPING LAYOUT									
	QUANTITIES	BY MJC	CHECKED JNS/DMD	SPECIFICATIONS	BY MJC		PLANS AND SPECS COMPARED	29.25										
ORIGINAL SCALE IN ENGLISH UNITS FOR REDUCED PLANS							CU EA	DISREGARD PRINTS BEARING EARLIER REVISION DATES	REVISION DATES (PRELIMINARY STAGE ONLY)						SHEET	OF		
															1	2		
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ST. HELENA HIGHWAY 29
STRIPING ALIGNMENT



EXHIBIT 5

COST ESTIMATE

Job No. 4118053.0
 Date: August 30, 2019
 By: MC



ST. HELENA STRIPING ALIGNMENT

St. Helena, California

ENGINEER'S ESTIMATE

Based on Conceptual Plans Prepared by RSA+ dated February 2019

	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
A. Single Parking Pocket					
1	Mobilization	1	l.s.	\$ 1,000.00	\$ 1,000.00
2	Demo, Erosion Control	1	l.s.	\$ 1,000.00	\$ 1,000.00
3	Traffic Control	1	l.s.	\$ 1,000.00	\$ 1,000.00
4	4" CL II AB under Sidewalk, Curb, and Gutter	175	s.f.	\$ 2.00	\$ 350.00
5	6" CL II AB under Drivable Surfaces	192	s.f.	\$ 3.00	\$ 576.00
6	6" Vertical Curb	41	l.f.	\$ 20.00	\$ 820.00
7	36" Valley Gutter	33	l.f.	\$ 30.00	\$ 990.00
8	4" Thick Concrete Sidewalk	155	s.f.	\$ 15.00	\$ 2,325.00
9	6" Thick Concrete Drivable Surface	192	s.f.	\$ 20.00	\$ 3,840.00
Subtotal					\$ 11,901.00
B. Double Parking Pocket					
1	Mobilization	1	l.s.	\$ 1,000.00	\$ 1,000.00
2	Demo, Erosion Control, Dust Control	1	l.s.	\$ 1,000.00	\$ 1,000.00
3	Traffic Control	1	l.s.	\$ 1,000.00	\$ 1,000.00
4	4" CL II AB under Sidewalk, Curb, and Gutter	252	s.f.	\$ 2.00	\$ 504.00
5	6" CL II AB under Drivable Surfaces	192	s.f.	\$ 3.00	\$ 576.00
6	6" Vertical Curb	61	l.f.	\$ 20.00	\$ 1,220.00
7	36" Valley Gutter	54	l.f.	\$ 30.00	\$ 1,620.00
8	4" Thick Concrete Sidewalk	252	s.f.	\$ 15.00	\$ 3,780.00
9	6" Thick Concrete Drivable Surface	347	s.f.	\$ 20.00	\$ 6,940.00
Subtotal					\$ 17,640.00
C. Intersection Bulb-out					
1	Mobilization	1	l.s.	\$ 5,000.00	\$ 5,000.00
2	Demo, Erosion Control, Dust Control	1	l.s.	\$ 1,000.00	\$ 1,000.00
3	Traffic Control	1	l.s.	\$ 5,000.00	\$ 5,000.00
4	4" CL II AB under Sidewalk, Curb, and Gutter	217	s.f.	\$ 2.00	\$ 434.00
3	4" Thick Concrete Sidewalk incl. Ramps	200	s.f.	\$ 15.00	\$ 3,000.00
1	24" Curb and Gutter	28	l.f.	\$ 20.00	\$ 560.00
Subtotal					\$ 14,994.00

Engineers Estimate MJC
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 Page 1 of 2

DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
<u>TOTAL COST SUMMARY</u>				
A. Single Parking Pocket				\$ 11,901.00
			25% Coningency	\$ 2,975.25
			Total	\$ 14,876.25
B. Double Parking Pocket				\$ 17,640.00
			25% Coningency	\$ 4,410.00
			Total	\$ 22,050.00
C. Intersection Bulb-out				\$ 14,994.00
			25% Coningency	\$ 3,748.50
			Total	\$ 18,742.50

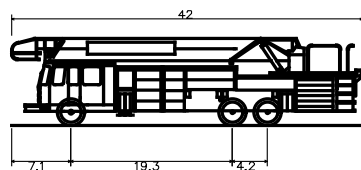
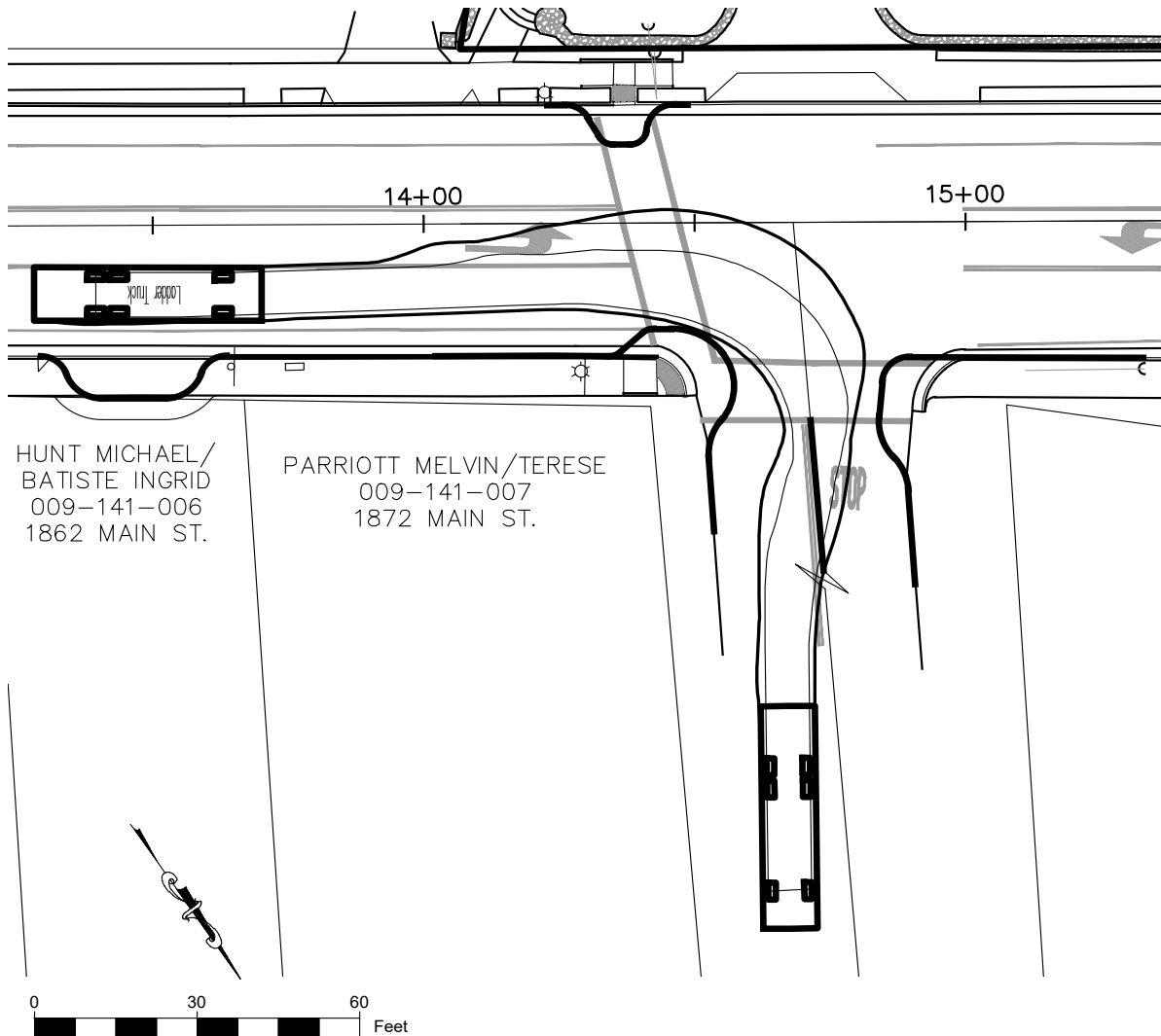
EXCLUSIONS:

1. Improvements associated with undergrounding of existing aerial utilities
2. Improvements associated with relocation and removal of existing joint poles
3. City of St. Helena Fees fees

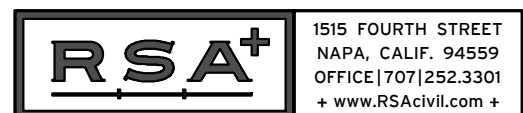
MAIN STREET BULB OUTS PRATT AVE. INTERSECTION EXHIBIT

ST. HELENA

CALIFORNIA



Ladder Truck	
Overall Length	42.000ft
Overall Width	10.635ft
Overall Body Height	1.222ft
Min Body Ground Clearance	8.000ft
Track Width	6.00s
Lock-to-lock time	36.583ft
Curb to Curb Turning Radius	



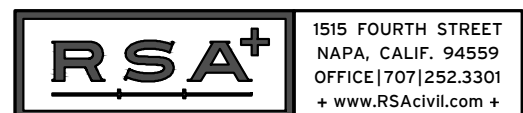
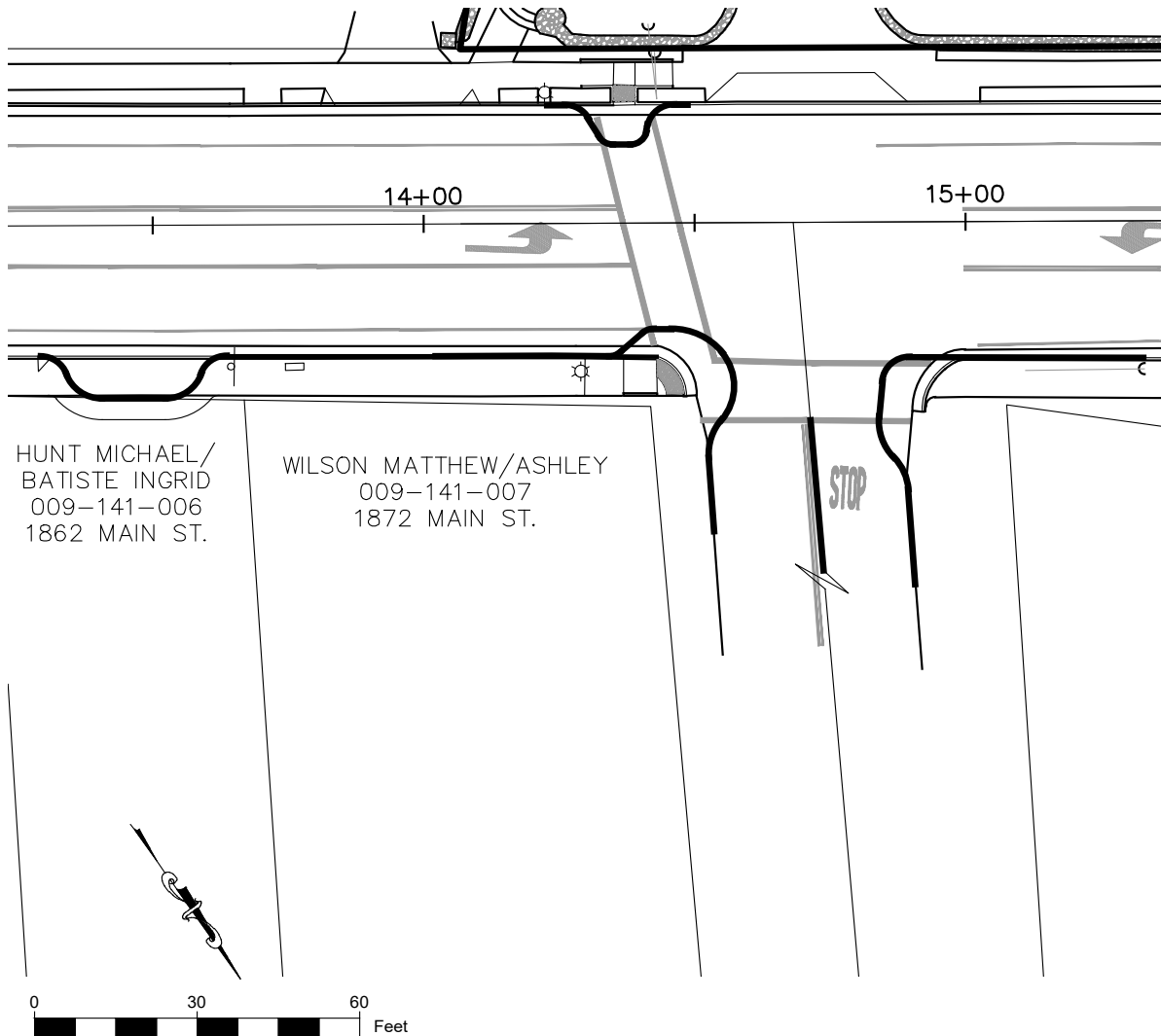
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SEPTEMBER 16, 2019 4118053.0 BULB OUT EXHIBIT.dwg

MAIN STREET BULB OUTS PRATT AVE. INTERSECTION EXHIBIT

ST. HELENA

CALIFORNIA



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SEPTEMBER 16, 2019 4118053.0 BULB OUT EXHIBIT.dwg



Report to the City Council
Regular City Council - 12 Nov 2019 - AMENDED
11-8-19

Agenda Section: OLD BUSINESS

Subject: *NEW ITEM 11-8-19

Consideration and proposed approval of a resolution authorizing the City Manager to execute an amendment to the Affordable Housing Agreement that permits the existing residential unit at 963 Pope Street to be rented to a moderate income household and the future units to be rented by low income households, changes the definition of Affordable Rent for low and moderate income households to be consistent with the City's Municipal Code, and to take all actions necessary to rerecord the agreement and otherwise effectuate the Affordable Housing Agreement.

CEQA Not a CEQA project
Determination:

Prepared By: Kara Ueda, City Attorney

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

At its regular meeting of August 27, 2019, the City Council approved a resolution approving and authorizing the City Manager to execute a loan agreement between the City of St. Helena and Our Town St. Helena, in an amount not to exceed \$450,000 from the Affordable Housing Trust Fund and Measure E Fund for the acquisition of property at 963 Pope Street. In addition to the loan agreement, the City Council's resolution authorized the City Manager to execute additional agreements in furtherance of the loan with Old Town St. Helena, including an affordable housing agreement.

DISCUSSION

On October 21, 2019, Our Town St. Helena ("OTSH") sent a letter to the City Manager regarding low-income rent calculations for the 963 Pope Street property. The letter

states that OTSH now owns the property, with the assistance of the City and the Rural Community Assistance Corporation ("RCAC"). OTSH noted that it set up an application process for the existing home on the property and received over ten applications but discovered a discrepancy between the rent calculation assumed by RCAC and the affordable rent definition in the Affordable Housing Agreement ("Agreement") entered into by the City and OTSH.

In further discussions with OTSH, OTSH has identified one additional inconsistency in the Agreement that it would like changed. The two issues OTSH would like to have changed in the Agreement are as follows:

(1) The definition of "Affordable Rent" in the Agreement is the same as that provided in Health and Safety Code section 50053 but differs from the definition in the City's Municipal Code. Section 50053 is applicable when state funds are used to fund affordable housing projects. Section 50053 provides that a low income household would pay rent in the amount of 30% of 60% of the Area Median Income for the household size. The City's Municipal Code, on the other hand, allows for rent charged to low income households to not exceed 30% of 80% of the Area Median Income. Because no state funds were used to fund this loan, and only City funds were used (Housing Trust Fund and Measure E Fund), the City's definition of "Affordable Rent" may be used. If the City's definition is used, OTSH would be permitted to charge higher rents (30% of 80% of area median income for low income households) than would be permitted under section 50053 and the definitions in the Agreement (30% of 60% of area median income for low income households). Additionally, the definition of moderate income would change from 30% of 110% of area median income to 30% of 120% of area median income.

(2) The Agreement provides that the existing residential unit would be rented to a low income household, and the future residential units would be rented to moderate income households. OTSH instead would like the ability to rent the existing residential unit to a moderate income household (defined as a household whose gross annual income does not exceed 120% of Area Median Income) and rent the future residential units to low income households (defined as households whose gross annual income do not exceed 80% of Area Median Income). However, RCAC requires the existing residential unit to be rented to a low income household. In accordance with the RCAC restrictions, OTSH would rent the existing unit to a low income household for the duration of its loan with RCAC but wants the flexibility to later rent to a moderate income household. Additionally, OTSH would make the four future residential units available to low income households rather than moderate income households. Thus, instead of renting the existing unit to a low income household and renting the future units to moderate income households, OTSH would instead be permitted to rent the existing unit to a moderate income household and the future units to low income households.

In sum, if the City Council approves of OTSH's requested changes, OTSH would be permitted to rent the existing residential unit to a moderate income household at a rent of 30% of 120% of the area median income (but would be restricted by its loan with

RCAC to renting it to a low income household at a rent of 30% of 80% of the area median income). OTSH would also be permitted to rent the future residential units to low income households at rents of 30% of 80% of the area median income.

If the City Council approves the action, the Council will authorize OTSH to rent the existing residential unit to a moderate income household and to charge higher rents to both low and moderate income households, and staff will work with OTSH to amend, execute, and rerecord the Agreement. The attached resolution requests City Council authority to amend the Agreement and also make other clarifying and conforming changes necessary so long as neither the type of rent charges to the households (low and moderate) or the definition of Affordable Rent changes.

FISCAL IMPACT

Adoption of the resolution will involve staff time and City Attorney time but no additional financial resources.

RECOMMENDED ACTION

Staff recommends the City Council adopt the attached resolution authorizing the City Manager to execute an amendment to the Affordable Housing Agreement that permits the existing residential unit at 963 Pope Street to be rented to a moderate income household and the future units to be rented by low income households, changes the definition of Affordable Rent for low and moderate income households to be consistent with the City's Municipal Code, and to take all actions necessary to rerecord the agreement and otherwise effectuate the Affordable Housing Agreement.

ATTACHMENTS

[Resolution OTSH](#)

[October 21, 2019 letter from OTSH](#)

[Affordable Housing Agreement](#)

CITY OF ST. HELENA

RESOLUTION NO. 2019-

Resolution of the City Council of the City of St. Helena approving and authorizing the City Manager to execute an amendment to the Affordable Housing Agreement entered into between the City of St. Helena and Our Town St. Helena for the real property located at 963 Pope Street in St. Helena

A. On August 27, 2019, the City Council adopted Resolution No. 2019-106, approving and authorizing the City Manager to execute, enter into, and carry out the terms of a loan agreement between the City of St. Helena and Our Town St. Helena in an amount not to exceed \$450,000 for the acquisition of real property located at 963 Pope Street in St. Helena; and

B. Our Town St. Helena has acquired the property and discovered discrepancies between the Agreement and the City's Municipal Code and therefore has asked that the City amend the Affordable Housing Agreement;

RESOLUTION

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

1. The City Council authorizes an amendment to the Affordable Housing Agreement entered into between the City of St. Helen and Our Town St. Helena to be drafted and executed to allow the existing residential unit to be rented to a moderate income household and the future units to be rented to low income households, to change the definition of Affordable Rent to be consistent with the City's Municipal Code, and to make any additional changes that may be necessary to conform the Agreement to the Municipal Code provided that the affordability levels of the units and the rent maximums do not change.
2. The City Council hereby authorizes the City Manager to execute, enter into, and carry out the terms of the amended Affordable Housing Agreement in accordance with this Resolution and to make any additional changes that may be necessary to conform the Agreement to the Municipal Code consistent with this Resolution.

Approved at a Regular Meeting of the St. Helena City Council on November 12, 2019, by the following vote:

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

Councilmember Koberstein:

APPROVED:

Geoff Ellsworth, Mayor

ATTEST:

Cindy Tzaopoulos, City Clerk



October 21, 2019

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

Re: Low-income rent calculations
For 963 Pope St

Dear Mark;

We are writing to request a determination concerning the rent that OTSH will charge tenants at 963 Pope St during the first two years of property ownership and possible amendment to the Affordable Housing Agreement.

Our Town St Helena is pleased to report that 963 Pope St is now owned by OTSH, with the help of RCAC and the City of St Helena's loan funds. OTSH has set up an application process for the existing home on the property and has received over 10 applications. Our goal is to have the house rented by November 1st.

We have discovered a discrepancy between the calculation of low-income rent by RCAC and the City of St Helena. Per the City Council presentation, OTSH proposed to rent the existing house to a moderate-income tenant and the City Council gave direction to staff to bring an agreement back for its consideration. At the second meeting, OTSH informed the City Council that RCAC would be requiring the house to be rented to a low-income tenant as a condition of their loan. The final form of the City's Affordable Housing Agreement also restricted the house to low-income tenants defined in Section 2 as:

"Low-Income Household" means households whose gross annual income, adjusted for family size, does not exceed eighty percent (80%) of Area Median Income for Napa County.

RCAC sized its interest reserve for its loan based on OTSH's ability to make monthly payments from the net income of the rental (The difference between the low-income rent that would be charged minus expenses) and determined the Gross Rent to be \$1900/month. However, the City's Affordable Housing Agreement limits the rent to \$1450/month as defined under Section 2, "Affordable Rent":

"(3) For Low-Income Households, the product of 30 percent times 60 percent of the

Area Median Income, Adjusted for Family Size Appropriate for the Unit,... less a reasonable utility allowance....”

In these circumstances, OTSH would normally proceed with the more restrictive calculation however, in this case, the City’s lower rent restriction will cause a deficit of \$5400 annually to OTSH, funds that OTSH needs in order to complete the studies and designs needed to apply for permanent funding and complete the City’s permit approval process. Additionally, a low-income tenant household earning 80% AMI will only be paying 22% of their income for housing when the government standard is 30% and up to 40% is allowed.

Please see the two calculations of rent based on RCAC/USDA restrictions and on the City’s Affordable Housing Agreement as follows:

City: Product of 30% * 60% AMI adjusted for family size adjusted for the unit less the utility allowance

2019 Napa Median Income calculation	\$	99,375
60% AMI	\$	59,625
Multiply by 30%	\$	17,888
by month	\$	1,491
Utility Allowance (2018)		
Space Heat (elec)		40
Cooking (gas)		5
Hot Water Heating (gas)		14
		59
TOTAL per City:	\$	1,432

RCAC: USDA calculation at 30% of income

80% AMI (4 persons)	79500
Multiply by 30%	23850
by month	1988
Utility Allowance (2018)	59
TOTAL per RCAC:	\$ 1,929

Per the above calculations, we respectfully request a determination that we may use the RCAC calculation that is based on US Department of Agriculture methods and charge up to \$1900 per month.

Thank you for your attention to this matter. Please do not hesitate to reach out to me at 707-738-2294 and Sklarer@gmail.com with any questions or if you require additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Erica R Sklar". The signature is fluid and cursive, with the first name "Erica" and last name "Sklar" being more prominent than the middle initial "R".

Erica R Sklar



2019-0018839

Recorded
Official Records
County of
Napa
JOHN TUTEUR
Assessor-Recorder-Co.

REC FEE 0.00

01:27PM 20-Sep-2019

JW
Page 1 of 16

**RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:**

City of St. Helena
1480 Main Street
St. Helena, Ca 94574
Attention: City Clerk

*EXEMPT FROM RECORDING FEES PER
GOVERNMENT CODE § 27383*

Exempt from recording fees per Government Code
and Building Homes & Jobs Trust Fund
Fee per Government Code §27388.1(a)(2)(D)

Space above this line for Recorder's use



AFFORDABLE HOUSING AGREEMENT

This Affordable Housing Agreement ("**Agreement**") is entered into effective as of September 17, 2019 ("**Effective Date**"), by and between the CITY OF ST. HELENA, a California municipal corporation ("**City**") and our OUR TOWN ST. HELENA, a California non-profit public benefit corporation ("**Declarant**"). City and Declarant are sometimes referred to herein as a "**Party**" and collectively as the "**Parties**."

R E C I T A L S

A. City and Declarant are parties to a Loan Agreement dated September 17, 2019, ("**Loan Agreement**") setting forth the terms and conditions of a loan provided by City from its Housing Trust Fund to Declarant for the acquisition of 963 Pope Street, St. Helena, Napa County, California, as more particularly described in Attachment A attached hereto and incorporated herein ("**Property**"). The Property is comprised of two legal parcels identified as the "**Tract One Parcel**" (Assessor Parcel No. 009-090-013-000) and the "**Tract Two Parcel**" (Assessor Parcel No. 009-090-012-000).

B. The Loan Agreement requires, among other things, that upon acquisition of the Property by Declarant, the Parties shall enter into this Agreement to obligate Declarant to (a) rent the existing residential unit located on the Tract One Parcel (the "**Existing Residential Unit**") at an Affordable Rent to a Low Income Household, and (b) if Declarant subsequently seeks and obtains all land use entitlements necessary to develop additional residential units ("**Future Residential Units**") on the Property, and thereafter proceeds to develop and construct said Future Residential Units on the Property ("**Future Housing Project**"), Declarant shall rent the Future Residential Units constructed pursuant to a Future Housing Project at an Affordable Rent to Eligible Households whose gross annual income does not exceed 120% of Area Median Income.

C. The Loan Agreement requires recordation of this Agreement against the Property concurrently with recordation of the Deed of Trust securing the loan provided pursuant to the Loan Agreement in order to appropriately condition the use of the Existing Residential Unit and development of Future Residential Units, if any, on the Property in a manner consistent with the expenditure of Housing Trust Funds.

D. In accordance with the Loan Agreement, City and Declarant now desire to enter into and record this Agreement to ensure that the Property is used and developed for affordable housing purposes as set forth herein.

E. City and Declarant acknowledge that if prior to expiration of the term of this Agreement, Declarant does seek and obtain land use entitlements necessary to develop a Future Housing Project on the Property, and thereafter proceeds to develop and construct Future Residential Units on the Property, this Agreement will be replaced by a more detailed affordable housing regulatory agreement (“**Regulatory Agreement**”) to be entered into by City and the Declarant prior to commencement of construction of a Future Housing Project on the Property.

F. Declarant acknowledges that nothing contained in this Agreement shall preclude the Regulatory Agreement from requiring the rental of the Existing Residential Unit or Future Residential Units constructed pursuant to a Future Housing Project at an Affordable Rent to Eligible Households whose gross annual income is less than 120% of Area Median Income.

NOW THEREFORE, in consideration of the foregoing, and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows.

1. **Incorporation of Recitals; Intent of Agreement.** The Parties acknowledge the truth of the foregoing Recitals, which are incorporated into this Agreement by this reference. The purpose of this Agreement is to provide notice of the development, occupancy and affordability requirements that apply to the Existing Residential Unit on the Tract One Parcel and any Future Housing Project that may be developed on the Property. The Parties intend the covenants set forth in this Agreement to run with the land and to be binding upon Declarant and Declarant’s successors and assigns.

2. **Definitions.** As used in this Agreement, the following terms shall have the meanings set forth in this Section 2.

“**Actual Household Size**” means the actual number of persons in the applicable household.

“**Adjusted for Family Size Appropriate for the Unit**” shall be determined consistent with Section 50052.5(h) of the California Health and Safety Code, subject to the application of federal rules associated with Affordable Housing Project financing sources.

“**Affordable Rent**” means a monthly rent that does not exceed:

(1) For Extremely Low-Income Households the product of 30 percent times 30 percent of the Area Median Income, Adjusted for Family Size Appropriate for the Unit, pursuant to California Health and Safety Code section 50053, as amended, or any successor statute

thereto, less a reasonable utility allowance and other fees and charges required to be paid by tenants on a non-optional basis.

(2) For Very Low-Income Households, the product of 30 percent times 50 percent of the Area Median Income, Adjusted for Family Size Appropriate for the Unit, pursuant to California Health and Safety Code section 50053, as amended, or any successor statute thereto, less a reasonable utility allowance and other fees and charges required to be paid by tenants on a non-optional basis.

(3) For Low-Income Households, the product of 30 percent times 60 percent of the Area Median Income, Adjusted for Family Size Appropriate for the Unit, pursuant to California Health and Safety Code section 50053, as amended, or any successor statute thereto, less a reasonable utility allowance and other fees and charges required to be paid by tenants on a non-optional basis.

(4) For Moderate -Income Households, the product of 30 percent times 110 percent of the Area Median Income, Adjusted for Family Size Appropriate for the Unit, pursuant to California Health and Safety Code section 50053, as amended, or any successor statute thereto, less a reasonable utility allowance and other fees and charges required to be paid by tenants on a non-optional basis.

"Affordable Units" means the Existing Residential Unit and any Future Residential Units.

"Agreement" means this Affordable Housing Agreement.

"Annual Report" is defined in Section 4.

"Area Median Income" or "AMI" means the median income for Napa County, California, adjusted for Actual Household Size, as determined by the U.S. Department of Housing and Urban Development ("HUD") pursuant to Section 8 of the United States Housing Act of 1937 and as published from time to time by the State of California Department of Housing and Community Development ("HCD") in Section 6932 of Title 25 of the California Code of Regulations or successor provision published pursuant to California Health and Safety Code Section 50093(c).

"City" means the City of St. Helena, a California municipal corporation.

"Declarant" means Old Town St. Helena, a California non-profit public benefit corporation.

"Deed of Trust" means the deed of trust by and between Declarant, as Trustor, and City, as Beneficiary, securing a loan of four hundred fifty thousand and 00/100 dollars (\$450,000.00) provided by City to Declarant pursuant to the Loan Agreement, and recorded in the official records of Napa County on Sept. 20, 2019, at Document No. 2019-0018838.

"Effective Date" means the date set forth in the introductory paragraph of this Agreement.

“Eligible Household” means a Moderate-Income Household, Low-Income Household, Very Low-Income Household or Extremely Low-Income Household.

“Existing Residential Unit” is defined in Recital B.

“Extremely Low-Income Household” means households whose gross annual income, adjusted for family size, does not exceed thirty percent (30%) of Area Median Income for Napa County.

“Future Housing Project” is defined in Recital B.

“Future Residential Units” is defined in Recital B.

“Loan Agreement” is defined in Recital A.

“Low-Income Household” means households whose gross annual income, adjusted for family size, does not exceed eighty percent (80%) of Area Median Income for Napa County.

“Management Agreement” is defined in Section 5.

“Moderate Income Household” means households whose gross annual income, adjusted for family size, does not exceed one hundred twenty percent (120%) of Area Median Income for Napa County.

“Occupant” shall mean a person over the age of three (3) years who occupies an Affordable Unit for more than fourteen (14) days or more during a one-month period month.

“Party” means City or Declarant.

“Parties” means City and Declarant.

“Property” is defined in Recital A.

“Property Manager” is defined in Section 5.

“Regulatory Agreement” is defined in Recital E.

“Tract One Parcel” is defined in Recital A.

“Tract Two Parcel” is defined in Recital A.

“Very Low-Income Household” means households whose gross annual income, adjusted for family size, does not exceed fifty percent (50%) of Area Median Income for Napa County.

3. Development, Use and Affordability Restrictions. Declarant hereby covenants and agrees, for itself and its successors and assigns, that the Property shall be used solely for the use, operation and development of affordable housing in compliance with the requirements set forth in this Agreement. Until the date which is fifty-five (55) years following the date on which this Agreement is recorded in the official records of Napa County, (i) the Existing Residential Unit

shall be occupied or held available for occupancy by a Low Income Household at an Affordable Rent, and (ii) any Future Residential Units on the Property shall be occupied or held available for occupancy by Eligible Households and shall be rented at an Affordable Rent. To the extent not in violation of state or federal law fair housing law, Declarant shall give preference in the rental of Affordable Units to Eligible Households with one or more Occupants employed within the City of St. Helena.

3.1.1 In the Affordable Units, no less than one Occupant shall be allowed per bedroom and no more than two Occupants shall be allowed per bedroom. A studio shall count as a one-bedroom for the purposes of these occupancy requirements. If no Eligible Households apply within sixty (60) days of an Affordable Unit being available that meet these occupancy standards, the City shall, upon request of Declarant, grant exceptions to the occupancy standards.

3.1.2 Not more than once per year, Declarant may adjust rents in occupied Affordable Units to the level allowed for the family size appropriate to the unit. Declarant may adjust the rent upon vacancy of an Affordable Unit to the level allowed for the family size appropriate to the unit. Declarant must notify the lessee of an Affordable Unit in writing of any increase in such monthly rent at least sixty (60) days in advance of the effective rent adjustment date, and a copy of any such notification shall be sent to City simultaneously. The Declarant shall report any rent increase(s) to the City in the Annual Report, including: (1) the rent adjustment for each Affordable Unit; (2) the new rental amount for each Affordable Unit; (3) the effective date of the adjustment for each Affordable Unit; and (4) a copy of the written notice provided to the lessee of the Affordable Unit. Failure to provide the notice and reporting required shall be considered a default by Declarant under this Agreement.

3.1.3 The determination of a status as an Eligible Household shall be made by Declarant prior to initial occupancy of the Affordable Unit by such household. The income of all Occupants residing in the Affordable Unit shall be considered for purposes of calculating the household income. Declarant shall not discriminate against prospective lessee's of an Affordable Unit with qualified Public Housing Authority Section 8 certificates or vouchers who are otherwise qualified. In the Annual Report, the Declarant shall report any changes in the Occupants of any Affordable Unit to the City that are known by the Declarant, including the name(s) and household size(s) of the Occupant(s) vacating the Affordable Unit(s) during the reporting period, and, if the Affordable Unit(s) has/have been reoccupied, the name, household size and income of the new Occupant(s) occupying the Affordable Unit(s).

3.1.4 Immediately prior to the first anniversary date of the lease commencement of an Affordable Unit by an Eligible Household, and on each anniversary date thereafter, Declarant shall re-certify the income of the Occupant(s) of such Affordable Unit by obtaining a completed Occupant income certification based upon the current income of each Occupant of the Affordable Unit and Declarant shall take all reasonable steps to verify with reliable documentation the income and household size of the Occupant(s). All documentation obtained by Declarant in connection with the annual Occupant income certification shall be retained by Declarant for three (3) calendar years.

4. Reporting Requirements. Declarant shall submit to City annual reports ("**Annual Report**") which shall include all reporting required under this Agreement from the date of the previous Annual Report and include the following:

- A. A cover letter to the City describing the status of compliance with this Agreement, including any problems experienced during the reporting period, and any recommendations to address problems and enhance compliance;
- B. Income certifications or re-certifications, for each Eligible Household of an Affordable Unit. The Annual Report shall be accompanied by an income certification worksheet in a format and containing information reasonably required by City, which at a minimum, shall include the following with respect to each of the Affordable Units:
 - a. Address of Affordable Unit;
 - b. Number of bedrooms and bathrooms in Affordable Unit;
 - c. Floor Plan of Affordable Unit, with room designations and dimensions;
 - d. Name of head of Eligible Household;
 - e. The number of Occupant(s) in the Eligible Household and their age;
 - f. Initial lease commencement date;
 - g. Eligible Household income limit applicable to Affordable Unit at initial lease commencement date; and at recertification date (if applicable);
 - h. Gross income of Eligible Household at lease commencement date; and at recertification date (if applicable);
 - i. Affordable Rent applicable to Affordable Unit;
 - j. Reasonable Utility Allowance calculation by Declarant;
 - k. Reasonable Utility Allowance applicable to Affordable Unit;
 - l. Section 8 Assistance (if applicable);
 - m. Rent Paid by Eligible Household;
 - n. Rent as a percentage of Eligible Household's Income;
 - o. Next Recertification Date; and
 - p. Move out date (if applicable).

Upon receipt of the Annual Report, the City may request additional information to confirm compliance with this Agreement. In the event the City requests such information, the Declarant shall promptly supply such information to City in the format requested by City. Declarant shall maintain all necessary documents, books and records, including property and financial records, in accordance with requirements prescribed by City with respect to all matters covered by this Agreement for a period of three (3) years following the date of submittal of the Annual Report to which such documents, books or records relate. Upon request for examination by City, Declarant, at any time during normal business hours and upon reasonable notice, shall make available at the Property (or at another location within the City of St. Helena) all material records with respect to matters covered by the Agreement. Declarant shall permit City, at City's expense, to audit, examine, copy, and make excerpts or transcripts from such records.

5. Management Of Affordable Units. If Declarant enters into a separate property management agreement ("**Management Agreement**") with a property management company or

other organization in order to manage the Affordable Units (including leasing, property management, maintenance and repair services, and reporting obligations) and ensure that Declarant's obligations under this Agreement with respect to the Affordable Units are satisfied ("**Property Manager**"), Declarant shall comply with this Section 5. Property Manager shall have at least five (5) years' experience in the operation and management of similar size rental housing developments, and at least three (3) years' experience in the operation and management of rental housing developments containing below-market-rate units, without any record of material violations of discrimination restrictions or other applicable laws. No less than sixty (60) calendar days prior to hiring any Property Manager or executing any amendment to a Management Agreement, Declarant shall provide documentation to the City as is reasonably necessary to evaluate the proposed Property Manager's experience and qualifications or revisions to a Management Agreement. No Property Manager shall be hired, or Management Agreement signed or amended, without City's prior approval thereof, which shall not be unreasonably withheld or delayed. For the term of this Agreement, any change in Property Manager or amendment to the Management Agreement shall comply with the requirements of this Section 5 and any material amendment shall require the prior written approval of City, which shall not be unreasonably withheld or delayed.

6. Remedies for Breach. Upon any default under this Agreement by Declarant or by Declarant's successors or assigns, City may seek specific performance of the terms hereof, and may enjoin acts that may be in violation of this Agreement. Failure by City to enforce any provision contained herein shall not be deemed a waiver of the right to do so as to any continuing, subsequent, or other violation. This Section is not intended to limit City's ability to exercise any applicable remedy available to City pursuant to this Agreement or the Loan Agreement. All remedies available to City shall be cumulative and not exclusive.

7. Binding on Successors in Interest; Provisions Run With the Land. The Property, and each and every portion thereof, shall be held, sold, conveyed, hypothecated, encumbered, leased, rented, used, occupied and improved subject to the limitations, covenants, conditions and restrictions set forth in this Agreement, all of which shall run with the land, shall constitute equitable servitudes, shall be binding on all parties having or acquiring any right, title or interest in such Property or portion thereof, and their respective heirs, successors and assigns, and shall inure to the benefit of City and its successors and assigns. It is the intent of the Parties that this Agreement shall satisfy the requirements of California Civil Code Section 1468.

Without limiting the foregoing, the Parties hereby declare that it is their express intent that the covenants, restrictions and conditions set forth herein shall be deemed covenants running with the land and shall pass to and be binding upon Declarant's successors in title to the Property. Each and every contract, deed, ground lease or other instrument affecting or conveying the Property, Existing Residential Unit, or, if developed, the Future Residential Units pursuant to the Future Housing Project or any part thereof, shall conclusively be held to have been executed, delivered and accepted subject to the covenants, restrictions, duties and obligations set forth herein, regardless of whether such covenants, restrictions, duties and obligations are set forth in such contract, deed, ground lease or other instrument. Declarant agrees for itself and for its successors and assigns that if a court of competent jurisdiction determines that the covenants herein do not run with the land, such covenants shall be enforced as equitable servitudes against the Property in favor of City.

8. Recordation; No Subordination. This Agreement shall be recorded in the Official Records of Napa County concurrently with and immediately following recordation of the Deed of Trust securing the Loan provided pursuant to the Loan Agreement. Declarant hereby represents warrants and covenants that with the exception of easements of record, absent the written consent of City, this Agreement shall not be subordinated in priority to any lease, ground lease, security agreement, deed of trust, mortgage, lien, encumbrance, or other interest in the Property.

9. Release and Discharge. Upon the earlier of (i) expiration of this Agreement, or (ii) execution and recordation of a Regulatory Agreement between City and Declarant in connection with a Future Housing Project, which Regulatory Agreement encumbers the Existing Residential Unit on the Tract One Parcel, City and Declarant, will execute and record appropriate instruments to release and discharge this Agreement. Declarant acknowledges that nothing contained in this Agreement shall preclude the Regulatory Agreement from requiring the rental of the Existing Residential Unit or Future Residential Units constructed pursuant to a Future Housing Project at an Affordable Rent to Eligible Households whose gross annual income is less than 120% of Area Median Income.

10. Mortgagee Protection. No violation of any provision contained herein shall defeat or render invalid the lien of any mortgage or deed of trust made in good faith and for value upon all or any portion of the Property, and the purchaser at any trustee's sale or foreclosure sale shall not be liable for any violation of any provision hereof occurring prior to the acquisition of title by such purchaser. Such purchaser shall, however, be bound by and subject to this Agreement from and after such trustee's sale or foreclosure sale. Promptly upon determining that a violation of this Agreement has occurred, City shall give written notice of such violation to the holders of record of any mortgages or deeds of trust encumbering the Property.

11. Estoppel Certificate. At any time during the term hereof, City, Declarant or any party then owning an interest in the Property may request an estoppel certificate from the other party attesting to such party's compliance with the terms and provisions of this Agreement. A party making a request for an estoppel certificate shall provide Declarant or City, as applicable, with all documentation reasonably necessary for Declarant or City to form an opinion as to compliance or non-compliance with the provisions hereof. After receiving such a request and the necessary supporting documentation, Declarant or City, as applicable, shall respond, in writing, within thirty (30) calendar days following the date of receipt and shall either confirm compliance with the terms and provisions of this Agreement or shall state in reasonable detail any alleged failure to comply and the steps necessary to cure such lack of compliance.

12. Indemnification. Declarant hereby covenants and agrees that it shall indemnify, defend with counsel reasonably acceptable to City and hold City and its elected and appointed officials, representatives, officers, agents and employees harmless from and against (a) any and all claims by or on behalf of any person arising from any cause whatsoever in connection with the approval of this Agreement; (b) any and all claims by or on behalf of any person arising from any cause whatsoever in connection with the implementation or enforcement of this Agreement; (c) any and all claims arising from an act or omission of Declarant or any of its shareholders, partners, members, principals, officials, officers, employees, representatives, agents, contractors or subcontractors in connection with this Agreement or the Property; (d) any and all claims arising out of or related to the operation, use, occupancy, maintenance or ownership of the Property,

including compliance with the laws, ordinances, rules and regulations of City pursuant to this Agreement; and (e) all reasonable costs, attorney fees, expenses or liabilities incurred in connection with any such claim or proceeding brought thereon; provided, however, that this provision shall not require Declarant to indemnify City from any claims, costs, fees expenses or liabilities arising from the gross negligence or willful misconduct of the City. In the event any action or proceeding is brought against the City or any of its elected and appointed officials, representatives, officers, agents and employees, with respect to which indemnity may be sought hereunder, Declarant, upon receipt of written notice from City, shall assume the investigation and defense thereof, including the employment of counsel approved by the City and the payment of all expenses related thereto.

13. Miscellaneous.

13.1 Amendments. This Agreement may be amended or modified only by a written instrument signed by each of the Parties or their respective successors in interest.

13.2 No Waiver. Any waiver by City of any term or provision of this Agreement must be in writing. No waiver shall be implied from any delay or failure by City to take action on any breach or default hereunder or to pursue any remedy allowed under this Agreement or applicable law. No failure or delay by City at any time to require strict performance of any provision of this Agreement or to exercise any election contained herein or any right, power or remedy hereunder shall be construed as a waiver of any other provision or any succeeding breach of the same or any other provision hereof or a relinquishment for the future of such election.

13.3 Notices. All notices, requests, demands and other communications required or permitted to be given under the terms of this Agreement by one party to the other shall be in writing addressed to the recipient party's address set forth below and shall be deemed to have been duly given or made (a) if delivered personally (including by commercial courier or delivery service) to the party's address, then as of the date delivered (or if delivery is refused, on presentation), or (b) if mailed by certified mail to the party's address, postage prepaid and return receipt requested, then at the time received at the party's address as evidenced by the return receipt, or (c) if mailed by first class mail to the party's address, postage prepaid, then on the third (3rd) business day following deposit in the United States Mail. Any party may change its address for the receipt of notices by giving notice to the other party in the foregoing form and manner. The addresses of the parties are:

TO CITY:

City of St. Helena
1480 Main Street
St. Helena, California 94574
Attn.: City Manager
(707) 968-2744 ext: 500

TO DECLARANT:

Our Town St. Helena
P.O. Box 94

St. Helena, California 94574
Attn.: Mary Stephenson
(707) 849-2583

13.4 Further Assurances. The Parties shall execute, acknowledge and deliver to the other such other documents and instruments, and shall take such other actions, as either shall reasonably request as may be necessary to carry out the intent of this Agreement.

13.5 Parties Not Co-Venturers; No Agency Relationship. Nothing in this Agreement is intended to or shall establish the Parties as partners, co-venturers, or principal and agent with one another. The relationship of Declarant and City shall not be construed as a joint venture, equity venture, partnership or any other relationship. City neither undertakes nor assumes any responsibility or duty to Declarant or to any third party with respect to the Property.

13.6 Headings; Construction; Statutory References. The headings of the sections and paragraphs of this Agreement are for convenience only and shall not be used to interpret this Agreement. The language of this Agreement shall be construed as a whole according to its fair meaning and not strictly for or against any Party. All references in this Agreement to particular statutes, regulations, ordinances or resolutions of the United States, the State of California, or the City of St. Helena shall be deemed to include the same statute, regulation, ordinance or resolution as hereafter amended or renumbered, or if repealed, to such other provisions as may thereafter govern the same subject.

13.7 Time is of the Essence. Time is of the essence in the performance of this Agreement.

13.8 Governing Law; Venue. This Agreement shall be construed in accordance with the laws of the State of California without regard to principles of conflicts of law. Any action to enforce or interpret this Agreement shall be filed and heard in the Superior Court of Napa County, California or in the Federal District Court for the Northern District of California.

13.9 Attorneys' Fees and Costs. If any legal or administrative action is brought to interpret or enforce the terms of this Agreement, the prevailing party shall be entitled to recover all reasonable attorneys' fees and costs incurred in such action.

13.10 Severability. If any provision of this Agreement is held invalid, illegal, or unenforceable by a court of competent jurisdiction, the validity, legality, and enforceability of the remaining provisions shall not be affected or impaired thereby.

13.11 Entire Agreement. This Agreement, together with the Loan Agreement and the Loan Documents referred to in the Loan Agreement, contains the entire agreement of the Parties with respect to the subject matter hereof, and supersedes all prior oral or written agreements between the Parties with respect thereto.

13.12 Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be an original and all of which together shall constitute one agreement.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

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

CITY:

**CITY OF ST. HELENA, a
California municipal corporation**

By: h t l
Name: Mark Prestwich
Its: City Manager

ATTEST:

Kamille Garcia
Cindy Tzaopoulos, City Clerk
Kamille Garcia, Deputy City Clerk for

APPROVED AS TO FORM:


Michael G. Biddle, City Attorney

DECLARANT:

OUR TOWN ST. HELENA,
a California non-profit public benefit corporation

By: Mary Stephenson
Name: Mary Stephenson
Its: Board President

By: _____
Name: _____
Its: _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

ALL-PURPOSE ACKNOWLEDGMENT NOTARY FOR CALIFORNIA

STATE OF CALIFORNIA)
COUNTY OF Napa)

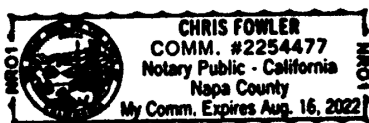
On September 11, 2019 before me, Chris Fowler, Notary Public
"Jane Doe, Notary Public" Date Name And Title Of Officer (e.g.

personally appeared Mark Thomas Prestwich
Name of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Chris Fowler

Signature of Notary Public

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

ALL-PURPOSE ACKNOWLEDGMENT NOTARY FOR CALIFORNIA

STATE OF CALIFORNIA)
COUNTY OF Napa)

On September 18, 2019 before me, L. Tschida, Notary Public

"Jane Doe, Notary Public")

Date

Name And Title Of Officer (e.g.

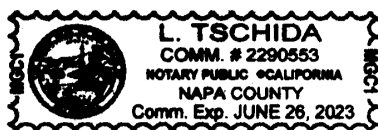
personally appeared Mary Stephenson

Name of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



L. Tschida

Signature of Notary Public

ATTACHMENT A

PROPERTY

[Legal description to be inserted.]

Attachment A

Order Number: P-344925

END OF DOCUMENT

EXHIBIT "A" LEGAL DESCRIPTION

The land described herein is situated in the State of California, County of Napa, City of Saint Helena, described as follows:

TRACT ONE:

PARCEL ONE:

Commencing at the most Western corner of a lot heretofore conveyed by George Chase and wife to one Mrs. F. M. Woodward, by Deed recorded December 12, 1884, in Volume 35 of Deeds, at page 387, Napa County Records; thence running along the South Westerly line of lot so conveyed to Mrs. F. M. Woodward, South 38 degrees 30' East 150 feet; thence South 51 degrees 30' West parallel with Pope Street and 150 feet distant therefrom, 60 feet; thence North 38 degrees 30' West 150 feet to the Southeasterly line of Pope Street; thence along said Southeasterly line of Pope Street North 51° 30' East 60 feet to the point of commencement.

APN: 009-090-013

PARCEL TWO:

A non-exclusive easement for drainage pipe as granted to Wyatt H. Ensminger, et al in the document recorded October 19, 1956 in Book 526 at page 149 of Official Records.

TRACT TWO:

Commencing at a point on the Southeastern line of Pope Street, distant thereon South 51 degrees 30 minutes West 60.0 feet from the most Western corner of a lot heretofore conveyed by George Chase and wife to one Mrs. F. M. Woodward, by Deed recorded December 12, 1884, in Volume 35 of Deeds at page 387, Napa County Records; thence running South 38 degrees 30 minutes East 150.0 feet; thence South 51 degrees 30 minutes West 25.0 feet; thence North 38 degrees 30 minutes West 150.0 feet to the Southeastern line of Pope Street; thence along said Southeastern line of Pope Street North 51 degrees 30 minutes East 25.0 feet to the point of commencement.

APN: 009-090-012



Report to the City Council
Regular City Council - 12 Nov 2019

Agenda Section: OLD BUSINESS

Subject: Discussion and Direction Regarding Saint Helena Municipal Code Chapter 9.12 (Curfew) to Continue Suspension, Alter, or Repeal Ordinance, and Possible Rescission of Resolution 2018-175.

**CEQA Exempt
Determination:**

Prepared By: Chris Hartley, Acting Chief of Police

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

At the November 13, 2018 City Council meeting, the Council directed staff to prepare an ordinance allowing the Council to suspend the City's Curfew Ordinance when it is determined the ordinance is not presently needed for the health, safety, and welfare of the City.

Chapter 9.12 was subsequently amended and the Council, via approval of Resolution 2018-175, suspended enforcement of the curfew ordinance. Direction was provided to staff in March 2019 to return after six months to provide a report on the impact of this suspension.

DISCUSSION

The Acting Chief of Police has reviewed the use of the Curfew ordinance over the prior year. During this month period, 17 juveniles were contacted after the 10:00 p.m. curfew period. Of the 17 juveniles contacted, three individual juveniles were responsible for 11 of those contacts. All contacts were based on probable cause and or reasonable suspicion, none of which were based on the Curfew Ordinance. The contacts were for both infraction and misdemeanor offenses including, run-away juvenile, drug and alcohol offenses, and assault.

The Police Department also contacted other Napa County Law Enforcement Agencies to determine the effectiveness of their Juvenile Curfew Ordinances. According to the other inter-county agencies, they do have similar Ordinances, however it was reported that they do not use the ordinance to conduct juvenile detentions, and consider the ordinance obsolete. Their juvenile detentions are based solely on probable cause or reasonable suspicion of crimes other than a simple curfew violation.

Based on the results of the study, and in the best interest of both the community and the City, it is recommended the Saint Helena Police utilize reasonable suspicion and or probable cause, other than a curfew violation, before detaining any citizen whether that person is an adult or juvenile.

FISCAL IMPACT

Not applicable.

RECOMMENDED ACTION

Staff is seeking Council direction regarding whether to continue suspension of the Curfew Ordinance, alter, or repeal Chapter 9.12 of the Municipal Code, and possible rescission of Resolution 2018-175.

ATTACHMENTS

[St Helena Municipal Code Chapter 9.12 Curfew](#)
[2018-175 Suspending Enforcement of the City's Curfew Ordinance, SHMC Chapter 9.12](#)

**St Helena Municipal Code
Chapter 9.12
Curfew**

9.12.010 Curfew hours.

No person under the age of eighteen (18) years may be in, on or about a public street or other public place or any place open to the public in the city between ten (10) p.m. and sunrise of the following day, unless accompanied by a parent, guardian or other adult person having the care, custody or control of such person. This section shall not apply when the person is returning directly home from a meeting, entertainment, recreational activity or dance; when the person is going directly to or returning from work; when the person is upon an errand or emergency directed by his or her parent or guardian or other adult person having the care, custody or control of such person; or when the person is exercising rights protected by the state or federal constitutions. (Ord. 02-3 § 1 (part): prior code § 11.1.010)

9.12.020 Parental responsibility.

Every parent, guardian or other person having the legal care, custody or control of any person under the age of eighteen (18) years who permits such person to violate the provisions of Section 9.12.010 is guilty of an infraction. (Ord. 02-3 § 1 (part): prior code § 11.1.020)

9.12.030 Violators to be detained—Parent or guardian must call for minor.

A. A person under the age of eighteen (18) years of age who violates Section 9.12.010 may be detained until the arrival of a parent, guardian or other proper person having custody or control.

B. Every parent, guardian or other person having a minor in his or her charge who fails or neglects to go in person or send some suitable person to where the minor is detained, after receiving notice that the minor is detained, is guilty of an infraction. (Ord. 02-3 § 1 (part): prior code § 11.1.030)

9.12.040 Violation—Penalty.

Any person under the age of eighteen (18) years violating the provisions of Section 9.12.010 shall be guilty of an infraction and shall be dealt with in accordance with juvenile court law and procedure. (Ord. 02-3 § 1 (part): prior code § 11.1.040)

CITY OF ST. HELENA

RESOLUTION NO. 2018-175

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ST. HELENA SUSPENDING ENFORCEMENT OF THE CITY'S CURFEW ORDINANCE, SHMC CHAPTER 9.12

RECITALS

A. St. Helena Municipal Code ("SHMC") Chapter 9.12 contains the City's Curfew Ordinance.

B. At the City Council meeting on November 13, 2018, the City Council received a staff report, as well as input from the public, concerning the City's use and enforcement of, as well as the current need for, the Curfew Ordinance.

C. At the conclusion of the staff report and community input at the November 13, 2018 meeting, the City Council directed staff to prepare an ordinance authorizing the Council to suspend the enforcement of the Curfew Ordinance.

D. On December 11, 2018 the City Council considered and conducted the first reading of the ordinance authorizing the suspension, by resolution, of the Curfew Ordinance; on January 8, 2019, the City Council conducted the second reading of, and adopted the ordinance.

RESOLUTION

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

1. Pursuant to SHMC section 9.12.050, the enforcement of the Curfew Ordinance, SHMC chapter 9.12.050, is hereby suspended. In adopting this resolution, the City Council finds that there is no current need for the enforcement of the Curfew Ordinance, and the suspension of the Curfew Ordinance serves the health, safety and general welfare of the City and its residents.

Approved at a Regular Meeting of the St. Helena City Council on December 11, 2018, by the following vote:

Mayor Ellsworth: Yes

Vice Mayor Dohring: Yes

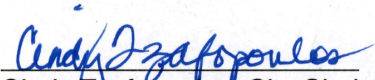
Councilmember Chouteau: Yes

Councilmember Koberstein: Yes

APPROVED:


Geoff Ellsworth, Mayor

ATTEST:


Cindy Tzafropoulos, City Clerk





Report to the City Council
Regular City Council - 12 Nov 2019

Agenda Section: NEW BUSINESS

Subject: Introduction and first reading of an ordinance amending Title 15, Buildings and Construction of the St. Helena Municipal Code, adopt and amend in full the 2019 California Building Standards Code, Title 24.

CEQA Determination: Exempt from the requirements of CEQA under the “General Rule”, Section 15061 (b)(3), in that it can be seen with certainty that the proposed action will have no impact on the environment.

Prepared By: Philip Henry, Chief Building Official

Reviewed By: Aaron Hecock, Acting Planning & Building Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

The State of California has updated and adopted the California Building Standards Code, which will become effective on January 1, 2020. The proposed ordinance and resolution would adopt the California Building Standards Code as required by State law, as well as make local amendments to the Building Standards Code justified by local conditions in the City of St. Helena. Pursuant to State law, none of the local amendments may be less restrictive than the States Building Standards Codes.

DISCUSSION

The California Building Standards Commission (CBSC) is responsible for developing and adopting State Building, Fire, and other related codes. Over the last three (3) years, the CBSC has gone through a planning process and adopted the 2019 California Building Standards Code, California Code of Regulations, Title 24, 12 Parts (Standards Code). The Standards, which include some changes to the code currently in effect, becomes effective on January 1, 2020.

Every three (3) years the California Building Standards Commission reviews the available model codes. On July 1, 2019, the State of California adopted the 2019 California Building Standards Code, which becomes effective on January 1, 2020. The State has given local jurisdictions until the end of the year to adopt the new code and any local amendments.

Municipal Code Title 15, Buildings and Construction, contains either by reference or amendments to the rules and regulations which comprise the “City of St. Helena Building Code”. The last update of this Title was in November of 2016 when the 2016 California Building Standards Code was adopted.

The attached “Exhibit A, Title 15, Buildings and Construction” includes the chapters of the Municipal Code that are proposed for amendment and adoption. The California Codes are adopted by reference and are available in the Planning and Community Improvement Department, Building Division for review.

The new code includes building, electrical, mechanical, plumbing codes, the fire code, the energy code, the historical building code, the green building code, and the residential code as follows:

- I. Errata for the 2019 Title 24 Codes:
 - Based on the 2018 International Building Code for the 2019 California Building Code, Part 2;
 - Based on the 2018 International Residential Building Code for the 2019 California Residential Code, Part 2.5;
 - Based on the 2017 National Electrical Code for the 2019 California Electrical Code, Part 3;
 - Based on the 2018 Uniform Mechanical Code for the 2019 California Mechanical Code, Part 4;
 - Based on the 2018 Uniform Plumbing Code for the 2019 California Plumbing Code, Part 5;
 - Based on the 2018 International Fire Code for the 2019 California Fire Code, Part 9;
 - Based on the 2018 International Existing Building Code for the 2019 California Existing Code, Part 10;
- II. Updates for the following parts authored by the State of California:
 - The 2019 California Administrative Code. Part 1;
 - The 2019 California Green Building Standards (CAL Green) Code, Part 11;
 - The 2019 California Referenced Standards Code, Part 12;
 - The 2019 California Energy Code, Part 6; and
 - The 2019 California Historical Building Code, Part 8
 - (Part 7 of the code is vacant.)

III. The following list highlights the corrected and/or new amendments specific to the State of California Codes and the St. Helena Municipal Code:

1. Municipal Code, Section 15.04.010, is changed to show correct date of the new code.
2. Municipal Code, Section 15.04.140, item C, is changed to show correct date of the new code.
3. Municipal Code, Section 15.08.010, is changed to show the correct date of new code.
4. Municipal Code, Section 15.08.020, item C, is changed to show correct date of the new code.
5. Municipal Code, Section 15.08.030, is changed to show correct date of new code.
6. Municipal Code, Section 15.08.040, is changed to show correct date of new code.
7. Municipal Code, Section 15.12.010, is changed to show the correct date of the new code.
8. Municipal Code, Section 15.16.010 is changed to show the correct date of the new code.
9. Municipal Code, Section 15.18.010, is changes to show correct date of the new code.
10. Municipal Code, Section 15.20.010 is changed to show the correct date of the new code.
11. Municipal Code, Section 15.24.010, is changed to show the correct date of the new code.
12. Municipal Code, Section 15.28.010, is changed to show the correct date of the new code.
13. Municipal Code, Section 15.32. 010, is changed to show the correct date of the new code.
14. Municipal Code, Section 15.53.010, is changed to show correct date of the new code.
15. Municipal Code, Section 15.54.010, is changed to show the correct date of the new code.
16. Municipal Code, Section 15.55.010, is changed to show the correct date of the new code.

Municipal Code, Section 15.36 (Fire Code)

17. Municipal Code, Section 15.36.020, is changed to show the correct date of the new code.
18. Municipal Code, Section 15.36.030, A and C is updated to clarify language.
19. Municipal Code, Section 15.36.040 is updated to correct the date of new code.
20. Municipal Code Section 15.36.050, Section 503.4.1 is changed to clarify language.
21. Municipal Code Section 15.36.050, is updated to change date to new code.
22. Municipal Code, Section 15.36.060, B, 903.2.1, exception 3, is further changed to add requirement for non-sprinklered structures less than 10' from adjacent structures, unless all exterior walls provide 2-hour fire protection.

23. Municipal Code Section 15.36.060, B, 903.2.3 is further changed to add removal of 50% or more of the roof structure or roof sub-structure (excluding roof covering material) to sprinkler requirement.

24. Municipal Code, Section 15.36.080, is changed to correct date of new code. Municipal Code Section 15.36.090 Section 507 Fire Protection Water Supplies is amended to add Section B105.1. A. Section B105.1 Fire-Flow Requirements for Buildings, California Fire Code 2019, Appendix B is amended to include to read as follows: 1. One and Two-Family Dwellings Under 2500 Square Feet and not served by a Public Water System, the minimum water storage shall be 5,000 gallons of capacity dedicated for fire protection. Exception: A reduction in fire flow of 50% is allowed when the building is protected with an approved automatic fire sprinkler system. 2. One and Two-Family Dwellings Over 2500 Square Feet and Not Served by a Public Water System. The minimum water storage shall be in accordance with Table B105.1 of Appendix B.

25. Municipal Code Section 15.36.100 Fire Apparatus Access Roads is changed to show the correct date of the new code.

26. Municipal Code Section 15.36.100 Fire Apparatus Access Roads is further changed to add Section E, Gated Entrances. Section E clarifies requirements for gates on residential driveways, including the requirement that a permit shall be obtained prior to construction of gate, and that all gates be located at least 30' from roadway edge. Section E also provides requirements for replacement/repair of existing gates and historic or significant architectural existing gates.

FISCAL IMPACT

There are no fiscal impacts related to the City of St. Helena as a result of the proposed California Building Code Adoption.

RECOMMENDED ACTION

The Planning and Building Department recommends the City Council:

1. Find the proposed amendments to the Building Code are exempt from CEQA under Section 15061 (b) (3) the 'General Rule'; and
2. Introduce and conduct a first reading of the draft Ordinance (Attachment 1), by title only and waive further reading.

ATTACHMENTS

[Attachment 1 - Ordinance Adopting CA Bldg Code](#)

[Exhibit A - CA Building Code Ordinance Adoption](#)

CITY OF ST. HELENA

ORDINANCE NO.

AMENDING TITLE 15 OF THE ST. HELENA MUNICIPAL CODE TO REVISE CHAPTERS 15.04 THROUGH 15.24 AND 15.28 THROUGH 15.55, INCLUSIVE, TO ADOPT BY REFERENCE THE 2019 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE (CALIFORNIA CODE OF REGULATIONS TITLE 24, PARTS 1, 2, 2.5, 3, 4, 5, 6, 8, 9, 10, 11, AND 12, INCLUDING APPENDICES IDENTIFIED HEREIN), INCLUDING LOCAL AMENDMENTS TO THE CALIFORNIA BUILDING STANDARDS CODE SPECIFIC TO THE CITY OF ST. HELENA

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

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

- A. The California Building Standards Commission (“Commission”) adopts a comprehensive update to the California Building Standards Code (codified as Title 24 of the California Code of Regulations) every three years.
- B. The Council completed the adoption of the 2019 update to the California Building Standards Code and made those updates available to the public by July 1, 2019.
- C. The 2019 Code takes effect in all jurisdictions on January 1, 2020, pursuant to California Health and Safety Code Section 17958, and pursuant to the 2016 Code Part 2 (the “2019 California Building Code”), Appendix Chapter 1, Section 101.4.
- D. The City is authorized pursuant to Health and Safety Code Sections 17958.7 and 18941.5 and California Government Code Section 50022.2 to adopt amendments to the 2019 Code in order to incorporate appendices, address unique administrative requirements of the City, and in order to modify building standards to the extent that the modifications are reasonably necessary because of local climatic, geological, or topographical conditions.
- E. The City has previously adopted local amendments to previous versions of the California Building Standards Code, and codified those local amendments in Title 15 of the St. Helena Municipal Code.
- F. On November 12, 2019, the City Council held the first reading of an ordinance to Amend Title 15 of the St. Helena Municipal Code to adopt and amend the 2019 California Building Standards Code (Title 24 of the California Code of Regulations), including the local amendments specific to the City of St. Helena (the “Ordinance”).
- G. On November 26, 2019, the City Council held a duly noticed public hearing to consider the Ordinance making findings and determinations that modifications to the California Building Standards Code and Fire Code are reasonably necessary to address unique administrative requirements of the City and because of local

climatic, geological, or topographical conditions.

- H. The City Council finds that it is to the benefit of the City of St. Helena to adopt the 2019 Code, as amended by this Ordinance, because it provides minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location, and maintenance of all buildings and structures within the City.

SECTION 2: Compliance with CEQA. The City Council hereby finds that the action to adopt this Ordinance to amend Title 15 of the St. Helena Municipal Code is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.) (CEQA) because the action is exempt from environmental review pursuant to CEQA Guidelines Section 15061(b)(3). The activity is covered by the “general rule” which exempts activities that can be seen with certainty to have no possibility for causing a significant effect on the environment. The Ordinance introduces standards to regulate certain behavior to protect the health, safety, and public welfare, and does not authorize activities or development that could potentially have a physical impact on the environment. Buildings and development projects that are subject to CEQA are reviewed individually prior to issuance of building permit. Accordingly, 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 3: Amendment of Title 15. Title 15 of the St. Helena Municipal Code is hereby amended to read in its entirety as shown on Exhibit A, attached hereto and incorporated herein by reference.

SECTION 4: Severability. The City Council hereby declares every section, paragraph, sentence, clause and phrase is severable. If any section, paragraph, sentence, clause or phrase of this ordinance is for any reason found to be invalid or unconstitutional, such invalidity, or unconstitutionality shall not affect the validity or constitutionality of the remaining sections, paragraphs, sentences, clauses or phrases.

SECTION 5: Inclusion in the St. Helena Municipal Code. It is the intention of the St. Helena City Council that the text in Exhibit A of this ordinance be made a part of the St. Helena Municipal Code and that the text may be renumbered or re-lettered and the word "Ordinance" may be changed to "Section," "Chapter," or such other appropriate word or phrase to accomplish this intention.

SECTION 6: Effective Date. This ordinance shall take effect and be in force 30 days after its adoption, and a summary of this ordinance shall be published once with the names of the members of the Council voting for and against the ordinance in the St. Helena Star, a newspaper of general circulation published in the City of St. Helena.

THE FOREGOING ORDINANCE was introduced at a regular meeting of the St. Helena City Council on the 12th day of November, 2019, and was adopted at a regular meeting of the St. Helena City Council on the 26th day of November, 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 TZAFPOPOULOS, CITY CLERK of the City of St. Helena, California, do hereby certify that the foregoing Ordinance was regularly introduced and placed upon its first reading at a regular meeting of the City Council on the 12th day of November, 2019. That thereafter said Ordinance was duly adopted and passed at a regular meeting of the City Council on the 26th day of November, 2019, by the following vote:

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

Exhibit A

**Title 15
BUILDINGS AND CONSTRUCTION**

Chapters:

- 15.04 General Provisions**
- 15.08 Administration of the California Building Standards Code**
- 15.12 California Building Code Adopted**
- 15.16 California Mechanical Code Adopted**
- 15.18 California Energy Code Adopted**
- 15.20 California Plumbing Code Adopted**
- 15.24 California Electrical Code Adopted**
- 15.28 California Residential Code Adopted**
- 15.32 California Existing Building Code**
- 15.36 California Fire Code Adopted**
- 15.40 Retrofitting of Unreinforced Masonry Buildings**
- 15.44 Building Numbering System**
- 15.48 Trailers and Trailer Camps**
- 15.52 Flood Damage Prevention**
- [15.53](#) California Green Building Standards Code Adopted**
- [15.54](#) California Administrative Code Adopted**
- [15.55](#) California Referenced Standards Code Adopted**

Chapter 15.04 GENERAL PROVISIONS

Sections:

- 15.04.010 Short title.**
- 15.04.020 Purpose.**
- 15.04.030 Authority.**
- 15.04.040 Building division—Created.**
- 15.04.050 Building Official—Powers and duties generally.**
- 15.04.060 Building Official—Recordkeeping duties.**
- 15.04.070 Jurisdiction.**
- 15.04.090 Inspections—Authority—Concealment prohibited.**
- 15.04.100 Violations of other ordinance.**
- 15.04.110 Conformance with zoning ordinance.**
- 15.04.120 Copies of codes.**
- 15.04.130 Specific findings for code amendments.**
- 15.04.140 Violations—Penalties.**

15.04.010 Short title.

The provisions codified in this title shall be known as the “St. Helena Building Code,” may be cited as such, and will be referenced to in this title as “this building code.” (Prior code § 4.1)

15.04.020 Purpose.

The city council expressly finds that the purpose of this building code is to provide minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location, and maintenance of all buildings and structures within the city, and certain equipment specifically regulated in this building code. (Prior code § 4.2)

15.04.030 Authority.

This building code is adopted pursuant to the authority granted by Section 11 of Article XI of the State Constitution to a city to make and enforce within its limits all such local police, sanitary, and other regulations as are not in conflict with general laws. It is further adopted in conformity with the provisions of Sections 50022.1 to 50022.10, inclusive, of the California Government Code relating to the adoption of codes by reference. (Prior code § 4.3)

15.04.040 Building division—Created.

There is contained within the city the building division, which shall be under the jurisdiction of the Building Official designated by the appointing authority. (Prior code § 4.4)

15.04.050 Building Official - Powers and duties generally.

Section 104.1, General, California Building Code 2019 Chapter 1, is amended to read as follows:

The Building Official is authorized and directed to enforce all of the provisions of this building code and of the codes adopted by reference by this building code. The Building Official is authorized to consult experts that he or she deems to be qualified in all fields related to the subject matter of this building code and of the codes adopted by reference by this building code to the extent that he or she deems it reasonably necessary to assist him or her in carrying out his or her duties hereunder. The decision of the Building Official in enforcing the provisions of this building code or of the codes adopted by reference by this building code or in interpreting the provisions thereof or in exercising the authority delegated thereby shall be final, subject to appeal as provided in Section 113 of the 2019 California Building Code Chapter 1.

15.04.060 Building Official—Recordkeeping duties.

The Building Official shall cause a permanent record to be kept of all pertinent transactions of the building division under this building code and the codes adopted by this building code and to render a monthly report to the city council of all permits issued and fees collected. (Prior code § 4.6)

15.04.070 Jurisdiction.

This building code shall apply within all of the territory of the city. (Prior code § 4.7)

15.04.090 Inspections—Authority—Concealment prohibited.

- A. All work for which a permit is required shall be subject to inspection by the Building Official to insure compliance with all requirements of this building code.
- B. It shall be the responsibility of the owner or person doing work authorized by a permit to notify the Building Official orally or in writing when such work is ready for inspection. Such notification shall be given at least twenty-four (24) hours before the work is to be inspected.
- C. No portion of any building, structure, wiring, plumbing or equipment which is required to be inspected shall be permanently covered or concealed without approval of the Building Official.
- D. The Building Official shall have authority to remove or require the removal of any obstruction which prevents the required inspection of any portion of a building, structure, wiring, plumbing, electrical or mechanical equipment. (Prior code § 4.9)

15.04.100 Violations of other ordinance.

No permit shall be issued pursuant to this title if at time of issuance there exists in respect to the premises for which the permit is to be issued any violation of the city's zoning ordinance, the city's subdivision ordinance, or of any other ordinance of the city whether such violation was committed by the then owner of the premises or his or her predecessors or by anyone claiming under the owner or his or her predecessors. (Prior code § 4.10)

15.04.110 Conformance with zoning ordinance.

No building permit shall be issued which is inconsistent with the St. Helena zoning ordinance. (Prior code § 4.11)

15.04.120 Copies of codes.

The Building Official shall make available in the offices of the building division, for review by the general public, at least one copy of all uniform codes or state building standards adopted by Sections 15.08.010, 15.12.010, 15.16.010, 15.20.010, 15.24.010, 15.28.010, 15.32.010, 15.36.010, 15.53.010, and 15.54.010, as well as local amendments and any other state regulations relating to buildings or structures, building service equipment published in Titles 8, 19, 20, 24, and 25 of the California Code of Regulations. (Prior code § 4.12)

15.04.130 Specific findings for code amendments.

Each amendment to the California Building Standards Code, California Code of Regulations, Title 24, adopted by this title, is reasonably necessary because of the following determinations due to local climatic, geological, or topographic conditions pursuant to Health and Safety Code, Section 17958.5:

- A. The city is characterized by a narrow valley floor surrounded and intermingled with steep hill terrain, containing areas which are very susceptible to wildland fires. Wildland fires are considered a significant threat in St. Helena. Native vegetation of brush, woodland, grassland and forest become extremely flammable during summer and remain so if drought conditions prevail during the winter months. Drought cycles appear in this area every seven to eleven (11) years.
- B. Earthquake is considered to be one of the most potentially destructive threats to life and property in the city. A moderate to severe seismic incident on any of the several fault zones in relative close proximity to St. Helena is expected to cause extensive property damage, disruptions to communications systems, and damage to public utility systems.
- C. St. Helena is divided geographically into two parts by the north to south flow of the Napa River. Significant damaging flooding occurs in portions of the city approximately every five to ten (10) years. Warnings are usually given several hours to a few days before such floods. This natural barrier

can serve as a severe impediment to the delivery of public safety services in time of flood.

- D. Several areas within the city offer poor access for the delivery of public safety services because of the severity of slopes, and the existence of natural barriers such as the Napa River, Sulphur Creek, and York Creek. (Prior code § 4.13)

15.04.140 Violations—Penalties.

Section 114 Violation Penalties, California Building Code Chapter 1, is amended to read as follows:

- A. Generally. No person whether as owner, lessee, sub-lessee or occupant, shall erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy, or maintain any building or structure in the city, or cause the same to be done, contrary to or in violation of any of the provisions of this title. Maintenance of equipment which was unlawful at the time it was installed and which would be unlawful under this title, shall constitute a continuing violation of this title.
- B. Misdemeanor. Any person violating any of the provisions of this title shall be deemed guilty of a misdemeanor, and each such person is guilty of a separate offense for each day or portion thereof during which any violation of any of the provisions of this title is committed, continued, or permitted.
- C. Consistent with Section 109.4 and 114.4, of the 2019 California Building Code Administration, any person who violates a provision of this building code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the Building Official, or of a permit or certificate issued under the provisions of this building code, shall be subject to penalties as prescribed by law. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this building code nor from any penalty prescribed by law.
- D. Authority to File. Where a public nuisance exists, the city may immediately commence action or actions, proceedings at law and in equity, for the abatement, removal and enjoinder thereof in the manner provided by law; and shall take such other steps and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate and remove such public nuisance and restrain and enjoin any person from maintaining such nuisance. (Ord. 02-5 § 4 (part): prior code § 15.04.140)

Chapter 15.08

ADMINISTRATION OF THE CALIFORNIA BUILDING STANDARDS CODE

Sections:

- 15.08.010** California Building Standards Code 2019 Chapter 1
Administration —Adopted
- 15.08.020** California Building Standards Code 2019 Chapter 1
Administration—Amendments
- 15.08.040** Adoption of the International Property Maintenance Code,
2018 Edition, with Amendments
- 15.08.050** Amendments to the International Property Maintenance Code

**15.08.010 California Building Standards Code 2019 Chapter 1
Administration —Adopted**

For the purpose of establishing proper regulations for the administration of the various codes covered in this building code, each of Chapter 1 of the California Building Code of the State of California, Chapter 1 of the Plumbing Code, Chapter 1 of the Mechanical Code, and Annex H of the Electrical Code, 2019 edition, is adopted in its entirety excepting additions, revisions and omissions listed in Section 15.08.020.

**15.08.020 California Building Code 2019
Chapter 1 Administration—Amendments**

- A. Section 105.2, Work exempt from permit, California Building Code 2019 Chapter 1, items 1-5 only, is amended to read as follows:
 - 1. One-story residential detached accessory buildings used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet, not over 12 feet in height, and the structure contains no plumbing, electrical, or heating systems or appliances.
 - 2. Fences not over 6 feet (1829 mm) high.
 - 3. Oil derricks (subject to approval of Napa County Environmental Management)
 - 4. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I,II,III A liquids.

5. Water tanks supported directly on grade if the capacity does not exceed 200 gallons.
- B. Section 109.2, Schedule of permit fees, California Building Code 2019 Chapter 1, is amended to read as follows:
- On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the most current City Council fee resolution.
- C. Section 109.6, Refunds, California Building Code 2019, is amended to read as follows:
- The Building Official is authorized to establish a refund policy.
1. The Building Official may authorize refunding of the permit fee paid, less the hourly rate set forth by the most current City Council fee resolution, when no work has been done under a permit issued in accordance with this building code.
 2. The Building Official may authorize refunding the plan review fee paid, less the hourly rate set forth by the most current City Council fee resolution, when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended.
 3. The Building Official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than one hundred eighty days after the date of fee payment.

15.08.040 Adoption of the International Property Maintenance Code, 2018 Edition, with Amendments.

For the purpose of regulation and governing the conditions and maintenance for all property, buildings and structures; by providing the standard for supplied utilities and facilities and other physical conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; that certain code known as the International Property Maintenance Code, 2018 Edition including Appendix A, as published by the International Code Council, hereinafter referred to as the "Property Maintenance Code," save and except such portions as are hereinafter changed, added to or amended by Section 15.08.060 of this chapter.

15.08.050 Amendments to the International Property Maintenance Code

The International Property Maintenance Code is amended to read as follows;

- A. Section 101.1 These regulations shall be known as the Property Maintenance Code of the City of St. Helena (hereinafter referred to as "the code").
- B. Section 102.7 Where the term "International Building Code" appears in this code, it shall mean the California Building Code as adopted by this jurisdiction with amendments. Where the term "International Fire Code" appears, it shall mean the California Fire Code as adopted by the City Council with amendments. Where the term "International Existing Building Code" appears, it shall mean the California Existing Building Code as adopted by City Council with amendments. Where the term "International Fuel Gas Code" appears, it shall mean the California Plumbing Code as adopted by the City Council with amendments. Where the term "International Mechanical Code" appears, it shall mean the California Mechanical Code as adopted by the City Council with amendments. Where the term "International Plumbing Code" appears, it shall mean the California Plumbing Code as adopted by the City Council with amendments. Where the term "International Zoning Code" appears, it shall mean the St. Helena Municipal Code, Title 17
- C. Section 103 is hereby deleted.
- D. Section 104.3 is amended to add the following phrase to the end of the last sentence; "including the warrant provisions of Section 1822.50 et seq. of the Code of Civil Procedure of the State of California."
- E. Section 106.2, 106.3, 106.4, and 106.5 are hereby deleted.
- F. Section 107.1 Notice to person responsible. Whenever the Code Official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice may be given in the manner prescribed in the St. Helena Municipal Code Section 1.12.
- G. Sections 107.2, 107.3, 107.4, 107.5, and 107.6 are hereby deleted.
- H. Section 108.3 Whenever the Code Official has condemned a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner or the person or persons responsible for the structure or equipment in accordance with Section 1.12 of the St. Helena Municipal Code. The notice shall be in the form prescribed in Section 1.12.150 of the St. Helena Municipal Code.
- I. Sections 109.2 Temporary safeguards. Notwithstanding other provisions of this code, whenever, in the opinion of the Code Official, there is imminent danger due to an unsafe condition, the Code Official may order the necessary work be to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal

procedure herein described has been instituted; and shall cause such other action to be taken as the Code Official deems necessary to meet such emergency.

- J. Section 109.3 Closing streets. When necessary for public safety, the Code Official may temporarily close structures and close or order the authority having jurisdiction to close, sidewalks, streets, public ways and places adjacent to unsafe structures, and prohibit the same from being utilized.
- K. Section 109.4 Emergency repairs. For the purposes of this section, the Code Official may employ the necessary labor and materials to perform the required work as expeditiously as possible.
- L. Sections 109.5 and 109.6 are hereby deleted.
- M. Sections 110.2 Notices and Orders. All notices and orders shall comply with the St. Helena Municipal Code Chapter 1.12.150.
- N. Section 110.3 Failure to comply. If the owner of a premises fails to comply with a demolition order within the time prescribed, the Code Official may cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be in lien upon such real estate.
- O. Section 111.2 is amended by adding the following sentence: Nothing contained in this section shall prevent the Mayor or City Council from appointing the Mayor and City Council as the Board of Appeals.
- P. Section 112.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be in violation of this code.
- Q. Section 202 definition of CODE OFFICIAL. Where used in this code, the term Code Official shall refer to the Chief Building Official, and his or her designated agents or representatives.
- R. Section 302.4 Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of 6 inches tall. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs, provided however, this term shall not include cultivated flowers and gardens.
- S. Section 304.14 Insect Screens. Every door, window and other outside opening required for ventilation on habitable rooms, food preparation areas, food service areas, or any areas where products to be included or

utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm), and every screened door used for insect control shall have a self-closing device in good working condition. (The exceptions in the code are not amended.)

- T. Section 308.2.2 Refrigerator. Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on premises without first removing the doors.
- U. Section 308.3.1 Garbage facilities. The owner of every dwelling shall supply an approved leak proof, covered, outside garbage container and a recycling container. Every person maintaining or using any solid waste can or receptacle shall keep the same clean and sanitary.
- V. Section 308.3.1.1. Within all residential districts in the city, no person shall use, locate or maintain (store) any solid waste can, garbage container or waste receptacle within the public right of way other than on the day of removal service. Containers shall be stored out of public view on non-service dates whenever practical; or stored nearest the main structure.
- W. Section 602.3 Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units or terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat in order to maintain a temperature of not less than 68°F (18°C) during the period the spaces are occupied. (The exceptions in the code are not amended.)

15.08.070 Enforcement and Penalties.

- A. In addition to the enforcement powers and/or remedies provided in this chapter, the Chief Building Official shall have the power to enforce the provisions of this chapter as provided in Chapter 15.04.030.
- B. The violations of the International Property Maintenance Code as adopted in this chapter are misdemeanors/infractions and are subject to the penalties set forth in Section 1.12 of the St. Helena Municipal Code.

Chapter 15.12 CALIFORNIA BUILDING CODE ADOPTED

Sections:

- 15.12.010 California Building Code—Adopted.**
- 15.12.020 California Building Code—Amendments**
- 15.12.030 Moved Buildings**
- 15.12.040 Appendix J**

15.12.010 California Building Code—Adopted.

The 2019 California Building Code, known as the California Code of Regulations, Title 24, Part 2 Volumes 1 and 2, and Appendix J, Based on 2018 International Building Code, Published by the International Code Council and the amendments set forth in section 15.12.020 is adopted.

15.12.020 California Building Code—Amendments

Based upon the findings set forth in Section 15.04.130, the following sections and/or subsections of the 2019 California Building Code, are amended to read as follows:

- A. Chapter 5, General Buildings Heights and Areas, Section 501.2, Address Identification.
Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Numbers shall contrast with their background and shall not be less than 4" in height. House numbers shall not be obstructed by vegetation. Any building located more than 50 feet from the street shall have its address posted at the driveway entrance and shall be visible from both directions of travel along the road. In new construction, the address shall be posted at the beginning of construction and shall be maintained thereafter, and the address shall be visible and legible from the road on which the address is located.
Where multiple addresses are required at a single driveway, they shall be mounted on a single post, and additional signs shall be posted at locations where driveways divide.
Where a roadway provides access solely to a single commercial or industrial business, the address sign shall be placed at the nearest road intersection providing access to that site.
- B. Chapter 31, Special Construction, Section 3109.4.1, Swimming Pool Enclosures and Safety Devices, Barrier Height and Clearances:
The top of the barrier shall be at least 60 inches above grade measured

on the side of the barrier that faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches measured on the side of the barrier that faces away from the swimming pool. Where the top of the pool structure is above grade, the barrier is authorized to be at ground level or mounted on top of the pool structure, and the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches.

15.12.030 Moved Buildings

Chapter 34A, Existing Structures, Section 3410A Moved Structures is amended as follows to include:

Buildings, structures and their building service equipment moved into or within this jurisdiction shall comply with the provisions of the technical codes for new building or structures and their building service equipment.

- A. Permits required. Before any building or structure is moved on or along any street within the city, a permit shall first be obtained from the Building Official for such moving. The permit application shall describe the streets and route over which the building will travel, the location of final installation if within the city, and the hours during which building will be moved. The Building Official will collect a fee of one hundred dollars (\$100.00) for required investigations and inspections. This fee shall be separate from any construction permit related fees.
- B. Prior to issuance of permit, the applicant shall obtain an encroachment permit from the city engineer. The Building Official shall notify all affected city officials and, in the event that any such officials object to route or time of travel, changes shall be made to meet such objections.
- C. Bond Required. In addition to all other requirements of the building code relating to the moving of buildings and structures, no permit for such moving shall be issued until the applicant shall have filed with the Building Official a corporate surety bond in favor of the city or a cash deposit in lieu of such bond. The bond shall be conditioned that the applicant will strictly comply with all provisions of the Building Code relating to the moving of buildings and structures and that the applicant will pay for any and all damage which may result by reason of such moving to any fence, hedge, tree, pavement of streets or sidewalks, pipes, poles and wires, or to any public or private property, and to hold harmless the city against any costs or expense which may accrue in consequence of such moving. The bond shall be in such amount as determined by the Building Official and approved by the city attorney, but in no case less than one thousand dollars (\$1,000.00). At the option of the applicant, a cash deposit in the same amount may be deposited with the city treasurer.

- D. Time limited during which building may be left standing on one city block. No person owning, or having charge of the removal of, any building being moved over any street shall permit such building to be, or stand, on any street within the limits of one block for a period of more than twenty-four hours.
- E. Moving buildings—Prevention of injury to street or property. No person owning or having charge of the moving of any building or structure over any street shall allow or cause injury to any fence, hedge, tree, pavement, sidewalk, gas pipe, water pipe, sewer pipe, electric wires or the poles supporting them, or any other public or private property by reason of such removal.

15.12.040 Appendix J Amended

Appendix J is amended as follows:

- A. Where the term "building official" is used in this appendix, change to "City Engineer."
- B. Section J103.1, Permits required.
Except as exempted in Section J103.2, no grading shall be performed without first having obtained a permit therefore from the Building Official with approval from the City Engineer for minor grading activities which do not require a grading permit. A grading permit issued by the City Engineer is required for any one of the following:
 - 1. Grading of more than 50 cy of material (includes pools);
 - 2. Disturbance of an area or more than 10,000 sq ft;
 - 3. Cut or fill more than three feet;
 - 4. Alter or add any drainage facilities or courses
- C. Section J103.2, Exemptions.
Except as stated in J103.1 above, a grading permit shall not be required for the following:
 - 1. Cemetery graves.
 - 2. Refuse disposal sites controlled by other regulations.
 - 3. Excavations for wells, or trenches for utilities.
 - 4. Mining, quarrying, excavating, processing or stockpiling rock, sand, gravel, aggregate or clay controlled by other regulations, provided such operations do not affect the lateral support of, or significantly increase stresses in, soil on adjoining properties
 - 5. Exploratory excavations performed under the direction of a registered design professional.
- D. Section J106.1 Maximum Slope.
Repeal exceptions.
- E. Section J108.3 Slope Protection

Change "approved by the building official" to "approved by the City Engineer".

- F. Section J109.1 Drainage and Terracing, General, Unless otherwise recommended by a registered design professional, drainage facilities and terracing shall be provided in accordance with requirements of this section and the latest state and local storm water quality requirements and ordinances."

Repeal exceptions.

- G. Section J109.3 Interceptor drains, Interceptor drains shall be installed along the top of cut slopes receiving drainage from a tributary width greater than 40 feet (12 192 mm), measured horizontally. They shall have a minimum depth of 1 foot (305 mm) and a minimum width of 3 feet (915 mm). The slope shall be approved by the City Engineer, but shall not be less than 50 horizontal to 1 vertical (2 percent). The drain shall be paved with concrete not less than 3 inches (76 mm) in thickness, or by other materials suitable to the application. Discharge from the drain shall be accomplished in a manner to prevent erosion and shall be approved by the City Engineer.
- H. Section J109.4 Drainage across property lines, Drainage across property lines shall not exceed that by volume and flow that existed prior to grading. Excess or concentrated drainage shall be contained on site or directed to an approved drainage facility. Erosion of the ground in the area of discharge shall be prevented by installation of non-erosive down drains or other devices such as infiltrator and dissipater basins, riprap or cobble surrounds, and gravel or rock infiltration trenches/pits
- I. Section J110.1 General, The faces of cut and fill slopes shall be prepared and maintained to control erosion.

Repeal exceptions.

Chapter 15.16
CALIFORNIA MECHANICAL CODE ADOPTED

Sections:

15.16.010 California Mechanical Code Adopted.

The 2019 Edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 4, incorporating the Uniform Mechanical Code, 2018 Edition, published by the International Association of Plumbing and Mechanical Officials, is hereby adopted including all appendices, and without amendments.

Chapter 15.18 CALIFORNIA ENERGY CODE ADOPTED

Sections:

15.18.010 California Energy Code—Adopted.

15.18.010 California Energy Code — Adopted.

The 2019 Building Energy Efficiency Standards, comprising Title 24, Parts 1 and 6, of the California Code of Regulations, is mandatory statewide. Local government agencies may adopt and enforce energy efficiency standards for newly constructed buildings, additions, alterations, and repairs provided the California Energy Commission finds that the standards will require buildings to consume no more energy than permitted by Title 24, Part 6. Such local standards may include adopting the requirements of Title 24, Part 6 before their effective date, requiring additional energy conservation measures, or setting stricter energy budgets.

Chapter 15.20
CALIFORNIA PLUMBING CODE ADOPTED

Sections:

15.20.010 California Plumbing Code Adopted.

15.20.010 California Plumbing Code – Adopted.

The 2019 Edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 5, incorporating the Uniform Plumbing Code, 2018 Edition, published by the International Association of Plumbing and Mechanical Officials, with amendments set forth in section 15.20.020 including Appendices, (A),(B),(D), (G) and (L), is hereby adopted.

Chapter 15.24

CALIFORNIA ELECTRICAL CODE ADOPTED

Sections:

15.24.010 California Electrical Code - Adopted.

15.24.020 California Electrical Code - Amendments.

15.24.010 California Electrical Code – Adopted.

The 2019 Edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 3, incorporating the National Electrical Code, 2017 Edition, published by the National Fire Protection Association and Annex H of the Electrical Code, with amendments set forth in section 15.24.020 is hereby adopted.

15.24.020 California Electrical Code - Amendments.

- A. Article 230 Services, Section 230.70(A)1 Readily Accessible Location, is amended to read as follows:
Electrical disconnecting equipment in structures served by a remote or detached electrical service shall be readily accessible to fire fighting personnel. The disconnecting equipment shall be installed on the exterior of the building and identified for fire fighting personnel.

Chapter 15.28

CALIFORNIA RESIDENTIAL CODE ADOPTED

Sections:

15.28.010 California Residential Code Adopted.

15.28.020 California Residential Code Adopted —Amendments.

The 2019 Edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 2.5, incorporating the International Residential Code, 2018 Edition, is hereby adopted including all appendices, and with amendments set forth in Section 15.28.020.

15.28.020 California Residential Code Adopted —Amendments.

Section R313.1 is amended by adding; “and qualified additions and remodels as prescribed in the amended section 903.2 of the 2013 CFC” and by repealing the exception.

Section R313.2 is amended by adding; “and qualified additions and remodels as prescribed in the amended section 903.2 of the 2013 CFC” and by repealing the exception.

Chapter 15.32 CALIFORNIA EXISTING BUILDING CODE

Sections:

- 15.32.010 California Existing Building Code—Adopted**
15.32.020 California Existing Building Code—Amendments.

15.32.010 California Existing Building Code—Adopted

The 2019 edition of the California Existing Building Standards Code, known as the California Code of Regulations, Title 24, Part 10, incorporating the 2018 International Existing Building Code, published by the International Code Council, with amendments set forth in section 15.32.020 is adopted.

15.32.020 California Existing Building Code —Amendments.

Based upon the findings set forth in Section 15.04.130, Chapter A1, Seismic Strengthening Provisions for Unreinforced Masonry Bearing Wall Buildings, Section A106 Materials Requirements, A106.3.3.4. Number of tests, is amended to read as follows:

- A. The minimum number of tests per class for brick or hollow clay tile masonry walls shall be as follows:
 - 1. At each of both the first and top stories, not less than two tests per wall or line of wall elements providing a common line of resistance to lateral forces.
 - 2. At each of all other stories, not less than one test per wall or line of wall elements providing a common line of resistance to lateral forces.
 - 3. In any case, not less than one test per 1,500 square feet of wall surface and not less than a total of eight tests.
- B. The minimum number of tests for *stone masonry walls* shall be as follows:
 - 1. One test per wall per story, except that storefront walls not used to resist lateral forces, need not be tested.
 - 2. Not less than one test per 2,500 square feet (232.3m²) of wall surface.

Chapter 15.36 CALIFORNIA FIRE CODE ADOPTED

Sections:

- 15.36.010** General findings.
- 15.36.020** Codes adopted.
- 15.36.030** Specific findings for code amendments.
- 15.36.040** Administration.
- 15.36.050** Fire Service Features.
- 15.36.060** Fire Protection Systems.
- 15.36.070** Establishment of Limits
- 15.36.080** Requirements for Wildland-Urban Interface Areas
- 15.36.090** Fire Flow Requirements for Building
- 15.36.100** Fire Apparatus Access Roads
- 15.36.110** Modifications.
- 15.36.120** Appeals.

15.36.010 General findings.

- A. The fire and hazardous materials section of the public health and safety element of the city general plan recommends that on-site fire mitigation should include use of fire-resistant materials, sprinklers, and early warning systems; and provides that factors which contribute to the potential for fire are vegetation and distance from fire stations;
- B. Because response time of fire suppression units has a critical impact on the ability to protect life and property in case of fire or other emergencies, buildings must be provided with built-in fire protection systems to offset the negative impact of excessive response time;
- C. The residential growth management system section of the land use element of the city general plan prescribes that density and population shall not exceed that which can be served by adequate public facilities and service;
- D. The fire department has increasing incidence of simultaneous demands for service that completely deplete our resources; and provides that fire protection requirements for new construction and remodeled buildings shall be strengthened to reduce planned growth on fire department capabilities and to provide a reasonable degree of fire and life safety at minimum fire suppression cost; and
- E. The City Council desires to enhance the adequate protection of buildings and structures by the adoption of this chapter.

15.36.020 Codes adopted.

The 2019 California Fire Code, known as the California Code of Regulations, Title 24 part 9, based on the International Fire Code, 2018 Edition, published by the International Code Council in its entirety, including Appendices: Appendix Chapter 4, Appendix B and Appendix BB (Fire Flow Requirements for Buildings),

Appendix C and Appendix CC (Fire Hydrant Locations and Distribution), Appendix D (Fire Apparatus Access Roads), Appendix E (Hazard Categories), Appendix F (Hazard Ranking), Appendix G (Cryogenic fluids-Weight and Volume Equivalents), Appendix H (Hazardous Materials Management Plans and Hazardous Inventory Statement), Appendix I (Fire Protection Systems Noncompliant Conditions), Appendix J (Building Signage), Appendix K (Temporary Haunted Houses, Ghost Walks and Similar Amusement Uses) and referred to as the "International Fire Code" or "IFC" is adopted as amended and made a part of this code by reference per findings as set forth in Section 15.36.030.

15.36.030 Specific findings for code amendments.

Each amendment to the California Fire Code adopted by this chapter, is reasonably necessary because of the following determinations due to local climatic, geological, or topographic conditions pursuant to Health and Safety Code, Section 17958.5:

- A. The city is characterized by a narrow valley floor surrounded and intermingled with steep hill terrain, containing areas which are very susceptible to wildland fires. Wildland fires are considered a significant threat in St. Helena. Native vegetation of brush, woodland, grassland and forest become extremely flammable during summer and remain so if drought conditions prevail during the winter months. Drought cycles appear in this area every seven (7) through eleven (11) years.
- B. Earthquake is considered to be one of the most potentially destructive threats to life and property in the city. A moderate to severe seismic incident on any of the several fault zones in relatively close proximity to St. Helena is expected to cause extensive property damage, disruptions to communications systems, and damage to public utility systems.
- C. St. Helena is divided geographically into two parts by the north to south flow of the Napa River. Significant damaging flooding occurs in portions of the city approximately every five (5) to ten (10) years. Warnings are usually given several hours to a few days before such floods. This natural barrier can serve as a severe impediment to public safety services because of the severity of slopes, and the existence of natural barriers such as the Napa River, Sulphur Creek, and York Creek. (Prior code § 5A.12)
- D. Some areas of the forested hillside terrain that border the city have been designated as a Woodlands and Watershed area. These are areas that are Local Responsibility areas (LRA) for fire response and as such fall under the Wildland Urban Interface (WUI) guidelines set forth in chapter 49 of the Fire Code and chapter 7A of the Building Code.

15.36.040 Administration

A. Section 105.4.4.1 Phased Approval, is repealed in its entirety

B. Section 109.3 Violation penalties, California Fire Code 2019, Chapter 1 is amended to read as follows:

Persons who shall violate a provision of this fire code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the Fire Code Official, or of a permit or certificate used under provisions of this fire code, shall be subject to penalties as prescribed by law. In addition to potential civil and/or criminal penalties, any person, individual, group of individuals, firm, trust, corporation, partnership association, or business concern responsible for an unauthorized release of hazardous material, a malicious false alarm, excessive unintentional false alarms, or igniting and/or maintaining an illegal fire, shall be liable for reimbursing the City of St. Helena for all costs incurred resulting from the City's emergency response and mitigation activities involving these incidents. Incurred costs may include such activities as firefighting, rescue, evacuation, hazardous material containment, control and/or disposal, incident investigation, report writing, administrative costs, and additional mitigation activities that may be contracted by the City.

C. 110.5 is added to Section 110 to read in full as follows:

Unsafe building. It shall be unlawful to leave or maintain any building in an unsafe condition or maintain any building in a manner that is a public nuisance, a threat to life, safety, or property, or a fire hazard. The Fire Code Official may order or cause the abatement of such nuisance, threat, or hazard as specified in Section 109 of the fire code.

D. Section 111.4, Failure to comply, California Fire Code 2019, Chapter 1 is amended to read as follows:

Any person who shall continue any work after having been served with a stop work, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

E. Section 307.1 is amended to read as follows:

307.1 General. A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless conducted for agricultural operations, approved in accordance with this section and a permit obtained from the Fire code official.

15.36.050 Fire Service Features

Chapter 5

Section 501 General is amended to read as follows:

A. Section 501.3 is amended to read as follows:

501.3 Construction documents. Construction documents for proposed fire apparatus access, security gates across fire apparatus access, location of fire lanes, construction documents, hydraulic calculations for fire hydrant systems and all fire protection system plans shall be submitted and approved prior to the issuance of a building permit.

Section 503 Fire Apparatus Access Roads is amended to read as follows:

Driveways and access roads shall be as defined in Municipal Code Sec. 17.124.070, Standards for driveways and access drives.

Section 503.4.1 Traffic calming devices, California Fire Code 2019, Chapter 503.4.1 is amended to read as follows:

Traffic calming devices including, but not limited to, speed bumps, speed humps, speed tables, speed depressions, shall not be allowed on public or private roadways, driveways or fire apparatus access routes.

Section 506.1 Where required, California Fire Code 2019, Chapter 5 is amended to read as follows:

Key boxes are required on all commercial buildings and multi-family residential housing units within the city limits. The key box shall be on an approved type and shall contain keys to gain necessary access and a building site plan as required by the Fire Code Official.

Chapter 6 Building services and systems

A. Section 603.8 is amended to read as follows:

603.8 Incinerators. Commercial, industrial and residential type incinerators and chimneys are prohibited within the City of St. Helena.

B. 609.2 Is amended to read as follows:

609.2 Where required. A Type 1 hood shall be installed at or above all commercial cooking appliances and domestic cooking appliances used for commercial purposes that produces grease laden vapors. Cooking facilities in assembly occupancies and congregate residences shall be considered commercial operations.

15.36.060 Fire Protection Systems

A. Chapter 9, subsection 901.1 is hereby amended to read. Approved automatic sprinkler systems in new buildings, structures and qualified

additions and remodels shall be provided in the locations described as follows.

903.2.1 Construction Documents. The Fire Code Official shall have the authority to require construction documents and calculations for all fire protection systems and to require permits be issued for the installation, rehabilitation or modification of any fire protection system. Construction documents for fire protection systems shall be submitted for review and approval prior to the issuance of a building permit.

- B. Chapter 9, subsection 903.2 is amended by repealing the entire subsection 903.2 (with the exception of subsections 903.2.12, 903.2.17 and tables 903.2.11.6 and 903.2.5.2, which shall remain in effect), and replacing it with the following:

903.2 Where Required. Approved automatic sprinkler systems in new and existing buildings shall be provided in the locations described in this section.

903.2.1 Required installations. An automatic fire sprinkler system shall be installed and maintained in all newly constructed buildings or structures, fire sprinkler systems shall be installed in new manufactured homes and multifamily manufactured homes with two dwelling units in accordance with title 25 of the California Code of Regulations.

Exception:

1. When approved by the Fire Code Official spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with an automatic fire alarm system and are separated from the remainder of the building by fire barriers consisting of no less than 1-hour fire-resistance-rated wall and 2-hour fire-resistance-rate floor/ceiling assemblies.
2. Automatic fire sprinkler protection for fixed guideway transit systems shall be as per Section 903.2.17.
3. Detached Group U private garages and carports accessory to a Group R-3 occupancy and less than 1,000 square feet, and more than 10 feet from adjacent structures, unless all exterior walls provide 2-hour fire protection.
4. Detached pool houses, workshops, barns and similar structures, built in conjunction with existing non-sprinkled single-family residences and provided the new structure is less than 1,000

square feet, is not intended for use as a dwelling unit and complies with the separation distances and exterior fire protection ratings of the Building Code.

5. Detached non-combustible, limited combustible materials or fire retarded treated wood canopies less than 3,000 square feet in roof area used exclusively for vehicle washing facilities or vehicle fuel dispensing stations.
6. Group B or M occupancies less than 500 square feet.
7. Detached, unenclosed gazebos or shade structures less than 1,000 square feet.
8. Detached restroom facilities associated with golf courses, parks and similar uses.
9. Shipping containers used for storage purpose and located not closer than 5 feet to a building, property line or other container.

903.2.2 Additions. An automatic sprinkler system shall be installed throughout any existing commercial or residential building when the floor area of the addition (including mezzanines) within any three year period exceeds 50% of the existing floor area of the building (excluding attached garages or unconditioned spaces in the floor area calculation of the addition) or when an additional story is added.

903.2.3 Alterations or Repairs. For alterations or repairs to existing buildings involving demolition of more than 50% of the existing floor area or removal of 50% or more of the existing ceiling covering (i.e. sheetrock, lath and plaster, suspended ceiling etc.), or removal of 50% or more of the existing roof structure or roof sub-structure (excluding roof covering material) the building shall meet the sprinkler requirements for a newly constructed building.

Exception: One-time alterations made solely for the purpose of complying with the Americans with Disabilities Act.

903.2.4 Change of Occupancy. Any change of occupancy when the proposed new occupancy classification is more hazardous based on a fire and life safety evaluation by the Fire Code Official and Building Code Official, including conversion of buildings to single-family residences, accessory dwelling units, bed and breakfast inns, lodging houses or congregate residences or other similar uses an automatic fire sprinkler system shall be installed throughout.

Section 907.1

Section 907.1.6 is added to read as follows:

907.1.6 False Alarms. A false alarm shall mean the receipt by the fire department an audio or visual alarm or signal from an automatic fire alarm device set off by causes other than the occurrence of a fire. Alarm users are allowed three (3) false alarms in a 365-day period. A service charge of \$100 shall be imposed for the fourth false alarm, a \$250 service charge shall be imposed for the fifth false alarm and a service charge of \$500 for each subsequent false alarm shall be assessed.

Appendix C

Amend Appendix C Fire Hydrant Locations and Distribution.

Section C102 Location by adding the following:

C102.2 Fire Department Connections

A Fire Hydrant shall be located within 50 feet of all Fire Department connections (FDC), or approved by the Fire Code Official.

15.36.070 Establishment of Limits

- A. Establishments of Limits of Districts in which Storage of Flammable or Combustible Liquids in Outside Aboveground Tanks is Prohibited: The limits referred to in Chapter 57 of the California Fire Code, in which the storage of flammable or combustible liquids is restricted, are hereby established as follows: Storage of 16 gallons or more is prohibited in all areas unless a permit is issued by the Fire Code Official.
- B. Establishment of Districts of Limits in which Storage of Liquefied Petroleum Gasses is prohibited: The limits referred to in Chapter 57 of the California Fire Code, in which storage of liquefied petroleum gas is prohibited, are hereby established as follows: Storage is prohibited in all areas of the City unless a permit is issued by the Fire Code Official.
- C. Establishment of Limits of Districts in which Storage of Explosives and Blasting Agents is Prohibited: The limits referred to in Chapter 56 of the California Fire Code, in which storage of explosives and blasting agents is prohibited, are hereby established as follows: Storage is prohibited in all areas of the City, unless a permit is issued by the Fire Code Official.
- D. Establishment of Limits of Districts in which the Storage of Compressed Gases is Prohibited: The limits referred to in Chapter 53 of the California Fire Code in which the storage of compressed gases is prohibited, are hereby established as follows: Storage of 16 gallons or more is prohibited in all areas of the City unless a permit is issued by the Fire Code Official.

- E. Establishment of Limits of Districts in which the Storage of Stationary Tanks of Flammable Cryogenic Fluids is Prohibited: The limits referred to in Chapter 58 of the California Fire Code in which the storage of flammable cryogenic fluids in stationary containers is prohibited, are hereby established as follows: Storage is prohibited in all areas of the City unless a permit is issued by the Fire Code Official.
- F. Establishment of Limits of Districts in which the Storage of Hazardous Materials is prohibited: The limits referred to in Chapter 50 of the California Fire Code in which the storage of hazardous materials is prohibited, are hereby established as follows: Storage is prohibited in all areas of the City unless a permit is issued by the Fire Code Official.

15.36.080 Requirements for Wildland-Urban Interface Areas

Chapter 49, California Fire Code 2019, Requirements for Wildland-Urban Interface Areas, is amended by adding Section 4908 to read as follows:

Defensible Space for Structures and Roads

- A. General. Persons owning, leasing, controlling, operating or maintaining buildings or structures in, upon or adjoining hazardous fire areas, and persons owning, leasing or controlling land adjacent to such buildings or structures, shall at all times:
 - 1. Maintain an effective fuel break by removing and clearing away flammable vegetation and combustible material from areas within 100 feet of buildings and structures;

Exception: Single specimen trees, ornamental shrubbery or similar plants used as ground covers, provided they do not form a means of rapidly transmitting fire from the native growth to any structure.
 - 2. Remove portions of trees which extend within 10 feet of the outlet of a chimney;
 - 3. Maintain trees adjacent to or overhanging a building free of deadwood; and
 - 4. Maintain the roof of a structure free of leaves, needles or other dead vegetative growth.
- B. Roadways. The Fire Code Official is authorized to cause areas within 10 feet on each side of portions of all roads, driveways and fire department access roads which are improved, designed or ordinarily used for vehicular traffic to be cleared of flammable vegetation and other combustible growth. The Fire Code Official is authorized to enter upon private property to do so.

Exception: Single specimens of trees, ornamental shrubbery or cultivated ground cover provided they do not form a means of readily transmitting fire.

- C. Corrective Actions. The Fire Code Official is authorized to give notice to the owner of the property upon which conditions regulated by this section exist to correct such conditions. If the owner fails to correct such conditions, the Fire Code Official is authorized to cause the same to be done and make the expense of such correction a lien upon the property where such condition exists.

15.36.090 Fire Flow Requirements for Building

Section 507 Fire Protection Water Supplies

507.1 Required Water Supply. An approved water supply capable of supplying the required fire flow for fire protection of portions of buildings that are hereafter constructed or moved onto or within the jurisdiction. Such water supply shall be connected to the Municipal Water Supply if available within 1,000 ft. of the subject property.

- A. Section B105.1 Fire-Flow Requirements for Buildings, California Fire Code 2019, Appendix B is amended to include to read as follows:

1. One and Two-Family Dwellings Under 2500 Square Feet and not served by a Public Water System, the minimum water storage shall be 5,000 gallons of capacity dedicated for fire protection.

Exception: A reduction in fire flow of 50% is allowed when the building is protected with an approved automatic fire sprinkler system.

2. One and Two-Family Dwellings Over 2500 Square Feet and Not Served by a Public Water System. The minimum water storage shall be in accordance with Table B105.1 of Appendix B.

Commented [U1]: This section was removed in 2016. Reinstated for 2019.

15.36.100 Fire Apparatus Access Roads

- A. Section D103.2 Grade, California Fire Code 2019, Appendix D is amended to read as follows:

Fire apparatus access roads shall not exceed 16% in grade.

Exception: Lots of record established prior to January 1, 2014 the grade shall not exceed 20%. All grades exceeding 10% shall be AC pavement; all grades exceeding 16% shall be Portland cement scored concrete.

B. Section D103, Figure D103.1, California Fire Code 2019, Appendix D is amended to include the following drawings in the City of St. Helena Street, Storm Drain & Sidewalk Standards:

Drawings: 1, 1.1R, 1.2R, 2, 2R, 3, 3.1, 3.2, 3.3, 3.4, 4, 5, 6, 7, 8, & 9.

C. Section D103.5 Fire Apparatus access road gates, California Fire Code 2019 Appendix B is amended to read as follows:

Gates securing the fire apparatus access roads or private driveways shall comply with the following:

1. The minimum gate width shall be 16 feet for residential or 20 feet for commercial occupancies.
2. Gates shall be of the swinging or sliding type.
3. Construction of gates shall be of materials that allow manual operation by one person.
4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
5. Electric gates shall be equipped with a means of opening the gate by fire personnel for emergency access. An approved key system will be installed approved by the Fire Code Official.
6. Manual opening gates shall not be locked with a padlock or chain unless they are capable of being opened by means of forcible entry tools or when the key box containing the key(s) to the lock is installed at the gate location.
7. All locking devices shall be approved by the Fire Code Official.
8. Electric gate operators, where provided, shall be listed in accordance with UL 325.
9. Gates intended for automatic operation shall be designed, constructed and installed to comply with requirements of ASTM F 2200.
10. Gates shall comply with Section 17.124.070 c. of the St. Helena Municipal Code To avoid congestion at the entrance of a property from the street or access drive, no on-site parking space or gate shall be allowed within the initial thirty (30) feet of the edge of pavement of the access drive, drive aisle or property line, including residential driveways or location as determined by the Public Works Director in conjunction with the Fire Code Official.

D. Section D107.1 One or two-family dwelling residential developments, California Fire Code 2019, Appendix B is amended to read as follows:

Developments of one, two-family or multi family dwellings where the number of dwelling units exceeds thirty (30) shall be provided with two separate and approved fire apparatus access roads, and shall meet the requirements of Section D104.3.

E. Gated entrances.

Gates on driveways.

Gates may be installed on driveways provided they comply with the following standards:

1. All gated entrances must be issued a building permit before construction begins, each gate entrance shall be at least two (2) feet wider than the width of the traveled way serving the gate and a minimum width of sixteen (16) feet unobstructed horizontal clearance and unobstructed vertical clearance of fourteen (14) feet.
2. All gates providing access from a road to a driveway shall be located at least thirty (30) feet from the roadway edge and shall open away from the roadway or be of the sliding type and shall meet all above operational requirements specified for apparatus access gates. (Ord.).

Final Inspection.

As a condition precedent to the granting of a Building Permit, the applicant must demonstrate that the Gate Entrance requirements as set forth in Chapter 17.124.070 of the Municipal Code, can be met and constructed to meet the requirements set forth herein. As a condition precedent to the granting of a "Final Inspection," the applicant must demonstrate that the gate entrance is constructed in a manner that meets these standards.

3. Existing Gates. In cases where a gated access is already existing and the alteration or removal of the existing gated entrance cannot be designed and installed to meet these requirements due to topographic or geologic conditions, upon request by the applicant or his/her authorized representative, exceptions to the standards within this subsection may be allowed by the authority having jurisdiction (AHJ), where the exception provides for the same overall practical effect as these regulations towards providing a safe area for occupants or users of the property and for emergency vehicles to park while trying to gain gate access to the applicants parcel.

4. Exceptions. Request for an exception shall be made in writing to the authority having Jurisdiction (AHJ) by the applicant or the applicant's authorized

representative. The request shall state the specific section(s) for which an exception is requested, material facts supporting the contention of the applicant, the details of the exception, and a map showing the proposed location and citing of the exception or alternative measures.

5. Historic or significant architectural existing gates, may be replaced with materials of like quality to restore these gated entrances to their original historic specifications. No modifications or upgrades to the original specifications will be allow for the Historic gated entrance to avoid compliance with Sec. 15.36.100 of the St. Helena Fire Code and Sec. 17.124.070 of the St. Helena Municipal Code.

15.36.110 Modifications.

The City Manager, the Fire Chief and the Fire Code Official shall act as a committee and shall have power to modify any of the provisions of the California Fire Code upon application in writing by the owner or lessee, or his or her duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the fire code, provided that the spirit of the fire code shall be observed, public safety secured, and substantial justice done. The particulars of such modification when granted or allowed and the decision of the committee thereon shall be entered upon the records of the department and a signed copy shall be furnished the applicant. (Prior code § 5A.20)

15.36.120 Appeals.

Whenever the Chief of the Fire Department shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of this fire code do not apply or that the true intent and meaning of the fire code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Chief of the Fire Department to the board of appeals within thirty (30) days from the date of the decision appealed. (Prior code § 5A.21)

Chapter 15.40 RETROFITTING OF UNREINFORCED MASONRY BUILDINGS

Sections:

- 15.40.010 Short title.**
- 15.40.020 Purpose.**
- 15.40.030 Scope.**
- 15.40.040 Authority.**
- 15.40.050 Definitions.**
- 15.40.060 Future retrofitting legislation.**
- 15.40.070 Change of occupancy.**
- 15.40.080 Addition, alteration or repair.**
- 15.40.090 Penalties for noncompliance.**
- 15.40.100 Appeals process.**

15.40.110 Recovery of penalties.

15.40.120 Remedies.

15.40.010 Short title.

This chapter shall be known as the "unreinforced masonry building (URM) ordinance." (Prior code § 4B.1)

15.40.020 Purpose.

It is generally acknowledged that the city will experience earthquakes in the future due to its proximity to the Rodgers Creek, Hayward and San Andreas faults, and may reasonably be expected to experience moderate to severe ground shaking during a significant earthquake. Such ground shaking may result in serious injury or death or impaired economic value due to damage or collapse of buildings in St. Helena. Buildings constructed of unreinforced masonry have been widely recognized for experiencing life safety hazardous damage including partial or total collapse during moderate to strong earthquakes. The purpose of this chapter is to provide alternative construction regulations designed to reduce the risk of death or injury resulting from earthquake hazards in existing unreinforced masonry buildings in a timely and economically feasible manner while preserving the historic character of the community. (Prior code § 4B.2)

15.40.030 Scope.

The provisions of this chapter contain procedures for the systematic review and reconstruction of all existing unreinforced masonry buildings within the city to improve their safety during an earthquake. This chapter does not require alteration of existing electrical, plumbing or mechanical systems unless the conditions or defects endanger the life, health, property or safety of the public or the building's occupants. Access for the physically disabled shall be provided to the extent required by the latest edition of the California Building Code and/or the State Historical Building Code. The requirements of this chapter shall apply to all buildings or portions of buildings constructed with unreinforced masonry walls with the following exceptions:

- A. A building which has been seismically retrofitted since 1980, which complies with the strengthening standards in effect at the time as determined by the Building Official;
- B. A detached group R division 3 occupancy or a detached group R division 1 occupancy having four living units or fewer;
- C. Accessory buildings serving group R division 3 occupancies or accessory buildings serving group R division 1 occupancies having four living units or fewer;
- D. Public schools;
- E. Hospitals; or
- F. State or federally owned buildings.

(Prior code § 4B.3)

15.40.040 Authority.

- A. The Building Official or designee is authorized and directed to enforce all provisions of this chapter.
- B. Unless otherwise noted, the provisions of the current code shall apply; however, this chapter shall not preclude the enforcement of any federal, state or other local codes, laws or ordinances.
- C. The Building Official shall have the power to render interpretations of this chapter and to adopt and enforce rules and regulations supplemental to this chapter as he or she may deem necessary in order to clarify the application of the provisions of this chapter. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of this chapter. (Prior code § 4B.4)

15.40.050 Definitions.

For the purposes of this chapter, certain words, phrases, terms and their derivatives shall be construed as specified in this section. Words, phrases, and terms that are used in this chapter, but not specifically defined, shall have the meanings set forth in the applicable local, state or federal code, if appropriate. Other such words, phrases and terms shall be accorded their ordinary meanings.

"Architect" means a person who is licensed to practice architecture in this state.

"Architectural and engineering fees" means all design and analysis costs, not repair costs.

"Building," for the purpose of determining occupant load, means any contiguous or interconnected structure; for purposes of engineering evaluation, shall mean the entire structure or portion thereof which will respond to seismic forces as a unit.

"Current code" or current "CBC" means the current edition of the California State Building Code, as amended from time to time and as amended by the city.

"Current California Existing Building Code" or "current CEBC" means the seismic provision for unreinforced masonry bearing wall buildings in the current edition of the International Existing Building Code as adopted and amended by the city.

"Engineer" means any professional, civil or structural engineer who is licensed to practice engineering in this state.

"Owner" means any individual or group of individuals or firm or any other entity holding legal or equitable title to the real property.

"Prevailing code" means the "regular building regulations" as that term is used in the California Health and Safety Code, which govern the design and construction of non-historical buildings within the city.

"Qualified historical building" means any building, structure or collection of structures deemed of importance to the history, architecture, or culture of an area by an appropriate local, state, or federal governmental jurisdiction. This shall include structures on existing or future national, state or local historical registers or official inventories of historical or architecturally significant sites, places, historic districts, or landmarks.

"Unreinforced masonry building" or "URM building" means any building or structure containing one or more walls constructed wholly or partly with unreinforced masonry walls.

"Unreinforced masonry wall" or "URM wall" means a masonry wall in which the area of reinforcing steel is less than twenty-five percent (25%) of the minimum steel ratios required by the current CEBC for reinforced masonry.

"Upgrading" means all work necessary to comply with the requirements of this chapter.

"Valuation" means the total value of all construction work determined in accordance with prevailing code, except structural and fire upgrading work required by this chapter, for which a building permit is issued as well as finish work, roofing, mechanical systems, elevators, disabled access, and any other permanent equipment. (Ord. 02-5 § 5 (part); prior code § 4B.5)

15.40.060 Future retrofitting legislation.

No URM building which has been seismically retrofitted to the standards required in this chapter shall, within a period of fifteen (15) years after completion of the work required for such retrofit, or such other period as the state may from time to time adopt, be identified as a "seismic hazard to life" pursuant to any other seismic mitigation building standard adopted by the city, unless: (a) such building no longer meets the structural upgrade standards under which it was retrofitted; or (b) the occupancy classification for such building is changed. (Prior code § 4B.7)

15.40.070 Change of occupancy.

A URM building shall be retrofitted to the applicable standard upon a change of occupancy as defined in the current CBC, if the Building Official determines that the change will create an increased occupancy load or a hazardous condition. (Prior code § 4B.8)

15.40.080 Addition, alteration or repair.

- A. Whenever addition, alteration or repair work to a URM building involves any one of the following conditions, the building shall be upgraded to comply with the applicable retrofit standards prior to the approval of the addition, alteration, or repair work:
 - 1. The total cost for all addition, alteration and repair work exceeds fifty percent (50%) of the total replacement cost of the existing building. The valuation of the work and the replacement cost of the existing building shall be determined by the Building Official.
 - 2. Dead and live vertical or horizontal loading is increased by five percent on the affected supporting elements of the roof or floor of a building.
 - 3. More than fifty percent (50%) of the total floor areas of the building is involved in substantial structural alteration as determined by the Building Official.
 - 4. The cumulative area of additions, excluding basement additions, exceeds thirty percent (30%) of the existing total floor area of the building excluding basement.
- B. Addition, alteration or repair work shall mean the cumulative addition, alteration or repair work performed on the building within any four year period.
- C. When the owner believes the Building Official has made an error in his or her application of this section, the owner may appeal the determination to the building conservation appeals board in accordance with Section 15.40.110 of this chapter. (Prior code § 4B.9)

15.40.090 Penalties for noncompliance.

- A. It is unlawful for the owner of a potentially hazardous URM building subject to this chapter to fail to comply with the provisions of this chapter. After written notification thereof from the city to the owner, each owner who fails to complete the building upgrades required by this chapter r, for such building shall, in addition to any other penalty or remedy which may be assessed pursuant to this chapter or other applicable law, be guilty of an infraction. Each day or portion thereof during which any violation of any of the provisions of this chapter is committed, continued, or permitted shall be a separate offense. This penalty shall attach the day following the last day of the period during which the owner is to complete the upgrades. The maximum penalty under this subsection shall be ten thousand dollars (\$10,000.00) per building.
- B. In addition to the penalty authorized by subsection (A) of this section, the Building Official may take the following actions in the event of any failure to comply with the requirements of this chapter within the specified time period:
 - 1. Notify all parties with a financial interest in the property (such as mortgage lenders, lienholders, insurance bearers) and the tenants that the building is a hazardous URM building and is in violation of this chapter;
 - 2. File a statement with the county recorder's office describing the potential hazards of the building and the violations of this chapter. Upon correction of the violation of this chapter the Building Official will file a release of any order of unreinforced masonry building hazard mitigation that may have been recorded;
 - 3. Post a sign on the building to designate it as a hazardous URM building. The signs shall be located at well-lighted locations, readily visible by the occupants and public when entering the building and shall be protected from damage. Location, form and content of the sign is subject to the Building Official's approval. The building owner shall be responsible for installing and maintaining the signs and immediately replacing them, at the owner's expense, as necessary. When the owner corrects all violations of this chapter to the satisfaction of the Building Official, the posting of the building required by this section shall be removed. However, if the owner violates any aspect of this chapter after the posting has been removed, the Building Official will repost the building immediately;
 - 4. The city council may cause any building not abated within the time limits set forth herein, to be vacated, strengthened, repaired, rehabilitated, remodeled, demolished or upgraded in accordance with the provisions of this chapter and place a lien on the property for all costs incurred.
- C. The owner may appeal any action or penalty for noncompliance in accordance with Section 15.40.110 of this chapter. (Ord. 02-5 § 5 (part); prior code § 4B.10)

15.40.100 Appeals process.

- A. Exemption from URM Program. If the owner believes that his or her building is not a potentially hazardous URM building or is otherwise exempted from the provisions of this chapter, the owner shall submit evidence, such as original drawings or test results, to substantiate the claim. The Building Official will review the evidence submitted by the owner and will remove the building from the city's list of potentially hazardous URM buildings if the Building Official determines that the building is exempted or in compliance with this chapter. Any decision of the Building Official pursuant to this subsection may be appealed first to the building conservation appeals board and finally to the city council, in accordance with the procedures set forth in this section.

- B. Appeal of Addition, Alterations, or Repair. When the owner believes the Building Official made an error in his or her determination regarding additions, alterations or repairs, the owner may appeal the determination to the building conservation appeals board. Such appeal shall be made within thirty (30) days after the date of the Building Official's written decision.
 - 1. Such appeal shall be made in the form specified by this section and be filed with the Building Official. The appeal shall state specifically the alleged error or abuse of discretion by the Building Official. The appeal will be heard by the building conservation appeals board within thirty (30) days of the date of receipt of the appeal by the city. Not less than seven days prior to the hearing date, the Building Official shall give notice to the appellant of the date, time and place of the hearing. The board shall be authorized to continue the hearing from time to time. In considering the appeal, the board shall determine whether, based upon the record, the Building Official erred or abused his or her discretion. Error or abuse of discretion is shown if it is established that the Building Official failed to follow the provisions of this chapter.
 - 2. The decision of the board shall be in writing and a copy of the board's decision shall be mailed or otherwise delivered to the appellant by the Building Official within seven days of the date of the board's decision. The applicant may appeal the board's decision to the city council in the form specified by this section. The appeal shall be made to the city clerk within thirty (30) days of the date of receipt of the board's final action notice.

- C. Appeal of Noncompliance Penalties and Actions. Any decision by the Building Official to impose penalties or take actions in the event of any failure to comply with the requirements of this chapter may be appealed by the owner or the owner's agent to the city council. Any such appeal shall be made within thirty (30) days of the date of the Building Official's mailing of notification. The appeal shall be made on a form approved by the Building Official and shall state specifically how the Building Official has

either committed an error or has abused his or her discretion. In considering the appeal, the council shall determine whether, based upon the record, the Building Official erred or abused his or her discretion. The decision of the council shall be in writing and shall be final. Revocation of a certificate of occupancy, if appealed, will not become effective until the decision of the council is final and in writing.

- D. Written Appeal Required. The written appeal and filing fee shall be submitted to the city clerk. The written appeal shall contain the following:
1. The names of the appellants;
 2. A brief statement setting forth the legal interest of each of the appellants in the land and/or building involved;
 3. A brief statement in ordinary and concise language of the specific order or action protested, together with any material facts claimed to support the contentions of the appellants;
 4. A brief statement in ordinary and concise language of the relief sought and the reasons why it is claimed the protested order or action should be reversed, modified or otherwise set aside;
 5. The submittal of any documents, sworn statements or other written material claimed to have value on the contentions made in support of the appeal;
 6. The signatures of all parties named as appellants and their mailing addresses;
 7. The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal. (Prior code § 4B.11)

15.40.110 Recovery of penalties.

- A. The penalties imposed on the building owner shall be assessed against the real property subject to this chapter and shall, in addition, be an obligation of the owner of the subject property. If the owner of a building is a group of individuals, firms, or other entities or any combination thereof, the obligation imposed by this section shall be joint and several. The Building Official shall give the owner of the building a written notice showing the amount of the penalty and requesting payment thereof. If the amount of such penalty is not paid to city within thirty (30) days after the date of such notice, the Building Official shall forward a report of the penalties to the city council for confirmation.
- B. The property owner shall be given at least fifteen (15) days' written notice of the confirmation hearing before the city council. The amount of the penalties shall be confirmed by the city council, unless the city council finds, based upon evidence in the record, that the Building Official erred in imposing or in computing the amount of the penalty. If such error is found, the city council may modify the amount of the penalty, as warranted.
- C. Upon confirmation of the penalty, the city council shall direct the Building Official to record in the office of the county recorder, a certificate substantially in the following form:

NOTICE OF SPECIAL ASSESSMENT LIEN

Pursuant to Section 15.40.100, of the St. Helena Municipal Code, the penalty of \$ _____ was assessed by the Building Official, and confirmed by the St. Helena City Council, against the described real property and such amount has not been paid, in full, and the City of St. Helena does hereby claim a special assessment lien upon the hereinafter described real property in said amount; the same shall be a lien upon the real property until such sum has been paid in full. The real property herein above mentioned and upon which a lien is claimed is that certain parcel of land lying and being in the City of St. Helena, County of Napa, State of California and particularly described as follows, to wit:

(Insert description of property)

Dated _____

Building Official

Such lien attaches upon recordation of the notice of special assessment lien. The description of the parcel in the notice of lien shall be that used for the same parcel as the county assessor's map book for the current year. The county assessor shall enter each assessment on the county tax roll opposite the affected parcel of land. The amount of the assessment shall be collected and shall be subject to the same penalties and the same procedures for foreclosure and sale, in case of delinquencies, as provided for ordinary municipal taxes. (Prior code § 4B.12)

15.40.120 Remedies.

In addition to the penalties in Section 15.40.100 of this chapter, the following remedies are available to the city and may be imposed independently or in combination with each other at the sole discretion of the Building Official, unless otherwise noted herein:

- A. Maintenance of a URM building beyond the time specified in Section 15.40.060(E) of this chapter for completion of upgrades to such building is declared a public nuisance.
- B. The city may seek injunctive relief on behalf of the public to enjoin a building owner's violation of this chapter.
- C. The city may withhold the issuance of any building permit and/or may suspend the existing building permits on the subject building unless otherwise authorized by the Building Official for emergency repairs.
- D. The Building Official, after written notice to the owner, may revoke or suspend the occupancy permit for any structure for which the owner violates any of the provisions of this chapter. The notice of revocation or suspension shall provide the owner the right to provide the Building Official with evidence that the occupancy permit should not be revoked or

suspended either because the structure is not subject to the provisions of this chapter or because the Building Official did not follow the provisions of this chapter.

- E. Any person violating any provision of this chapter shall be guilty of an infraction.
- F. These remedies are not exclusive and the city may utilize any other remedies available at law or equity. (Prior code § 4B.13)

Chapter 15.44 BUILDING NUMBERING SYSTEM

Sections:

- 15.44.010 Plan generally—Odd and even numbers.**
- 15.44.020 Method of assignment of numbers.**
- 15.44.030 Use of numbers consecutively.**
- 15.44.040 Record of numbers assigned.**
- 15.44.050 Duty of property owners to provide and affix numbers.**
- 15.44.060 Size of number—Where numbers are to be placed.**

15.44.010 Plan generally—Odd and even numbers.

All buildings fronting on streets in the city shall be numbered in accordance with the following system:

- A. The base or initial point on all streets running in a northwesterly and southeasterly course shall be the southeastern boundary line of the city running from Napa River to Crane Avenue, and the line projected northeasterly and southwesterly, and all such streets which run in a northwesterly direction from such base or initial point, shall be numbered from such base or initial point, and all streets which run in a northwesterly direction, but do not run from such base or initial point shall be theoretically projected southeasterly to such base or initial point and shall be numbered as if the same actually ran from such base, and in all such streets the odd numbers shall be placed on the southerly side of the street, and even numbers on the northerly side, opposite the next preceding odd numbers.
- B. The base or initial point on all streets running in a northeasterly and southwesterly course shall be a line drawn at right angles to the aforesaid southeasterly boundary line of the city and intersecting the last-mentioned line at a point where it intersects the southern bank of Napa River, and all streets running in a southwesterly direction shall be theoretically projected northeasterly to such base or initial point and shall be numbered as if the same actually ran from such base or initial point, and on all such streets, the odd numbers shall be placed on the westerly side of the street and the even numbers on the easterly side, opposite the next preceding odd number. (Prior code § 13.36)

15.44.020 Method of assignment of numbers.

The lots shall be numbered starting from the southeasterly or northeasterly end of the block and the numbers shall be computed in the following manner: The number of lineal feet of property line in each block shall be divided by six and one

number shall be appropriated to the space resulting from such division as the case may be. (Prior code § 13.37)

15.44.030 Use of numbers consecutively.

Numbering of buildings shall be consecutively in the following manner:

Beginning the numbering for each street with the first block, at such base or initial point, allotting one hundred (100) numbers, or as many to each block as shall be required and using the numbers from one to one hundred (100), inclusive, in the first block, the numbers one hundred (100) and one to two hundred (200), inclusive, in the next block, and so on consecutively from such base or initial point the whole length of the street. (Prior code § 13.38)

15.44.040 Record of numbers assigned.

The superintendent of streets shall number the streets and shall keep complete records, plots and diagrams thereof, in his or her office, and shall inform, on request, the owners or occupants of each house to be numbered, of the numbers to be placed on the house by the owner or occupant. (Prior code § 13.39)

15.44.050 Duty of property owners to provide and affix numbers.

It shall be the duty of every person owning, occupying or controlling any building or store fronting on a public street or avenue in the city to number the same, or cause the same to be numbered correctly and in accordance with this chapter, and it shall be the duty of any person owning, occupying or controlling any building hereafter erected within the city to do so number the same within one month after its completion or occupancy, and it is unlawful for such owner or occupant to fail, neglect or refuse to do so. (Prior code § 13.40)

15.44.060 Size of number—Where numbers are to be placed.

The regulation number to be used in numbering buildings in the city shall be consistent with section 15.12.020 A. Numbers shall be placed upon some conspicuous place on the front of such building. (Prior code § 13.41)

Chapter 15.48 TRAILERS AND TRAILER CAMPS

Sections:

- 15.48.010 Definitions.**
- 15.48.020 State law as to trailer camps adopted.**
- 15.48.030 Trailers to be kept in approved camps—Exceptions when temporary permits are issued.**
- 15.48.040 Application for temporary permits.**
- 15.48.050 Temporary permit fees.**
- 15.48.060 When trailers to be parked in parking spaces.**
- 15.48.070 Unlawful locations.**

15.48.010 Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

"Approved trailer camps or farm labor camps" means any places, areas or tracts offered to the public for accommodation of any trailer and approved by the city health inspector as conforming to state and county law.

"Trailer" means any unit designed to be used for living or sleeping purposes, or both, and which is or was at some time equipped with wheels or similar devices for the purpose of transporting such unit from place to place, whether by motive power or other means. (Prior code § 16.1)

15.48.020 State law as to trailer camps adopted.

All of the provisions of the state law applicable to health, sanitation and safety of trailer camps or farm labor camps are adopted and made a part of this chapter as though fully set forth herein. (Prior code § 16.2)

15.48.030 Trailers to be kept in approved camps—Exceptions when temporary permits are issued.

All trailers when occupied or used for living or sleeping purposes shall be kept within approved trailer camps or farm labor camps, except when a temporary permit is issued as provided for in Section 17.136.090(C). (Prior code § 16.3)

15.48.040 Application for temporary permits.

Application for a temporary permit shall be made within forty-eight (48) hours from the time such trailer is located upon the property. (Prior code § 16.4)

15.48.050 Temporary permit fees.

Every person holding a temporary permit shall pay to the city building inspector the fee set forth by city council resolution. (Ord. 02-5 § 15 (part); prior code § 16.5)

15.48.060 When trailers to be parked in parking spaces.

All trailers when parked for more than twenty-four (24) continuous hours shall be parked in a parking space. (Prior code § 16.6)

15.48.070 Unlawful locations.

No person shall establish, maintain or locate any trailer in the city, except in conformance with the provisions of this chapter. (Ord. 02-5 § 15 (part); prior code § 16.7)

Chapter 15.52 FLOOD DAMAGE PREVENTION

Sections:

- 15.52.010 Statutory authorization.
- 15.52.020 Findings of fact.
- 15.52.030 Statement of purpose.
- 15.52.040 Methods of reducing flood losses.
- 15.52.050 Definitions.
- 15.52.060 Lands to which this chapter applies.
- 15.52.070 Basis for establishing the areas of special flood hazard.
- 15.52.080 Compliance.
- 15.52.090 Abrogation and greater restrictions.
- 15.52.100 Interpretation.
- 15.52.110 Warning and disclaimer of liability.
- 15.52.120 Development permit.
- 15.52.130 Designation of floodplain administrator.
- 15.52.140 Duties and responsibilities of the floodplain administrator.
- 15.52.150 Standards of construction.
- 15.52.160 Standards for utilities.
- 15.52.170 Standards for subdivisions.
- 15.52.180 Standards for manufactured homes.
- 15.52.190 Floodways.
- 15.52.200 Appeal board.
- 15.52.210 Variances.

* Editor's Note: The sections in this chapter have been renumbered from the designations given in Ord. 06-8 starting with Section 15.52.120.

15.52.010 Statutory authorization.

The Legislature of the State of California has, in Government Code Sections 65302, 65560, and 65800, conferred upon local government units authority to adopt regulations designed to promote the public health, safety and general welfare of its citizenry. Therefore, the city council does ordain as set forth in this chapter. (Ord. 06-8 § 3 (part); Ord. 02-5 § 8: prior code § 5B.1)

15.52.020 Findings of fact.

- A. The flood hazard areas of the city are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
- B. These flood losses are caused by uses that are inadequately elevated, floodproofed or protected from flood damage. The cumulative effect of obstructions in areas of special flood hazards which increase flood heights

and velocities also contributes to flood losses. (Ord. 06-8 § 3 (part): prior code § 5B.2)

15.52.030 Statement of purpose.

It is the purpose of this chapter to promote the public health, safety and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- A. Protect human life and health;
- B. Minimize expenditure of public money for costly flood-control projects;
- C. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D. Minimize prolonged business interruptions;
- E. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard;
- F. Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future blighted areas caused by flood damage;
- G. Ensure that potential buyers are notified that property is in an area of special flood hazard; and
- H. Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions. (Ord. 06-8 § 3 (part): prior code § 5B.3)

15.52.040 Methods of reducing flood losses.

In order to accomplish its purposes, this chapter includes regulations to:

- A. Restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or flood heights or velocities;
- B. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- C. Control the alteration of natural floodplains, stream channels and natural protective barriers, which help accommodate or channel floodwaters;
- D. Control filling, grading, dredging and other development which may increase flood damage;
- E. Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards in other areas; and
- F. These regulations take precedence over any less restrictive conflicting local laws, ordinances and codes. (Ord. 06-8 § 3 (part): prior code § 5B.4)

15.52.050 Definitions.

Unless specifically defined below, words or phrases used in this chapter shall be so interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application.

"A Zone." See "Special flood hazard area."

- “Accessory structure, low-cost and small” means a structure that is solely for the parking of not more than two cars; or limited storage (small, low cost sheds).
- “Accessory use” means a use which is incidental and subordinate to the principal use of the parcel of land on which it is located;
- “Alluvial fan” means a geomorphologic feature characterized by a cone or fan shaped deposit of boulders, gravel, and fine sediments that have been eroded from mountain slopes, transported by flood flows, and then deposited on the valley floors, and which is subject to flash flooding, high velocity flows, debris flows, erosion, sediment movement and deposition, and channel migration.
- “Apex” means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.
- “Appeal” means a request for a review of the floodplain administrator’s interpretation of any provision of this chapter or a request for a variance.
- “Area of shallow flooding” means a designated AO or AH Zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.
- “Area of special flood hazard.” See “Special flood hazard area.”
- “Area of special flood-related erosion hazard” is the land within a community which is most likely to be subject to severe flood-related erosion losses. The area may be designated as Zone E on the Flood Insurance Rate Map (FIRM).
- “Base flood” means the flood having a one-percent chance of being equaled or exceeded in any given year (also called the “100 year flood”). Base flood is the term used throughout this chapter.
- “Base flood elevation (BFE)” means the elevation shown on the Flood Insurance Rate Map for Zones AE, AH, A1-A30, VE and V1-V30 that indicates the water surface elevation resulting from a flood that has a one-percent or greater chance of being equaled or exceeded in any given year.
- “Basement” means any area of the building having its floor subgrade — i.e., below ground level— on all sides.
- “Building.” See “Structure.”
- “Crawl space” is an enclosed area below the BFE. Crawl space construction is subject to specific materials requirements and other constraints as described in Section 15.52.150(C)(2) of this chapter.
- “Development” means any man-made change to improved or unimproved real estate including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.
- “Development permit” means the document issued by the city to confirm approval of the development proposed by the submittals required under Section 15.52.120 of this chapter.

- "Encroachment" means the advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures or development into a floodplain which may impede or alter the flow capacity of a floodplain.
- "Existing manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) was completed before May 27, 1980.
- "Expansion to an existing manufactured home park or subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
- "Flood, flooding, or flood water" means:
1. A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters; the unusual and rapid accumulation or runoff of surface waters from any source; and/or mudslides (i.e., mudflows); and
 2. The condition resulting from flood related erosion.
- "Flood Boundary and Floodway Map (FBFM)" means the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazard and the floodway.
- "Flood Insurance Rate Map (FIRM)" means the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.
- "Flood Insurance Study" means the official report provided by the Federal Insurance Administration that includes flood profiles, the FIRM, the Flood Boundary and Floodway Map, and the water surface elevation of the base flood.
- "Floodplain or flood-prone area" means any land area susceptible to being inundated by water from any source - see "Flooding."
- "Floodplain administrator" is the community official designated by title to administer and enforce the floodplain management regulations.
- "Floodplain management" means the operation of an overall program of corrective and preventive measures for reducing flood damage, including, but not limited to, emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.
- "Floodplain management regulations" means this and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as grading and erosion control) and other applications of police power which control development in flood prone areas. This term describes federal, state or local regulations in any combination thereof which provide standards for preventing and reducing flood loss and damage.

- “Flood proofing” means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents. For guidelines on dry and wet flood proofing, see FEMA Technical Bulletins TB 1-93, TB 3-93, and TB 7-93.
- “Flood-related erosion” means the collapse or subsidence of land along the shore of a lake or other body of water as a result of undermining caused by waves or currents of water exceeding anticipated cyclical level or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a flash flood or an abnormal tidal surge, or by some similarly unusually and unforeseeable event which results in flooding.
- “Flood-related erosion area” or “flood-related erosion prone area” means a land area adjoining the shore of a lake or other body of water, which due to the composition of the shoreline or bank and high water levels or wind-driven currents, is likely to suffer flood-related erosion damage.
- “Flood-related erosion area management” means the operation of an overall program of corrective and preventive measures for reducing flood-related erosion damage, including but not limited to emergency preparedness plans, flood-related erosion control works, and floodplain management regulations.
- “Floodway” means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot. Also referred to as “regulatory floodway.”
- “Floodway fringe” is that area of the floodplain on either side of the “regulatory floodway” where encroachment may be permitted.
- “Fraud and victimization” as related to Section 15.52.210 of this chapter, means that the variance granted must not cause fraud on or victimization of the public. In examining this requirement, the city will consider the fact that every newly constructed building adds to government responsibilities and remains a part of the community for fifty (50) to one hundred (100) years. Buildings that are permitted to be constructed below the base flood elevation are subject during all those years to increased risk of damage from floods, while future owners of the property and the community as a whole are subject to all the costs, inconvenience, danger, and suffering that those increased flood damages bring. In addition, future owners may purchase the property, unaware that it is subject to potential flood damage, and can be insured only at very high flood insurance rates.
- “Functionally dependent use” means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers,

and ship building and ship repair facilities, and does not include long term storage or related manufacturing facilities.

"Governing body" is the city, empowered to adopt and implement regulations to provide for the public health, safety and general welfare of its citizenry.

"Hardship" as related to Section 15.52.210 of this chapter means the exceptional hardship that would result from a failure to grant the requested variance. The city requires that the variance be exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

"Highest adjacent grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

"Historic structure" means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program as determined by the Secretary of the Interior or directly by the Secretary of the Interior in states without approved programs.

"Levee" means a man made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

"Levee system" means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accord with sound engineering practices.

"Lowest floor" means the lowest floor of the lowest enclosed area, including basement (see "Basement" definition).

1. An unfinished or flood-resistant enclosure below the lowest floor that is usable solely for parking of vehicles, building access or storage in an area other than a basement area, is not considered a building's lowest floor provided it conforms to applicable non-elevation design requirements, including, but not limited to:
 - a. The flood openings standard in Section 15.52.150(C)(4) of this chapter;
 - b. The anchoring standards in Section 15.52.150(A) of this chapter;
 - c. The construction materials and methods standards in Section 15.52.150(B) of this chapter; and
 - d. The standards for utilities in Section 15.52.160 of this chapter.
- "Manufactured home" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes, the term "manufactured home" also includes "recreational vehicles," park trailers, travel trailers and other similar vehicles placed on a site for greater than one hundred eighty (180) consecutive days.
- "Market value" shall be determined by estimating the cost to replace the structure in new condition and adjusting that cost figure by the amount of depreciation which has accrued since the structure was constructed.
1. The cost of replacement of the structure shall be based on a square foot cost factor determined by reference to a building cost estimating guide recognized by the building construction industry.
 2. The amount of depreciation shall be determined by taking into account the age and physical deterioration of the structure and functional obsolescence as approved by the floodplain administrator, but shall not include economic or other forms of external obsolescence.
 3. Use of replacement costs or accrued depreciation factors different from those contained in recognized building cost estimating guides may be considered only if such factors are included in a report prepared by an independent professional appraiser and supported by a written explanation of the differences.
- "Manufactured home park or subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for sale or rent.
- "Mean sea level (MSL)" means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.
- "New construction", for floodplain management purposes, means structures for which the "start of construction" commenced on or after May 27, 1980, and includes any subsequent improvements to such structures.
- "New manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including

at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after May 27, 1980.

"Obstruction" includes, but is not limited to, any dam, wall, wharf, embankment, levee, dike, pile, abutment, protection, excavation, channelization, bridge, conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure, vegetation or other material in, along, across or projecting into any watercourse which may alter, impede, retard or change the direction and/or velocity of the flow of water, or due to its location, its propensity to snare or collect debris carried by the flow of water, or its likelihood of being carried downstream.

"One hundred year flood" or "100 year flood" - see "Base flood."

"Person" means an individual or his or her agent, firm, partnership, association or corporation, or agent of the aforementioned groups, or this state or its agencies or political subdivisions.

"Program deficiency" means a defect in a community's floodplain management regulations or administrative procedures that impairs effective implementation of those floodplain management regulations.

"Public safety and nuisance" as related to Section 15.52.210 of this chapter, means that the granting of a variance must not result in anything which is injurious to safety or health of an entire community or neighborhood, or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, river, bay, stream, canal, or basin.

"Recreational vehicle" means a vehicle which is:

1. Built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;
3. Designed to be self propelled or permanently towable by a light duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

"Regulatory floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

"Remedy a violation" means to bring the structure or other development into compliance with state or local floodplain management regulations, or, if this is not possible, to reduce the impacts of its noncompliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of this chapter or otherwise deterring future similar violations, or reducing state or federal financial exposure with regard to the structure or other development.

"Riverine" means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

"Sheet flow area." See "Area of shallow flooding."

"Special flood hazard area (SFHA)" means an area in the floodplain subject to a one percent or greater chance of flooding in any given year. It is shown on an FHBM or FIRM as Zone A, AO, A1-A30, AE, A99, or AH.

"Start of construction" includes substantial improvement and other proposed new development and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within one hundred eighty (180) days from the date of the permit. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufacture home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"Structure" means a walled and roofed building that is principally aboveground; this includes a gas or liquid storage tank, or a manufactured home.

"Substantial damage" means:

1. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred; or
2. Flood-related damages sustained by a structure on two separate occasions during a ten (10)-year period for which the cost of repairs at the time of each such event, on the average, equals or exceeds twenty-five percent (25%) of the market value of the structure before the damage occurred. This is also known as "repetitive loss."

"Substantial improvement" means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds thirty percent (30%) of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code

enforcement official and which are the minimum necessary to assure safe living conditions; or

2. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

"Variance" means a grant of relief from the requirements of this chapter which permits construction in a manner that would otherwise be prohibited by this chapter.

"Violation" means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this chapter is presumed to be in violation until such time as that documentation is provided.

"Water surface elevation" means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum, of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

"Watercourse" means a lake, river, creek, stream, wash, arroyo, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur. (Ord. 06-8 § 3 (part): prior code § 5B.5)

15.52.060 Lands to which this chapter applies.

This chapter shall apply to all areas of special flood hazards within the jurisdiction of the city. (Ord. 06-8 § 3 (part): prior code § 5B.6)

15.52.070 Basis for establishing the areas of special flood hazard.

The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in the "Flood Insurance Study (FIS) City of St. Helena, California, Napa County" dated January 7, 1998, with accompanying Flood Insurance Rate Maps (FIRMs) and Flood Boundary and Floodway Maps (FBFMs), dated January 7, 1998, and all subsequent amendments and/or revisions, are hereby adopted by reference and declared to be a part of this chapter. This FIS and attendant mapping is the minimum area of applicability of this chapter and may be supplemented by studies for other areas which allow implementation of this chapter and which are recommended to the city by the floodplain administrator. The study, FIRMs and FBFMs are on file at City Hall, 1480 Main Street, St. Helena. (Ord. 06-8 § 3 (part): prior code § 5B.7)

15.52.080 Compliance.

No structure or land shall hereafter be constructed, located, extended, converted or altered without full compliance with the terms of this chapter and other applicable regulations. Violation of the requirements (including violations of conditions and safeguards) shall constitute a misdemeanor. Nothing herein shall

prevent the city from taking such lawful action as is necessary to prevent or remedy any violation. (Ord. 06-8 § 3 (part); prior code § 5B.8)

15.52.090 Abrogation and greater restrictions.

This chapter is not intended to repeal, abrogate or impair any existing easements, covenants or deed restrictions. However, where this chapter and another ordinance, easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail. (Ord. 06-8 § 3 (part); prior code § 5B.9)

15.52.100 Interpretation.

In the interpretation and application of this chapter, all provisions shall be:

- A. Considered as minimum requirements;
- B. Liberally construed in favor of the city; and
- C. Deemed neither to limit nor repeal any other powers granted under state statutes. (Ord. 06-8 § 3 (part); prior code § 5B.10)

15.52.110 Warning and disclaimer of liability.

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This chapter does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of the city, any officer or employee thereof, the state of California or the Federal Emergency Management Agency for any flood damages that result from reliance on this chapter or any administrative decision lawfully made hereunder. (Ord. 06-8 § 3 (part); prior code § 5B.11)

15.52.120 Development permit.

A development permit shall be obtained before construction or other development, including manufactured homes, within any area of special flood hazard established in Section 15.52.070 of this chapter. Applications for a development permit shall be made on forms furnished by the city. The applicant shall provide the following minimum information:

- A. Plans in duplicate, drawn to scale, showing:
 - 1. Location, dimensions, and elevation of the area in question, existing or proposed structures, storage of materials and equipment and their location;
 - 2. Proposed locations of water supply, sanitary sewer, and other utilities;
 - 3. Grading information showing existing and proposed contours, any proposed fill, and drainage facilities;
 - 4. Location of the regulatory floodway when applicable;
 - 5. Base flood elevation information as specified in Section 15.52.070 or Section 15.52.150(C) of this chapter;
 - 6. Proposed elevation in relation to mean sea level of the lowest floor (including basement) of all structures; and

7. Proposed elevation in relation to mean sea level to which any nonresidential structure will be flood proofed, as required in Section 15.52.150(C)(3) of this chapter and detailed in FEMA Technical Bulletin TB 3-93.
- B. Certification from a registered civil engineer or architect that the nonresidential flood proofed building meets the flood proofing criteria in Section 15.52.150(C)(3) of this chapter.
- C. For a crawl space foundation, location and total net area of foundation openings as required in Section 15.52.150(C)(2) of this chapter and detailed in FEMA Technical Bulletins 1-93 and 7-93.
- D. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development and evidence that any required state or federal permits for such alteration or relocation have been obtained.
- E. All appropriate certifications listed in Section 15.52.150 of this chapter. (Ord. 06-8 § 3 (part); prior code § 5B.13)

15.52.130 Designation of floodplain administrator.

The city engineer is appointed to administer, implement and enforce this chapter by granting or denying development permits in accord with its provisions. (Ord. 06-8 § 3 (part); prior code § 5B.14)

15.52.140 Duties and responsibilities of the floodplain administrator.

The duties and responsibilities of the floodplain administrator shall include, but not be limited to:

- A. Permit Review.
 1. Review all development permit applications to determine that the permit requirements of this chapter have been satisfied, including determination of substantial improvement and substantial damage of existing structures;
 2. All other required state and federal permits have been obtained;
 3. The site is reasonably safe from flooding;
 4. The proposed development does not adversely affect the carrying capacity of areas where base flood elevations have been determined but a floodway has not been designated. This means that the cumulative effect of the proposed development when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood more than one foot at any point within the city; and
 5. All letters of map revision (LOMRs) for flood control projects are approved prior to the issuance of building permits. Building permits must not be issued based on conditional letters of map revision (CLOMRs). Approved CLOMRs allow construction of the proposed flood control project and land preparation as specified in the "Start of Construction" definition.
- B. Development of Substantial Improvement and Substantial Damage Procedures.

1. Using FEMA publication FEMA 213, "Answers to Questions About Substantially Damaged Buildings," develop detailed procedures for identifying and administering requirements for substantial improvement and substantial damage, to include defining "market value."
2. Assure procedures are coordinated with other departments/divisions and implemented by community staff.
- C. Review Use and Development of Other Base Flood Data. When base flood elevation data has not been provided in accordance with Section 15.52.070 of this chapter, the floodplain administrator shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source, in order to administer Sections 15.52.150 through 15.52.190 of this chapter. Any such information shall be submitted to the city council for adoption. NOTE: A base flood elevation may be obtained using one of two methods from the FEMA publication, FEMA 265, "Managing Floodplain Development in Approximate Zone A Areas – A Guide for Obtaining and Developing Base (100-year) Flood Elevations" dated July 1995.
- D. Notification of Other Agencies.
 1. Alteration or relocation of a watercourse.
 - a. Notify adjacent communities and the California Department of Water Resources prior to the alteration or relocation;
 - b. Submit evidence of such notification to the Federal Emergency Management Agency; and
 - c. Assure that the flood-carrying capacity of the altered or relocated portion of such watercourse is maintained.
 2. Base flood elevation changes due to physical alterations:
 - a. Within six months of information becoming available or project completion, whichever comes first, the floodplain administrator shall submit or assure that the permit applicant submits technical or scientific data to FEMA for a letter of map revision (LOMR).
 - b. All LOMR's for flood control projects are approved prior to the issuance of building permits. Building permits must not be issued based on conditional letters of map revision (CLOMR's). Approved CLOMR's allow construction of the proposed flood control project and land preparation as specified in the "Start of Construction" definition.
 - c. Such submissions are necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and floodplain management requirements are based on current data.
 3. Changes in corporate boundaries:
 Notify FEMA in writing whenever the corporate boundaries have been modified by annexation or other means and include a copy of a map of the community clearly delineating the new corporate limits.
- E. Documentation of Floodplain Development.
Obtain and maintain for public inspection and make available as needed the following:

1. Certification required by Section 15.52.150(C)(1) of this chapter (lowest floor elevations);
 2. Certification required in Section 15.52.150(C)(3) of this chapter (elevation or flood proofing of nonresidential structures);
 3. Certification required in Section 15.52.150(C)(4) of this chapter (wet flood proofing standard);
 4. Certification required in Section 15.52.170 of this chapter (subdivisions and other proposed development standards);
 5. The certification required in Section 15.52.190(A) of this chapter (floodway encroachments); and
 6. Maintain a record of all variance actions, including justification for their issuance, and report such variances issued in its biennial report submitted to the Federal Emergency Management Agency.
- F. Map Determination. Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazard, where there appears to be a conflict between a mapped boundary and actual field conditions. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 15.52.200 of this chapter.
- G. Remedial Action. Take action to remedy violations of this chapter as specified in Section 15.52.080 herein.
- H. Biennial Report. Complete and submit biennial report to FEMA.
- I. Planning. Assure community's general plan is consistent with floodplain management objectives herein. (Ord. 06-8 § 3 (part): prior code § 5B.15)

15.52.150 Standards of construction.

In all areas of special flood hazards the following standards are required:

- A. Anchoring.
1. All new construction and substantial improvements, including manufactured homes, shall be adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
- B. Construction Materials and Methods.
1. All new construction and substantial improvements to structures, including manufactured homes, shall be constructed:
 - a. With flood-resistant materials, and utility equipment resistant to flood damage for areas below the base flood elevation;
 - b. Using methods and practices that minimize flood damage;
 - c. With electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding; and
 - d. Within Zone AH or AO, so that there are adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.
- C. Elevation and Flood proofing.

1. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement:
 - a. In AE, AH and A1-A30 Zones, elevated to eighteen (18) inches above the base flood elevation.
 - b. In an AO Zone, elevated above the highest adjacent grade to a height equal to or exceeding the depth number specified in feet on the FIRM, or elevated at least two feet above the highest adjacent grade if no depth number is specified.
 - c. Upon completion of the structure, the elevation of the lowest floor including basement shall be certified by a registered civil engineer or land surveyor to be properly elevated. Such certification shall be provided to the floodplain administrator.
2. Crawl Space Construction. Below-grade crawl space construction in accordance with the requirements listed below will not be considered basements.
 - a. The building must be designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Crawl space construction is not allowed in areas with flood velocities greater than five feet per second unless the design is reviewed by a qualified design professional, such as a registered architect or professional engineer;
 - b. The crawl space is an enclosed area below the BFE and, as such, must have openings that equalize hydrostatic pressures by allowing for the automatic entry and exit of floodwaters. For guidance on flood openings, see FEMA Technical Bulletin 1-93;
 - c. Crawl space construction is not permitted in V zones. Open pile or column foundations that withstand storm surge and wave forces are required in V zones;
 - d. Portions of the building below the BFE must be constructed with materials resistant to flood damage. This includes not only the foundation walls of the crawl space used to elevate the building, but also any joists, insulation, or other materials that extend below the BFE; and
 - e. Any building utility systems within the crawl space must be elevated above BFE or designed so that floodwaters cannot enter or accumulate within the system components during flood conditions.
 - f. Requirements for all below-grade crawl space construction, in addition to the above requirements, to include the following:
 - i. The interior grade of a crawl space below the BFE must not be more than two feet below the Lowest Adjacent Exterior Grade (LAG), shown as D in figure 3 of Technical Bulletin 11-01;
 - ii. The height of the below-grade crawl space, measured from the interior grade of the crawl space to the top of the crawl space foundation wall must not exceed 4 feet (shown as L in figure 3 of Technical Bulletin 11-01) at any point;

- iii. There must be an adequate drainage system that removes floodwaters from the interior area of the crawl space within a reasonable period of time after a flood event, not to exceed seventy-two (72) hours; and
 - iv. The velocity of floodwaters at the site should not exceed five feet per second for any crawl space. For velocities in excess of five feet per second, other foundation types should be used.
- 3. For any new construction or substantial improvement of a nonresidential structure, the entire structure shall either be elevated in conformance with subsection (C)(1) of this section or together with attendant utility and sanitary facilities:
 - a. Be flood proofed so that below the level required under subsection (C)(1) of this section the structure is watertight with walls substantially impermeable to the passage of water;
 - b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
 - c. Be certified by a registered civil engineer that the standards of this subsection are satisfied. Such certification shall be provided to the floodplain administrator.
- 4. Require, for all new construction and substantial improvements, that fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of flood waters. Designs for meeting this requirement must either be certified by a registered civil engineer or meet or exceed the following minimum criteria:
 - a. Either a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves or other coverings or devices; provided, that they permit the automatic entry and exit of flood waters; or
 - b. Be certified to comply with a local flood proofing standard approved by the Federal Insurance Administration.
- 5. Manufactured homes shall also meet the standards in Section 15.52.180.
- D. Non-conversion of Enclosed Areas Below the Lowest Floor. To ensure that the areas below the BFE shall be used solely for parking vehicles, limited storage, or access to the building and not be finished for use as human habitation without first becoming fully compliant with the floodplain management ordinance in effect at the time of conversion, the floodplain administrator shall:
 - 1. Determine which applicants for new construction and/or substantial improvements have fully enclosed areas below the lowest floor that are five feet or higher;

2. Require that such applicants enter into a "NON-CONVERSION AGREEMENT FOR CONSTRUCTION WITHIN FLOOD HAZARD AREAS" or equivalent with the city. The agreement shall be recorded by the floodplain administrator with the Napa County Recorder as a deed restriction. The non-conversion agreement shall be in a form acceptable to the floodplain administrator and city attorney; and
 3. Have the authority to inspect any area of a structure below the base flood elevation to ensure compliance upon prior notice of at least seventy-two (72) hours.
- E. The floodplain administrator shall require permits for proposed construction and other development within all flood-related erosion-prone areas known to the community.
1. Permit applications shall be reviewed to determine whether the proposed site alterations and improvements will be reasonably safe from flood-related erosion, and will not cause flood-related erosion hazards or otherwise aggravate the existing hazard.
 2. If a proposed improvement is found to be in the path of flood-related erosion or would increase the erosion hazard, such improvement shall be relocated or adequate protective measures shall be taken to avoid aggravating the existing erosion hazard.
 3. Within Zone E on the Flood Insurance Rate Map, a setback is required for all new development from the ocean, lake, bay, riverfront or other body of water to create a safety buffer consisting of a natural vegetative or contour strip. This buffer shall be designated according to the flood-related erosion hazard and erosion rate, in relation to the anticipated "useful life" of structures, and depending upon the geologic, hydrologic, topographic, and climatic characteristics of the land. The buffer may be used for suitable open space purposes, such as for agricultural, forestry, outdoor recreation and wildlife habitat areas, and for other activities using temporary and portable structures only. (Ord. 06-8 § 3 (part): prior code § 5B.16)

15.52.160 Standards for utilities.

- A. All new and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from systems into flood waters.
- B. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding. (Ord. 06-8 § 3 (part): prior code § 5B.17)

15.52.170 Standards for subdivisions.

- A. All preliminary subdivision proposals shall identify the flood hazard area and the elevation of the base flood.
- B. All final subdivision plans will provide the elevation of proposed structure(s) and pads. If the site is filled above the base flood, the final pad elevation shall be certified by a registered civil engineer or land surveyor and provided to the floodplain administrator.

- C. All subdivision proposals shall be consistent with the need to minimize flood damage.
- D. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.
- E. All subdivisions shall provide adequate drainage to reduce exposure to flood hazards. (Ord. 06-8 § 3 (part): prior code § 5B.18)

15.52.180 Standards for manufactured homes.

All new and replacement manufactured homes and additions to manufactured homes shall:

- A. Be elevated on a permanent foundation so that the lowest floor is at least eighteen (18) inches above the base flood elevation; and
- B. Be securely anchored to a permanent foundation system designed to resist flotation, collapse and lateral movement and approved by the Building Official.
- C. All recreational vehicles placed in Zones A1-30, AH, and AE will either:
 - 1. Be on the site for fewer than one hundred eight (180) consecutive days; or
 - 2. Be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or
 - 3. Meet the permit requirements of Section 15.52.120 of this chapter and the elevation and anchoring requirements for manufactured homes in Section 15.52.180. (Ord. 06-8 § 3 (part): prior code § 5B.19)

15.52.190 Floodways.

Located within areas of special flood hazard established in Section 15.52.070 of this chapter are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

- A. Prohibit encroachments, including fill, new construction, substantial improvements and other development unless certification by a registered civil engineer is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- B. If subsection A of this section is satisfied, all new construction and substantial improvements shall comply with all other applicable flood hazard reduction provisions of Sections 15.52.140 through 15.52.180. (Ord. 06-8 § 3 (part))

15.52.200 Appeal board.

- A. The planning commission, and on appeal, the city council shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the floodplain administrator in the enforcement or administration of this chapter.

- B. The city council shall hear and decide requests for variance in the enforcement or administration of this chapter.
 - 1. In passing upon requests for variances, the city council shall consider all technical evaluations, all relevant factors, standards specified in other sections of this chapter, and the:
 - a. Danger that materials may be swept onto other lands to the injury of others;
 - b. Danger of life and property due to flooding or erosion damage;
 - c. Susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the existing individual owner and future owners of the property;
 - d. Importance of the services provided by the proposed facility to the community;
 - e. Necessity to the facility of a waterfront location, where applicable;
 - f. Availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
 - g. Compatibility of the proposed use with existing and anticipated development;
 - h. Relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 - i. Safety of access to the property in time of flood for ordinary and emergency vehicles;
 - j. Expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site; and
 - k. Costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water system, and streets and bridges.
 - 2. Variances shall only be issued upon a:
 - a. Showing of good and sufficient cause;
 - b. Determination that failure to grant the variance would result in exceptional "hardship" to the applicant; and
 - c. Determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense, create a nuisance (see "public safety and nuisance"), cause "fraud and victimization" of the public, or conflict with existing local laws or ordinances.
 - 3. Variances may be issued for new construction, substantial improvement, and other proposed new development necessary for the conduct of a functionally dependent use provided that the provisions of subsections (B)(1) through (B)(2) of this section are satisfied and that the structure or other development is protected by methods that minimize flood damages during the base flood and does not result in additional threats to public safety and does not create a public nuisance.
 - 4. Upon consideration of the factors of subsection B of this section and the purposes of this chapter, the city council may attach such conditions to the granting of variances as it deems necessary to

further the purposes of this chapter. (Ord. 06-8 § 3 (part): prior code § 5B.21)

* Editor's Note: See Section 15.52.050 for definition of this term.

15.52.210 Variances.

- A. The issuance of a variance is for floodplain management purposes only. Insurance premium rates are determined by statute according to actuarial risk and will not be modified by the granting of a variance.
- B. The variance criteria set forth in this section are based on the general principle of zoning law that variances pertain to a piece of property and are not personal in nature. A variance may be granted for a parcel of property with physical characteristics so unusual that complying with the requirements of this chapter would create an exceptional hardship to the applicant or the surrounding property owners. The characteristics must be unique to the property and not be shared by adjacent parcels. The unique characteristic must pertain to the land itself, not to the structure, its inhabitants, or the property owners.
- C. It is the duty of the city to help protect its citizens from flooding. This need is so compelling and the implications of the cost of insuring a structure built below flood level are so serious that variances from the flood elevation or from other requirements in this chapter are quite rare. The long term goal of preventing and reducing flood loss and damage can only be met if variances are strictly limited. Therefore, the variance guidelines provided in this section are more detailed and contain multiple provisions that must be met before a variance can be properly granted. The criteria are designed to screen out those situations in which alternatives other than a variance are more appropriate.
- D. Generally, variances may be issued for new construction, substantial improvement, and other proposed new development to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood elevation, providing that the procedures of Sections 15.52.150 through 15.52.190 of this chapter have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.
- E. Variances may be issued for the repair or rehabilitation of "Historic Structures" (as defined in Section 15.52.050 of this chapter) upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as an historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

- F. Variances shall not be issued within any mapped regulatory floodway if any increase in flood levels during the base flood discharge would result.
- G. Variances shall only be issued upon a determination that the variance is the "minimum necessary" considering the flood hazard, to afford relief. "Minimum necessary" means to afford relief with a minimum of deviation from the requirements of this chapter. For example, in the case of variances to an elevation requirement, this means the city need not grant permission for the applicant to build at grade, or even to whatever elevation the applicant proposes, but only to that elevation which the city believes will both provide relief and preserve the integrity of the local ordinance.
- H. Any applicant to whom a variance is granted shall be given written notice over the signature of a city official that:
 - 1. The issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as twenty-five dollars (\$25.00) for one hundred dollars (\$100.00) of insurance coverage; and
 - 2. Such construction below the base flood level increases risks to life and property. A copy of the notice shall be recorded by the floodplain administrator in the office of the Napa County recorder and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land.
- I. The floodplain administrator will maintain a record of all variance actions, including justification for their issuance, and report such variances issued in its biennial report submitted to the Federal Emergency Management Agency. (Ord. 06-8 § 3 (part); prior code § 5B.22)

Chapter 15.53 CALIFORNIA GREEN BUILDING STANDARDS CODE

Sections:

- 15.53.010 California Green Building Standards Code – Adopted.**
- 15.53.020 California Green Building Standards Code – Amendments**
- 15.53.030 California Green Building Standards Code – Voluntary Measures Made Mandatory.**

15.53.010 California Green Building Standards Code – Adopted.

The 2019 Edition of the California Green Building Standards Code, known as the California Code of Regulations, Title 24, Part 11, with amendments set forth in section 15.53.020 is hereby adopted.

15.53.020 California Green Building Standards Code – Amendments.

- A. Section 101.3 Scope, The provisions of this code shall apply to the planning, design, operation, construction, use and occupancy of every newly constructed building or structure, or an addition of 400 sq. ft. or more, or a remodel encompassing a bathroom or kitchen in an existing structure, unless otherwise indicated in this code, throughout the State of California.
- B. Section 4.303.1, Indoor Water Use, Twenty percent savings.
 - 2. In additions or remodels of existing structures, all new indoor plumbing fixtures shall meet the 20% reduction in use illustrated by Table 4.303.2.
- C. Section 4.503, Fireplaces, Pursuant to Bay Area Air Quality Management District, Regulation 8, Particulate Matter and Visible Emissions, Rule 3, Wood-Burning Devices, the City of St. Helena hereby enforces the following:
 - 1. Definitions:
 - “APCO” The Air Pollution Control Officer of the Bay Area Air Quality Management District or designee thereof.
 - “Fireplaces”: Any installed masonry or factory-built wood-burning device designed to operate with an air-to-fuel ratio greater than or equal to 35-to-1m a burn rate over 11 pounds per hour, or a weight over 1760 pounds.
 - “Gas-fueled Heating Device”: Any device that utilizes natural gas as a fuel source supplied by a natural gas service utility, including, but not limited to, gas-fueled fireplaces, gas-fueled room heaters, gas-fueled inserts, or gas-fueled log sets.

"Masonry Heater": Any site-build or site-assembled, solid-fueled heating device constructed mainly of masonry materials in which the heat from intermittent fires burned rapidly in its firebox is stored in its structural mass for slow release to the site. Such solid-fueled heating devices must meet the design and construction specifications set forth in ASTM E 1602-03, "Guide for Construction of Solid Fuel Burning Masonry Heaters."

"Pellet-fueled Device": Any solid-fueled burning device which is operated on pellet-fuel and is either U.S. EPA Phase II certified or exempted under U.S. EPA requirements set forth in Title 40 Code of Federal Regulation (CFR), Part 60, Subpart AAA. Pellet fuel may be composed of compressed wood, corn or other biomass.

"Wood-burning Device": Any wood-burning stove or heater, pellet-fueled device, fireplace, or any indoor permanently installed device used to burn any solid fuel for space-heating or aesthetic purposes. This definition does not include wood-burning devices intended exclusively for cooking food, such as wood-fired ovens or barbecues.

2. Criteria for Installation of Wood-burning Devices: No person shall install a new or used wood-burning device intended for use in the City of St. Helena unless it is one of the following:
 1. A U.S. EPA Phase II certified wood-burning device;
 2. A pellet-fueled device;
 3. A low mass fireplace, masonry heater or other wood-burning device of a make and model that meets EPA emission targets and has been approved in writing by the APCO.
This requirement does not apply if a wood-burning device is an installed fixture included in the sale or transfer of any real property. Any gas-fueled heating device or electric-powered heating device is allowed under this standard.
3. Criteria for Wood-burning Devices in New Building Construction: No person or builder shall commence construction of a new building or structure permitted to contain or containing a wood-burning device, or install a new wood-burning device resulting from a remodel, or construct a free-standing outdoor fireplace that is not intended exclusively for cooking food, unless the device meets the requirements above. Any gas-fueled heating device or electric-powered heating device is allowed under this standard.

15.53.030 California Green Building Standards Code – Voluntary Measures Made Mandatory.

- A. Section A4.403.2 Reduction in cement use. As allowed by the enforcing agency, cement used in foundation mix design shall be reduced to not less than a 20 percent reduction in cement use.
- B. Note: Products commonly used to replace cement in concrete mix designs include, but are not limited to:
1. Fly ash
 2. Slag
 3. Silica fume
 4. Rice hull ash
- C. Section A4.404.3 Building Systems. All wood roof, wall and subfloor sheet goods shall be engineered, oriented strand board. Alternate equivalent materials maybe allowed by authority having jurisdiction.

Chapter 15.54
CALIFORNIA ADMINISTRATIVE CODE ADOPTED

Sections:

15.54.010 California Administrative Code Adopted.

The 2019 Edition of the California Administrative Code, known as the California Code of Regulations, Title 24, Part 1, published by the California Building Standards Commission, is hereby adopted including all appendices, and without amendments.

Chapter 15.55
CALIFORNIA REFERENCED STANDARDS CODE
ADOPTED

Sections:

15.55.010 California Referenced Standards Code Adopted.

The 2019 Edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 12, published by the California Building Standards Commission, is hereby adopted including all appendices, and without amendments.



Report to the City Council
Regular City Council - 12 Nov 2019

Agenda Section: NEW BUSINESS

Subject: Fiscal Year 2019-20 First Quarter Finance Report and Proposed approval to adopt a resolution authorizing:

1. Budget increase of \$5,000 to 101-4000-2145 Other Contract Services from General Fund Reserves for the FY 2018-19 NVT Capital Contribution; and
2. Budget increase of \$18,000 to 101-4300-2145 Other Contract Services from General Fund Reserves for sales tax services by MuniServices; and
3. Budget transfer of \$6,500 from General Fund Reserves to the Fourth of July Fund Operating Transfers In - 288-4728-2142; and
4. Budget increase of \$15,000 to 101-5027-2215 from General Fund Reserves to purchase additional holiday lights for Main Street; and
5. Budget increase of \$10,000 to 751-4400-2130 Affordable Housing Trust Fund for attorney services.

Additionally, staff recommends City Council receive and file the Q1 FY 2019-20 financial report.

CEQA Not a CEQA project
Determination:

Prepared By: April Mitts, Finance Director

Reviewed By: Mark T. Prestwich, City Manager

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

Municipal Code Title 2, §2.24.030 states the Director of Finance shall deliver to the City Manager and to the Council at a regularly scheduled Council meeting a budget report showing the budget status at the end of the preceding quarter.

Staff has prepared the following for Council:

1. First quarter (Q1) staff report for Fiscal Year (FY) 2019-20. This report is a summary of transactions from July 1, 2019 through September 30, 2019.
2. A summary of St. Helena CARES Low Income Subsidy and Water Leak adjustments for Q1 FY 2019-20.
3. FY 2019-20 Q1 list of checks over \$50,000 (Attachment 1)
4. FY 2019-20 Q1 balance of all funds (Attachment 2)

DISCUSSION

Information presented below reflects transactions posted through September 30, 2019. Additional details for the General Fund, Water Fund, and Wastewater Fund are provided as Attachments 3-8.

General Fund

General Fund revenue received to date for FY 2019-20 is \$1,786,631 – 12% of General Fund revenue has been collected. General Fund revenue is divided into the following categories:

1. Property Tax
2. Sales Tax
3. Transient Occupancy Tax (TOT)
4. Other Taxes
5. Charges for Service
6. Fines and Forfeits
7. Licenses and Permits
8. Development Fees
9. Intergovernmental
10. Interest and Rents, and
11. Miscellaneous.

The primary contributors to General Fund revenues are Property Tax, Sales Tax, and TOT. While the 12% collected for FY 2019-20 may seem low, this figure is normal due to timing of property tax and sales tax payments. Attachment 3 provides details on each of the revenue categories.

General Fund expenditures are \$3,079,246 for Q1 which is 26% of the adopted budget. Spending for FY 2019-20 is on-track with projections. Attachment 4 provides a summary of expenditures by Department for FY 2019-20 Q1. The low attorney costs are due to the timing of invoices.

Water Enterprise Funds

Water Enterprise revenue received is \$1,444,539 or 22% of the estimated total revenues for FY 2019-20 through September 30, 2019. Revenues are on target for FY 2019-20. Attachment 5 provides details for Water Fund revenues. The negative amount recorded in 561-3870-0000 CARES Subsidy is due to the 1st Quarter subsidy amount yet to be transferred from the General Fund.

Water expenditures are \$1,847,030 for Q1 FY 2019-20. Overall Water Fund spending is at 31% for the Fiscal Year and is on target. The high amount for Non-Departmental is attributed to the PERS Unfunded Liability payments made in Q1. Additionally, the low attorney costs are due to the timing of invoices. Attachment 6 provides a summary of spending by Department for FY 2019-20 Q1

Wastewater Enterprise Funds

Wastewater Enterprise revenue received is \$596,483 or 18% of the estimated total revenues for FY 2019-20. Attachment 7 provides details for Wastewater Fund revenues. The negative amount recorded in 571-3870-0000 CARES Subsidy is due to the 1st Quarter subsidy amount yet to be transferred from the General Fund. Revenues are lower than projected, primarily in the General Commercial category. When compared to FY 2018-19 there is an 11.69% decrease in water use for this category which directly affects wastewater consumption and revenues. Staff will continue to monitor the revenues and propose an adjustment at the mid-year review, if necessary.

Wastewater expenses are \$560,808 for Q1 FY 2019-20. Overall Wastewater Fund spending is at 27% for the Fiscal Year and is on target. The low attorney costs are due to the timing of invoices. Attachment 8 provides a summary of spending by Department for FY 2019-20 Q1.

All Funds

Attachment 2 provides a summary of the balance of all funds.

Budget Adjustments

During Q1 there were a few unanticipated expenses and, because of these items, the following budget adjustments are being recommended:

GENERAL FUND - Use of General Fund Reserves of \$44,500

1. Budget increase of \$5,000 to 101-4000-2145 Other Contract Services from General Fund Reserves for the FY 2018-19 NVTa Capital Contribution. This item was budgeted in the FY 2018-19 adopted budget; however, the City received the invoice from NVTa for the FY 2018-19 contribution in September 2019 after the close of the FY 2018-19 books. Because of the late receipt of the invoice it was necessary to pay this contribution from the FY 2019-20 budget; therefore, a budget increase is necessary.
2. Budget increase of \$18,000 to 101-4300-2145 Other Contract Services from General Fund Reserves for sales tax services by MuniServices. MuniServices

currently provides the City of St. Helena with sales tax forecasting, analytics, and regular review/audits of sales tax payers in the City of St. Helena. As part of the review/audit services MuniServices will identify businesses that may not have paid sales tax and/or the sales tax had been misappropriated, the fee paid to MuniServices is 25% of the total additional amount collected. The FY 2019-20 adopted budget included \$9,000 for the additional services which will typically cover one year of additional services; however, in a recent sales tax audit by MuniServices it was found approximately \$75,000 of sales taxes were misappropriated and due to the City. MuniServices worked with the California Department of Tax and Fee Administration (CDTFA) to have this corrected. The MuniServices fee to the City was approximately \$18,650. The additional costs are offset by additional revenues received.

3. Budget transfer of \$6,500 from General Fund Reserves to the Fourth of July Fund Operating Transfers In - 288-4728-2142. The adopted budget assumed \$26,500 in donations would be received for the July 4, 2019 St. Helena Firework show. The actual amount received was just over \$20,000 leaving a deficit of approximately \$6,500.
4. Budget increase of \$15,000 to 101-5027-2215 from General Fund Reserves to purchase additional holiday lights for Main Street. During the 2018 Jingle all the Way event, the City purchased inexpensive solar powered LED lights for the historical luminaire street lights along Main Street. When planning the event for 2019 (following the adoption of the FY 2019-20 budget), the City hired ATG Lighting, Inc. (ATG) to help with the design and installation of the LED lights. Staff worked with ATG on the best lighting solution and it was determined additional, better LED lighting is necessary for the downtown Main Street area. The additional light purchase is a one-time purchase and the lights will be used in subsequent years. The new LED will be electrically hard-wired so the lights can last longer.

AFFORDABLE HOUSING TRUST FUND - Use of Affordable Housing Trust Fund balance of \$10,000

1. Budget increase of \$10,000 to 751-4400-2130 Affordable Housing Trust Fund for attorney services. This increase is due to attorney services used related to the temporary loan to Our Town St. Helena for the project located at 963 Pope Street. The FY 2019-20 Adopted budget included \$15,000 for attorney services for affordable housing, the preparation of the loan documents for this project was \$11,316. Funds for this increase are available in the Affordable Housing Trust Fund balance.

St. Helena CARES Low Income Subsidy

The St. Helena CARES subsidy program currently has 99 participants. The subsidy for FY Q1 2019-20 is \$13,432. Funds for the St. Helena CARES Low Income Subsidy program are included in the adopted FY 2019-20 budget.

Leak Adjustment Subsidy

Leak subsidy for Q1 2019-20 totals \$2,299.50 for a combined excess of 478 units of water. There were 11 leak adjustments; 10 of the adjustments were for residential properties. Five of the leak adjustments were granted the maximum amount allowed for residential properties which is \$300. Funds for the Leak Adjustment Subsidy program are included in the adopted FY 2019-20 budget.

FY 2019-20 Q4 Checks over \$50,000

Per staff recommendations on April 10, 2015, and as adopted by Fiscal Policy P-FI-0016, Attachment 1 provides an account of all checks over \$50,000.

FISCAL IMPACT

The fiscal impact of the recommended budget adjustments results in the use of General Fund Reserves in the amount of \$44,500 and use of Affordable Housing Trust Fund balance of \$10,000.

RECOMMENDED ACTION

Staff recommends the City Council adopt a resolution authorizing:

1. Budget increase of \$5,000 to 101-4000-2145 Other Contract Services from General Fund Reserves for the FY 2018-19 NVT Capital Contribution; and
2. Budget increase of \$18,000 to 101-4300-2145 Other Contract Services from General Fund Reserves for sales tax services by MuniServices; and
3. Budget transfer of \$6,500 from General Fund Reserves to the Fourth of July Fund Operating Transfers In - 288-4728-2142; and
4. Budget increase of \$15,000 to 101-5027-2215 from General Fund Reserves to purchase additional holiday lights for Main Street; and
5. Budget increase of \$10,000 to 751-4400-2130 Affordable Housing Trust Fund for attorney services.

Additionally, staff recommends City Council receive and file the Q1 FY 2019-20 financial report.

ATTACHMENTS

[Attachment 1 - Checks over \\$50,000](#)

[Attachment 2 - Fund Balance Estimates at 09.30.2019](#)

[Attachment 3 - General Fund Revenues](#)

[Attachment 4 - General Fund Expenses](#)

[Attachment 5 - Water Revenues](#)

[Attachment 6 - Water Fund Expenditures](#)

[Attachment 7 - Wastewater Revenues](#)

[Attachment 8 - Water Fund Expenditures](#)

[Attachment 9 - Resolution](#)

Accounts Payable

Checks by Date - Summary by Check Date

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Check No	Vendor No	Vendor Name	Check Date	Check Amount
105835	REMIF	REMIF	07/03/2019	71,211.08
105857	NAP06	NAPA, CITY OF	07/03/2019	116,973.60
Total for 7/3/2019:				188,184.68
105932	NAP05	Westamerica Bank	07/11/2019	70,332.65
Total for 7/11/2019:				70,332.65
105998	NAP05	Westamerica Bank	07/24/2019	68,253.68
Total for 7/24/2019:				68,253.68
106129	KAISER	Kaiser Foundation Health Plan, Inc.	08/02/2019	56,831.68
106149	REMIF	REMIF	08/02/2019	346,517.00
106150	REMIF	REMIF	08/02/2019	71,015.72
Total for 8/2/2019:				474,364.40
106171	NAP05	Westamerica Bank	08/07/2019	75,346.01
Total for 8/7/2019:				75,346.01
106245	BURKEWIL	Burke, Williams & Sorensen LLP	08/12/2019	174,957.52
Total for 8/12/2019:				174,957.52
106250	NOLLTAM	Noll & Tam Architects	08/13/2019	60,728.79
106269	CHASE	Chase	08/13/2019	459,056.97
Total for 8/13/2019:				519,785.76
106357	BKF	BKF	08/21/2019	70,495.97
106368	NAP06	NAPA, CITY OF	08/21/2019	138,809.16
106413	KAISER	Kaiser Foundation Health Plan, Inc.	08/21/2019	54,629.68
Total for 8/21/2019:				263,934.81
106456	NAP05	Westamerica Bank	08/22/2019	67,211.20
Total for 8/22/2019:				67,211.20
106473	REMIF	REMIF	09/05/2019	58,948.00
Total for 9/5/2019:				58,948.00

Check No	Vendor No	Vendor Name	Check Date	Check Amount
106530	REMIF	REMIF	09/13/2019	62,994.52
106531	REMIF	REMIF	09/13/2019	71,670.00
106536	SUTTER	Sutter Home Winery	09/13/2019	61,961.45
Total for 9/13/2019:				196,625.97
106553	NAP05	Westamerica Bank	09/18/2019	70,360.70
106559	NAP05	Westamerica Bank	09/18/2019	67,507.36
106598	NAP06	NAPA, CITY OF	09/18/2019	150,588.88
Total for 9/18/2019:				288,456.94
106630	KAISER	Kaiser Foundation Health Plan, Inc.	09/20/2019	55,729.56
106637	REMIF	REMIF	09/20/2019	59,690.04
Total for 9/20/2019:				115,419.60
106703	CHASE	Chase	09/25/2019	459,056.97
Total for 9/25/2019:				459,056.97
Report Total (25 checks):				3,020,878.19

Attachment 2

Fund	Description	Estimated Balance at 09/30/2019	Estimated Balance Without Long-term Receivables at 09/30/2019
101	General Fund	5,281,920	4,829,384
209	HOME Grant	407,810	1,847
211	EPA Grant	-	-
212	Dept. of Homeland Security	327	327
213	GVS Grant	23,538	23,538
216	Public Safety Impact	494,083	432,750
218	Public Library Foundation	1,288	1,288
219	CLSA State Library	2,075	2,075
222	Park Bond Act	222	222
223	Skate Park Lighting	1,200	1,200
224	Public Safety (COPS)	141,168	141,168
225	Gas Tax 215	5,206	5,206
226	Gas Tax 216	3,255	3,255
227	Gas Tax 2107	43,897	43,897
228	Gas Tax 21075	11,976	11,976
229	Gas Tax 2103	25,044	25,044
230	RMRA	29,758	29,758
235	Measure A	164,803	164,803
237	Emergency Flood Relief	171,292	171,292
238	Police Training Development	19,903	19,903
240	Measure T	907,660	907,660
241	Measure T - Class I Trails	166,546	166,546
277	Prop 56	26,372	-
278	BSCC Grant	2,544	2,544
279	Asset Forfeiture	53,729	53,729
283	Tree City	332,759	332,759
286	Bocce	73,885	73,885
287	Harvest Festival	8,363	8,363
288	Fourth of July	(5,656)	(5,656)
289	Recreation Program	351,912	351,912
291	SB-1186 State Fees	13,064	13,064
295	NOAA	2,663	2,663
329	Stabo Land Conservation	36,674	36,674
375	Murray Public Safety	47,440	47,440
380	Friends and Foundation	6,766	6,766
381	Ryan Trust	(4,151)	(4,151)
382	Martin Trust	4,483	4,483
384	Tweed Library	716,001	716,001
420	1996 GO Bonds	12,072	12,072
443	South St. Helena Drainage	29,595	29,595
561	Water Enterprise	5,670,697	5,670,697
562	1977 Water Bond	60,230	60,230
571	Wastewater Enterprise	2,686,918	2,686,918

572	Wastewater Bond	25,418	25,418
581	IS Retiree Health	113,035	113,035
582	IS Garage	170,012	170,012
592	Equipment Replacement	225,965	225,965
593	Fire Dept. Capital Equipment	212,590	212,590
700	Flood Control Capital	165,615	165,615
713	Civic Improvement Impact	604,280	604,280
733	City-wide Capital Project	1,257,218	1,257,218
734	Park Impact	988,668	988,668
740	Traffic Mitigation Impact	2,489,878	2,489,878
741	Street Capital Improvement	1,214,325	1,214,325
742	Drainage Impact	704,523	704,523
743	TDA Grant	-	-
745	Parking In-Lieu	573,978	573,978
751	Affordable Housing	1,241,282	358,942
752	Measure E	180,089	180,089
763	Water Capital Project	4,123,976	4,123,976
764	Water Impact	997,776	331,662
773	Wastewater Capital Project	1,930,624	1,930,624
774	Wastewater Impact	735,599	637,197

Nonspendable = Resources that cannot be spent either because the underlying resources are not in spendable form or because the government is legally or contractually required to maintain the resource intact.

Restricted = Resources subject to externally enforceable constraints.

Assigned = Resources that are set aside by the government for a particular purpose.

Unassigned = Resources that are not categorized as nonspendable, restricted, committed or assigned.

Unrestricted Net Position = Difference between total net position and net investment in capital assets and restricted net position.

Attachment 3

GF Revenue Update

Budget Analysis

Account	Description	Actual 2016	Actual 2017	Actual 2018	Actual 2019	Adopted 2020	Q1 2020	% Collected Q1 2020
Property Taxes								
101-30-10-00-00	Property Tax-Secured	3,187,030	3,295,653	3,616,167	3,940,490	4,020,903	53,154	
101-30-11-00-00	ERAF Shift to State	89,610	94,115	200,292	342,386	-	309,857	
101-30-20-00-00	Property Tax-Unsecured	114,923	117,577	121,534	125,292	131,237	-	
101-30-30-00-00	Prior Year Property Tax	1,506	3,736	1,160	1,035	600	-	
101-30-90-00-00	Real Property Transfer Tax	110,376	111,591	82,829	83,805	120,611	-	
101-32-05-00-00	In Lieu VLF	593,294	639,236	681,160	726,626	691,604		
101-32-20-00-00	Homeowner Property Tax	15,376	15,533	15,352	15,555	17,057		
Property Taxes		4,112,115	4,277,441	4,718,495	5,235,189	4,982,011	363,011	7%
Sales Tax								
101-30-40-00-00	Retail Sales/Use Tax	2,511,879	2,868,566	2,950,480	3,159,579	3,220,900	314,117	
101-30-42-00-00	Public Safety Sales Tax	57,794	60,197	71,117	61,687	59,655	11,864	
101-30-43-00-00	Sales Tax In Lieu	521,022			-	-	-	
101-30-44-00-00	Measure D	-	296,936	1,726,923	1,743,519	1,817,900	146,514	
Sales Tax		3,090,695	3,225,699	4,748,520	4,964,784	5,098,455	472,495	9%
Transient Occupancy Taxes								
101-30-41-00-00	Sales Tax Increment Res 91-18				0	-		
101-30-50-00-00	Transient Occupancy Tax	2,014,498	2,281,834	2,841,607	3,296,741	3,341,964	675,723	
101-30-51-00-00	Transient Tax Penalty	34,334	54,403	21,973	64,084	8,859		
Transient Occupancy Taxes		2,048,832	2,336,237	2,863,580	3,360,825	3,350,823	675,723	20%
Other Taxes								
101-30-60-00-00	Franchise Tax	192,986	209,478	215,346	209,872	208,755		
Other Taxes		192,986	209,478	215,346	209,872	208,755	-	0%
Charges for Service								
101-30-61-00-00	Comcast PEG Access Fees	28,302	17,809	23,133	22,698	35,000		
101-30-75-00-00	Fire Inspection Fees	716	1,320	605	1,100	1,300		
101-31-21-00-00	Building Inspection Fees	3,818	540		-	-		
101-31-22-00-00	Building Admin Fees	4,098	135		-	-		
101-31-23-00-00	Other Fire Revenues	25,775		8	2,850	-		
101-33-10-00-00	Planning Fees	103	(4)	(5,703)	-	-		
101-33-30-00-00	Sales Of Maps/Publications	21	193	163	210	165	39	
101-33-50-00-00	Police Services	31,833	28,771	24,457	33,439	35,500	6,213	
101-33-51-00-00	Animal Control Services				-	-		
101-33-60-00-00	Administrative Fees	100	1,500	7,515	-	7,725		
101-33-70-00-00	Planning Fees	14,525	62,345	16,508	(53,936)	13,638		
101-33-80-00-00	Engineering Fees	812	7,057	7,710	1,800	2,500	225	
101-33-90-00-00	Street/Sidewalk/Curb Repair	-	-	-	-	-		
Charges for Service		110,102	119,666	74,395	8,161	95,828	6,477	7%
Fines and Forfeits								
101-31-40-00-00	Vehicle Code Fines	30,230	40,727	29,160	28,136	27,583	3,731	
101-31-50-00-00	Other Police Fines	37,872	24,134	40,613	36,260	28,280	9,630	
101-31-55-00-00	A/R Late Penalty	1,658	4,463	4,427	3,959	4,725	185	
101-33-63-00-00	Civil Penalties	41,000	65,400	106,778	149,264	30,000		
101-34-20-00-00	Library Fines & Fees	15,539	7,585	6,032	4,087	-	20	
Fines and Forfeits		126,299	142,309	187,010	221,705	90,588	13,566	15%
Licenses and Permits								
101-30-70-00-00	Application & Permit Fees	1,825	3,975	10,915	5,475	8,240	2,700	
101-30-80-00-00	Business License	159,728	149,779	152,551	156,715	154,896	7,475	
101-30-81-00-00	Business License Penalty	906	219	756	1,555	1,332	201	
101-31-20-00-00	Building Permits	486,542	549,240	492,301	482,404	486,160	138,101	
101-33-15-00-00	Short Term Rental Permit	17,200	13,500	31,500	15,750	27,500	6,750	
101-33-74-00-00	Planning App & Permit Fees	303,472	283,125	235,830	180,329	213,483	47,469	
101-33-84-00-00	Public Works App & Permit Fees	37,300	39,725	38,500	39,300	37,132	14,925	
101-33-86-00-00	Well Permit Fee	1,300	1,300	1,300	2,600	1,300	650	
Licenses and Permits		1,008,273	1,040,863	963,653	884,127	930,043	218,272	23%
Development Fees								
101-33-81-00-00	Public Works Land & Dev Fees	21,600	20,800	20,325	25,600	28,000	8,000	
Development Fees		21,600	20,800	20,325	25,600	28,000	8,000	29%
Intergovernmental								
101-32-10-00-00	Motor Vehicle In-Lieu	2,447	4,391	(3,176)	2,937	3,039		

Attachment 3

Account	Description	2016	2017	2018	2019	2020	2020	Q1 2020
101-32-40-00-00	Highway Maintenance				0	-		
101-32-70-00-00	County Fire Contract	48,855	48,855	48,855	48,855	48,855		
101-32-80-00-00	Emergency Relief	207,525	122,712	301,210	269,490	-		
101-34-61-49-00	Contrib from Gov - Police	1,351			9,221	-		
101-34-71-00-00	Reimb State Mandated Costs	21,037		7,965	4,538	2,040		
101-34-73-00-00	Other State Revenue	5,008	19	7	18	-		
101-34-75-00-00	Restitution	14,186	3,848	9,775	181,227	-	200	
101-36-80-00-00	Library Abatement	3,784	2,903	4,842	3,877	3,672	1,185	
101-38-00-80-00	Restitution Revenue				0	-		
101-38-70-00-00	Allocation from Other Agency				1,948	-		
Intergovernmental		304,193	182,726	369,478	522,112	57,606	1,385	2%
Interest and Rents								
101-31-70-00-00	Investment Earnings	50,720	(40,336)	(41,299)	262,296	28,000	288	
101-34-76-00-00	Cash Overage/Shortage	(250)	0	(0)	22	-	3	
101-31-75-00-00	Interest Income	1,569		4,834	(93)	-		
101-36-10-00-00	Rental Income	165,340	180,809	214,450	153,805	67,000	17,348	
101-36-12-00-00	Rec Programs Facility Rental				865			
101-36-11-00-00	Tennis Court Rentals	5,504	5,827	1,425	1,225	1,425		
Interest and Rents		222,883	146,300	179,410	418,120	96,425	17,639	18%
Miscellaneous								
101-33-20-00-00	Legal Cost Recovery	48,052	158,922	10,683	32,726	25,000		
101-33-21-00-00	Storm Drain Cost Recovery	-			-	-		
101-33-40-00-00	Other Filing/Certification Fee	21	193	163	-	165		
101-33-85-00-00	Public Wks Violation/Repair Fe	-			20	-		
101-34-21-00-00	TRB Library Revenue	-		20,000	5,475	-		
101-34-22-00-00	Library Copies	-	3,431	3,277	2,946	3,030	603	
101-34-23-00-00	Library Lost Material	-	503	313	617	404	267	
101-34-24-00-00	Library Room Rental	-	430	110	305	354	100	
101-34-31-00-00	Donations	1,743	1,000		0	-		
101-34-51-00-00	Sale of Capital Assets	-		18,137	1,155	-		
101-34-60-00-00	Contributions from non-govt	-		87,500	0	-		
101-34-61-00-00	Contributions from Government	-			0	-		
101-34-61-46-00	Contributions from Gov - Library	-		5,883	0	-	1,000	
101-34-68-00-00	TID Admin Fee	-			0	-		
101-34-70-00-00	Other Revenue	32,055	22,118	25,166	123,934	55,000	6,850	
101-34-74-00-00	Insurance Refund	223			0	-	1,244	
101-39-98-00-00	Operating Transfers In	3,043	3,530	3,574	15,319	3,565		
Miscellaneous		85,137	190,126	174,805	182,495	87,518	10,064	11%
TOTALS		11,323,118	11,891,645	14,515,018	16,032,990	15,026,052	1,786,631	12%

General Ledger Quarterly Budget Report GF Expenses



User: aprilm
Printed: 10/10/19 11:22:24
Period 01 - 03
Fiscal Year 2020

Description	Adopted Budget	Encumbered	Adjusted Budget	YTD Spent	Available Budget	% of Budget Available
Non Departmental	1,843,105.00	209,822.50	2,089,777.25	509,565.95	1,370,388.80	65.58
Council	351,577.00	19,105.96	367,284.96	23,117.10	325,061.90	88.50
City Manager	1,086,780.00	106,192.89	1,115,792.18	283,067.12	726,532.17	65.11
Finance	504,030.00	69,570.41	546,998.00	134,700.70	342,726.89	62.66
Attorney	441,000.00	0.00	441,000.00	957.32	440,042.68	99.78
PlanningBuilding	1,454,557.00	13,608.93	1,465,567.52	219,693.77	1,232,264.82	84.08
Library	1,031,603.00	11,250.00	1,031,603.00	238,160.56	782,192.44	75.82
Parks & Recreation	273,814.00	5,467.51	275,564.00	96,181.52	173,914.97	63.11
Fire	1,412,085.00	14,222.27	1,428,749.14	364,401.96	1,050,124.91	73.50
Police	3,379,393.00	1,335.00	3,380,728.58	863,595.83	2,515,797.75	74.42
Public Works	3,248,108.00	506,175.12	3,384,940.94	345,804.48	2,532,961.34	74.83
Grand Total	15,026,052.00	956,750.59	15,528,005.57	3,079,246.31	11,492,008.67	0.7401

Attachment 5

General Ledger

Quarterly Budget Report Water Fund

REVENUES

Account Number	Description	Adopted Budget	Adjusted Budget	YTD Received	Uncollected
561	Water Enterprise				
561-38-10-00-00	Water Revenue	1,500	1,500	171	1,329
					-
561-38-10-00-01	Residential-Inside CL	2,799,396	2,799,396	663,106	2,136,290
					-
561-38-10-00-50	Residential-Outside CL	543,177	543,177	130,133	413,044
					-
561-38-10-01-00	Multi-Dwelling-Inside CL	679,385	679,385	128,446	550,939
					-
561-38-10-01-50	Multi Dwelling-Outside CL	13,262	13,262	5,143	8,119
					-
561-38-10-10-00	General Commercial-Inside CL	2,231,057	2,231,057	432,365	1,798,692
					-
561-38-10-17-00	Landscape Meter	82,172	82,172	70,010	12,162
					-
561-38-10-99-10	Fire Service-Inside CL	26,010	26,010	4,130	21,880
					-
561-38-10-99-20	Fire Service-Outside CL	31,981	31,981	2,087	29,894
					-
561-38-10-99-50	Finance Charges	52,347	52,347	8,998	43,349
					-
561-38-40-00-00	Property Rentals	8,400	8,400	-	8,400
					-
561-38-60-00-00	Water Meter Install Fee	5,500	5,500	3,364	2,136
					-
561-31-70-00-00	Investment Earnings	50,000	50,000	-	50,000
					-
561-34-70-00-00	Other Revenue	8,500	8,500	1,736	6,764
					-
561-38-70-00-00	CARE Subsidy	22,700	22,700	(5,451)	28,151
					-
561-33-80-00-00	Engineering Fees	1,000	1,000	-	1,000
					-
561-33-83-00-00	Raw Water Permit Fees	1,000	1,000	300	700
					-
561-33-87-00-00	Backflow Testing & Insp Fees	150	150	-	150
					-
Grand Total		6,557,537	6,557,537	1,444,539	5,112,998

Attachment 6

General Ledger Quarterly Budget Report Water Expenditures



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Period 01 - 03
Fiscal Year 2020

Description	Adopted Budget	Encumbered	Adjusted Budget	YTD Spent	Available Budget	% of Budget Available
Non Departmental	1,199,950.00	43,239.50	1,243,189.50	1,087,505.98	112,444.02	9.04
Council	18,488.00	0.00	18,488.00	3,920.97	14,567.03	78.79
City Manager	253,230.00	24,883.08	259,106.97	64,736.38	169,487.51	65.41
Finance	356,295.00	35,276.79	376,659.39	90,349.64	251,032.96	66.65
Attorney	135,000.00	0.00	135,000.00	0.00	135,000.00	100.00
Public Works	4,594,574.00	90,565.89	4,658,900.10	600,516.54	3,967,817.67	85.17
Grand Total	6,557,537.00	193,965.26	6,691,343.96	1,847,029.51	4,650,349.19	0.6950

Attachment 7

General Ledger

Quarterly Budget Report WW Revenues

REVENUES

Account Number	Description	Adopted Budget	Adjusted Budget	YTD Received	Uncollected
571-31-70-00-00	Investment Earnings	18,000	18,000	-	18,000
					-
571-34-70-00-00	Other Revenue	9,600	9,600	-	9,600
					-
571-34-80-00-00	Annexation Fees	2,600	2,600	2,000	600
					-
571-35-00-00-00	Residential	1,511,200	1,511,200	258,019	1,253,181
					-
571-35-00-01-00	Multiple Dwelling	271,049	271,049	43,641	227,408
					-
571-35-00-03-00	Laundromat	12,698	12,698	2,292	10,406
					-
571-35-00-10-00	General Commercial	1,148,641	1,148,641	217,831	930,810
					-
571-35-00-11-00	Restaurants	115,161	115,161	21,440	93,721
					-
571-35-00-12-00	Service Station	1,877	1,877	646	1,231
					-
571-35-00-14-00	Motels-No Food Service	123,353	123,353	30,122	93,231
					-
571-35-00-15-00	Supermarkets	14,452	14,452	2,811	11,641
					-
571-35-00-18-00	Mixed Retail-Plus Food Service	24,975	24,975	3,038	21,937
					-
571-35-00-20-00	Industrial	25,738	25,738	5,275	20,463
					-
571-35-00-30-00	Libraries & Schools	32,453	32,453	7,657	24,796
					-
571-35-00-60-60	Car Wash	1,650	1,650	524	1,126
					-
571-38-10-99-50	Finance Charges	21,754	21,754	3,901	17,853
					-
571-38-65-00-00	Sewer Connection Fee	1,300	1,300	1,300	-
					-
571-38-70-00-00	CARE Subsidy	20,100	20,100	(4,016)	24,116
Grand Total		3,356,601	3,356,601	596,483	2,760,118

Attachment 8

General Ledger Quarterly Budget Report Wastewater Expenditures



User: apriln
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Period 01 - 03
Fiscal Year 2020

Description	Adopted Budget	Encumbered	Adjusted	YTD Spent	Available Budget	% of Budget Available
Non Departmental	488,048.00	43,239.50	531,287.50	155,610.97	332,437.03	62.57
Council	18,488.00	0.00	18,488.00	3,920.97	14,567.03	78.79
City Manager	193,507.00	17,372.30	197,458.33	49,249.09	130,836.94	66.26
Finance	267,511.00	33,958.00	285,258.62	66,127.20	185,173.42	64.91
Attorney	35,000.00	0.00	35,000.00	0.00	35,000.00	100.00
Public Works	2,354,047.00	298,277.30	2,512,318.30	285,899.31	1,928,141.69	76.75
Grand Total	3,356,601.00	392,847.10	3,579,810.75	560,807.54	2,626,156.11	0.7336

CITY OF ST. HELENA

RESOLUTION NO. 2019-_____

RESOLUTION APPROVING A BUDGET INCREASE FOR FY 2019/20 AS FOLLOWS:

- (1) BUDGET INCREASE OF \$5,000 TO 101-4000-2145 OTHER CONTRACT SERVICES FROM GENERAL FUND RESERVES FOR THE FY 2018-19 NVT CAPITAL CONTRIBUTION;**
- (2) BUDGET INCREASE OF \$18,000 TO 101-4300-2145 OTHER CONTRACT SERVICES FROM GENERAL FUND RESERVES FOR SALES TAX SERVICES BY MUNISERVICES;**
- (3) BUDGET TRANSFER OF \$6,500 FROM GENERAL FUND RESERVES TO THE FOURTH OF JULY FUND OPERATING TRANSFERS IN 288-4728-2142;**
- (4) BUDGET INCREASE OF \$15,000 TO 101-5027-2215 FROM GENERAL FUND RESERVES TO PURCHASE ADDITIONAL HOLIDAY LIGHTS FOR MAIN STREET; AND**
- (5) BUDGET INCREASE OF \$10,000 TO 751-4400-2130 AFFORDABLE HOUSING TRUST FUND FOR ATTORNEY SERVICES.**

RECITALS

- A. The City has traditionally amended its budget during the year as new and updated information becomes available; and
- B. It is necessary to increase the expense projections for the General Fund and Affordable Housing Trust Fund.

RESOLUTION

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

1. Adoption of this resolution is not subject to CEQA; and
2. Authorizes a budget increase to the following:

General Fund Expenses

- A. Budget increase of \$5,000 to 101-4000-2145 Other Contract Services from General Fund Reserves for the FY 2018-19 NVTa Capital Contribution; and
- B. Budget increase of \$18,000 to 101-4300-2145 Other Contract Services from General Fund Reserves for sales tax services by MuniServices; and
- C. Budget transfer of \$6,500 from General Fund Reserves to the Fourth of July Fund Operating Transfers In - 288-4728-2142; and
- D. Budget increase of \$15,000 to 101-5027-2215 from General Fund Reserves to purchase additional holiday lights for Main Street.

Affordable Housing Trust Fund

- A. Budget increase of \$10,000 to 751-4400-2130 Affordable Housing Trust Fund for attorney services.

Approved at a Regular Meeting of the St. Helena City Council on November 12, 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



FY 2019/20 Q1 Budget Review

By: April Mitts, Finance Director

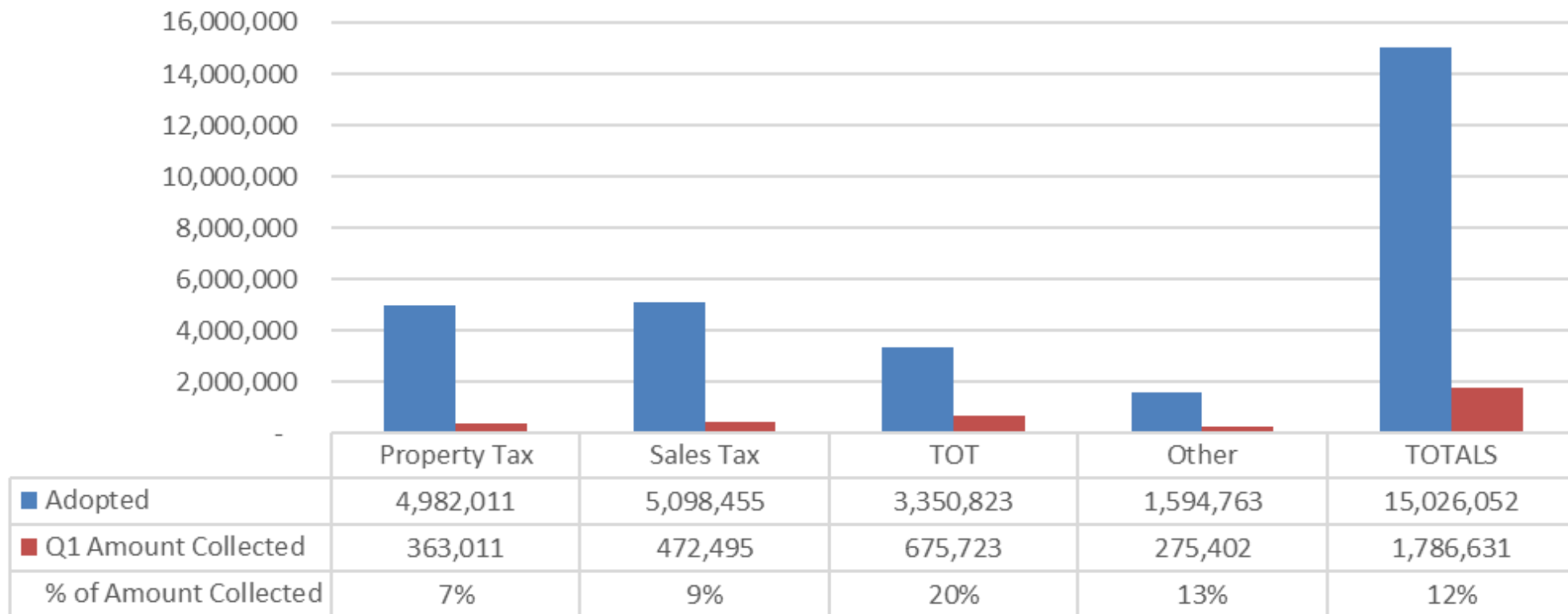
Finance Department

November 12, 2019 City Council Meeting



Overview of Revenues - General Fund

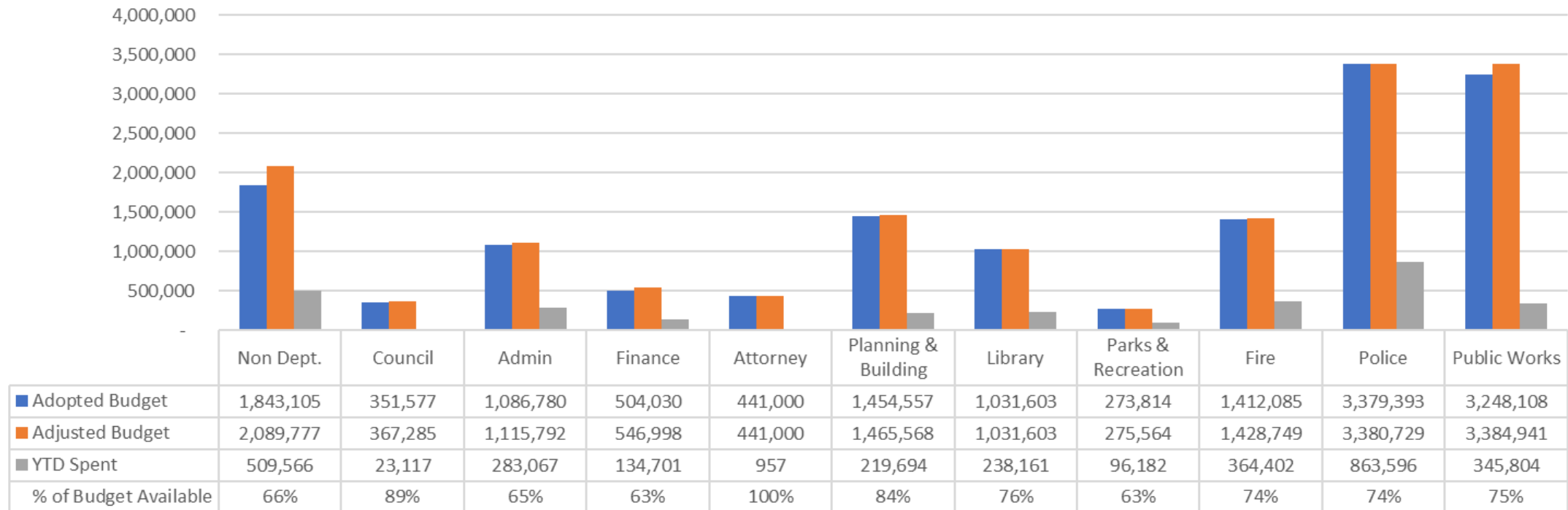
Q1 General Fund Revenues





Overview of Expenses - General Fund

Q1 General Fund Expenditures





Overview of Water Fund

SUMMARY OF WATER FUND REVENUES/EXPENSES

Water Fund	2019/20 Adopted Budget	2019/20 Adjusted Budget	2019/20 Q1	% Collected % Available
Revenues	\$6,557,537	\$6,557,537	\$1,444,539	22%
Expenses*	\$6,557,537	\$6,691,344	\$1,847,030	70%

* Total expenses include rollover Purchase Orders from FY 2018/19



Overview of Wastewater Fund

SUMMARY OF WASTEWATER FUND REVENUES/EXPENSES

Wastewater Fund	2019/20 Adopted Budget	2019/20 Adjusted Budget	2019/20 Q1	% Collected % Available
Revenues	\$3,356,601	\$3,356,601	\$596,483	18%
Expenses*	\$3,356,601	\$3,579,811	\$560,808	73%

* Total expenses include rollover Purchase Orders from FY 2018/19



Budget Adjustment Recommendations

General Fund – use of General Fund Reserves \$44,500

Department	Amount	Reason
Non-Dept – Other Contract Services	\$5,000	NVTA Capital Contribution from FY 18-19 received after the FY 18-19 books were closed
Finance – Other Contract Services	\$18,000	Sales tax services by MuniServices. Misallocation of \$75,000 in Sales Tax was identified and due to the City
Recreation – Fourth of July transfer from General Fund	\$6,500	Adopted budget assumed \$26,500 in donations and just over \$20,000 was received leaving a deficit of approximately \$6,500
Public Works – Parks	\$15,000	Purchase of additional holiday lights for Main Street

Affordable Housing Trust Fund

Department	Amount	Reason
Attorney – Other Contract Services	\$10,000	Attorney services used related to the temporary loan to Our Town St. Helena for the project located at 963 Pope



CARES/Leak Adjustments

St. Helena Low Income Subsidy Program (CARES) – FY 2019/20 Q1

- 99 Participants
- \$13,432

Water Leak Adjustments – FY 2019/20 Q1

- 478 excess units of water
- \$2,299.50
- 11 leak adjustments
- 10 were for residential properties



Council Action

Receive and File FY 2019/20 Q1

Adopt a Resolution Approving Recommended Budget Adjustments