



City of St. Helena
Regular City Council Meeting
Tuesday, January 28, 2020 @ 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.
6. PRESENTATIONS AND PUBLIC RECOGNITIONS
 - 6.1. Proclamation Recognizing Harper McClain's Accomplishments 7 - 8
[Proclamation](#)
 - 6.2. Officer Todd Heald to Receive Commendation from Chief of Police 9 - 10
Chris Hartley
[Commendation](#)
 - 6.3. Oath of Office for Colton Adams
 - 6.4. Oath of Office for Randal Stephenson
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 of Resolution Authorizing the City Manager to execute a Memorandum of Agreement between Sonoma County Sheriff's Office and Saint Helena Police Department Pertaining to Assistance Under the Law Enforcement Mutual Aid Plan 11 - 16

CEQA Determination: Not a CEQA project

Prepared By: Mandy Kellogg, Finance Manager

Recommendation:

Approve a resolution authorizing the City Manager to execute a MOA between Sonoma County Sheriff's Office and Saint Helena Police Department pertaining to assistance under the LEMAP.

[Staff Report - Pdf](#)

- 8.2. Consideration of approval of a Resolution approving out-of-state travel for Senior Planner Aaron Hecock to attend the American Planning Association (APA) conference in Houston, Texas from April 25-28, 2020. 17 - 19

CEQA Determination: Not a CEQA project

Prepared By: Aaron Hecock, Senior Planner

Recommendation:

Staff recommends the City Council approve a resolution authorizing out-of-state travel for Senior Planner Aaron Hecock to attend the American Planning Association (APA) conference in Houston, Texas from April 25-28, 2020.

[Staff Report - Pdf](#)

- 8.3. Consideration and proposed adoption of a Resolution accepting the work and final CIP Project R19-02 Hunt Avenue Sidewalk Gap Closure construction costs of \$245,011.69 and directing the filing of the Notice of Completion 21 - 27

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

Prepared By: Edrees Argand, Assistant Engineer

Recommendation:

Adopt the attached Resolution accepting the work and final project construction costs of \$245,011.69 and directing the filing of the Notice of Completion for CIP Project R19-02 Hunt Avenue Sidewalk Gap Closure

[Staff Report - Pdf](#)

- 8.4. Consideration and proposed adoption of a Resolution accepting the work and final project construction costs of \$836,856.15 and directing 29 - 36

the filing of the Notice of Completion for CIP Project R19-79 Year 1 Pavement Restoration

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

Prepared By: Edrees Argand, Assistant Engineer

Recommendation:

Adopt the attached Resolution accepting the work and final project construction costs of \$836,856.15 and directing the filing of the Notice of Completion for CIP Project R19-79 Year 1 Pavement Restoration.

[Staff Report - Pdf](#)

9. PUBLIC HEARINGS

- 9.1. Applicant Appeal of Planning Commission Denial of Demolition Permit and Design Review at 1443 Stockton Street (#PL19-001) 37 - 125

CEQA Determination: Exempt

Prepared By: Chris Gustin, Contract Planner

Recommendation:

It is recommended the City Council open the public hearing, take all relevant testimony from the Appellant and anyone desiring to be heard and, after deliberation, direct Staff to prepare either a Draft Resolution and Findings sustaining the Planning Commission's denial of a Demolition Permit and Design Review for 1443 Stockton Street or, alternatively, direct Staff to prepare a Draft Resolution and Findings overturning the Planning Commission's denial and approve the Demolition Permit and Design Review.

[Staff Report - Pdf](#)

[Public Comment.Kati & Doug Lynn](#)

[Public Comment.Jerry Hyde](#)

10. OLD BUSINESS

- 10.1. Downtown Streetscape Construction Project Update, Construction Phasing, and Funding Plan 127 - 165

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

Prepared By: Preya Nixon, Asst. to the City Manager

Recommendation:

Receive, review and discuss report, approve plan related to project funding, and provide direction to the City Manager related to preliminary Business Continuity Plan.

[Staff Report - Pdf](#)

[Presentation](#)

11. NEW BUSINESS

- 11.1. Consideration and proposed approval of a resolution appointing applicants to the Financing Civic Infrastructure Task Force 167 - 211

CEQA Determination: Not a CEQA project

Prepared By: Cindy Tzafopoulos, City Clerk

Recommendation:

Per resolution 2019-16 Council Rules of Procedure appointments shall be made by interview, ballot process and the Mayor shall nominate applicants with the appointments subject to approval by the majority of Council.

Per resolution 2019-137 the membership will consist of five to seven members.

[Staff Report - Pdf](#)

[Public Comment.Council Member Anna Chouteau](#)

- 11.2. City Council consideration of a resolution authorizing the City to become a member of a subregional entity to administer the Regional Housing Needs Allocation (RHNA) process for the 2022-2030 cycle;. 213 - 217

CEQA Determination: Approval of resolution not a “project” as defined in Section 15378(a) of State CEQA Guidelines. Even if determined to be a “project” subject to CEQA, action is exempt under the common sense exemption set forth in Section 15061(b)(3).

Prepared By: Aaron Hecock, Senior Planner

Recommendation:

Discuss and consider joining the subregional entity and either approve or deny the attached resolution; and, if joining the subregional entity, designate two City Council representatives.

[Staff Report - Pdf](#)

- 11.3. Discussion and Direction Regarding Flavored Tobacco and E-Cigarette Products 219 - 269

CEQA Determination: Not a CEQA project

Prepared By: Preya Nixon, Asst. to the City Manager

Recommendation:

Provide direction to staff on any additional outreach and/or policy direction regarding flavored tobacco and e-cigarette products.

[Staff Report - Pdf](#)

[Presentation](#)

- 11.4. Discussion and Consideration of City Position on Napa County Measure K (March 3, 2020, California Primary Election) 271 - 295

CEQA Determination: Exempt

Prepared By: Preya Nixon, Asst. to the City Manager

Recommendation:

Consider a position of support, oppose, neutral, or no position for Measure K.

[Staff Report - Pdf](#)

[Public Comment.Jack Stuart](#)

- 11.5. Consideration and approval of a Resolution approving City of St. Helena City Council P-FI-0018 Ticket Distribution Policy 297 - 307

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

Recommendation:

Staff recommends City Council adopt a Resolution approving City of St. Helena Policy P-FI-0018 Ticket Distribution Policy.

[Staff Report - Pdf](#)

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

12.1. Will be provided prior to the meeting.

13. ADJOURNMENT

The next Regular City Council meeting is scheduled for February 4, 2020, 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 January 22, 2020.



Cindy Tzaopoulos, City Clerk

In Compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please call the City Clerk's Office (707) 967-2792. Notification 72 hours prior to the meeting as required by Section 202 of the Americans with Disabilities Act will enable the City to make reasonable arrangements to ensure accessibility to this meeting

CHALLENGING DECISIONS OF CITY ENTITIES

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City of St. Helena is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision, including without limitation Government Code section 65009 applicable to many land use and zoning decisions, Government Code section 66499.37 applicable to the Subdivision Map Act, and Public Resources Code section 21167 applicable to the California Environmental Quality Act (CEQA). Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. Government Code section 65009 and 66499.37, and Public Resources Code section 21167, impose shorter limitations periods and requirements, including timely service in addition to filing.

If a person wishes to challenge the above actions in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of St. Helena, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

SUPPLEMENTAL MATERIAL RECEIVED AFTER THE POSTING OF THE
AGENDA

Any supplemental writings or documents distributed to a majority of the City Council regarding any item on this Agenda, after the posting of the Agenda, will be available for public review in the City Clerk's Office located at 1480 Main Street, St. Helena, California, during normal business hours. In addition, such writings or documents will be made available on the City's web site at <https://sthelena.civicweb.net> and will be available for public review at the respective meeting.

City of St. Helena**PROCLAMATION****Recognizing Harper McClain's Accomplishments**

Whereas, Every endeavor/challenge/try-out Harper has chosen to take on, has been 100% her idea; driven only by her desire to challenge herself. Her parents, family and coaches have always been there to support her, but it has always been all her. And when faced with adversity, she meets it head on.;

Whereas, Soccer was her first passion. In 7th grade after playing on the bronze team, she tried out for the gold team the following year but didn't make the cut. At first she was upset, but then followed up with her coach about what she needed to work on. She took it to heart and began training on her own during cold, dark and sometimes rainy mornings before school in the light of the Safeway parking lot. During practice she was always the last one off the pitch; leaving only when she had executed the day's skill. The following year she tried out again, made the gold team and began a three year journey of soccer where she played for Santa Rosa United's ECNL travel team, the Saint Helena High School Girls Soccer team and was invited to play for Northern California's Olympic Development Program.;

Whereas, Inspired by her younger brother Cleo's newly-found passion for running and placing first in his age group in the Napa Valley Marathon, Harper decided to join St. Helena High School's track team in the spring of 2019. With personal determination and the coaching of Chris Cole and Bob Cantrall, she broke several school records, qualified and placed in the top ten at the State Meet in the 3200. With their guidance she built on that success, qualified and took first place in the 3000m and 1500m at the Summer Junior Olympics in Sacramento. She thrived at running on a track built for the U.S. Olympic Trials and participating in opening ceremonies with hundreds of athletes from around the country.

Whereas, In the fall of 2019, after a strong showing during the cross-country season, she qualified for and won the Division 5 California State Cross Country Championship.;

Whereas, With the goal of attending college as a student-athlete, Harper applies the same work ethic to her academics. Though school can be challenging for her, Harper takes college prep and AP courses while maintaining a high GPA.;

Now, therefore let it be resolved, that I, Geoff Ellsworth, Mayor of the City of St. Helena, along with the City Council, do hereby recognize **Harper McClain** for her outstanding accomplishments.

Dated: January 28, 2020

Geoff Ellsworth, Mayor

City of St. Helena



Chris Hartley
Acting Chief of Police

POLICE DEPARTMENT

1480 MAIN ST.

SAINT HELENA, CALIFORNIA 94574

(707) 967-2850

01/23/2020

TO: OFFICER TODD HEALD
FROM: CHIEF CHRIS HARTLEY
RE: COMMENDATION

OFFICER HEALD,

ON JANUARY 06 2020 AT APPROXIMATELY 0945 HOURS YOU WERE ON DUTY AND WERE DISPATCHED TO BERRINGER WINERY FOR THE REPORT OF A BURGLARY WHICH HAD OCCURRED THE NIGHT BEFORE. YOU RESPONDED TO THE SCENE BY YOURSELF, INTERVIEWED EMPLOYEES, SEARCHED THE BUILDING, LOCATED AND PROCESSED EVIDENCE, DISCOVERED VIDEO FOOTAGE AND UNLOCKED EXTERIOR DOORS. WITHIN HOURS YOU WERE ABLE TO IDENTIFY A POSSIBLE SUSPECT. YOU CONTACTED THE VALLEJO POLICE DEPT AND INFORMED THEM OF THE STOLEN VEHICLE FROM THE WINERY AND THE ADDRESS OF YOUR POSSIBLE SUSPECT. WITH THE INFORMATION YOU PROVIDED, THE VALLEJO POLICE DEPARTMENT WAS ABLE TO LOCATE THE VEHICLE WHICH, WAS BEING DRIVEN BY YOUR SUSPECT. THE VALLEJO POLICE DEPARTMENT DETAINED THE SUSPECT UNTIL YOUR ARRIVAL. YOUR HARD WORK AND DETERMINATION RESULTED IN THE RECOVERY OF STOLEN PROPERTY WHICH INCLUDED THE STOLEN VEHICLE AND THE ARREST OF THE SUSPECT RESPONSIBLE FOR THE BURGLARY. I COMMEND YOU FOR YOUR HARD WORK AND DILIGENCE IN THIS CASE, YOU HAVE BROUGHT GREAT CREDIT UPON YOURSELF AND ARE IN KEEPING WITH THE HIGH STANDARDS

OF THE SAINT HELENA POLICE DEPARTMENT AND THE CITY OF SAINT HELENA.



Report to the City Council
Regular City Council - 28 Jan 2020

Agenda Section: CONSENT ITEMS

Subject: Consideration of Resolution Authorizing the City Manager to execute a Memorandum of Agreement between Sonoma County Sheriff's Office and Saint Helena Police Department Pertaining to Assistance Under the Law Enforcement Mutual Aid Plan

CEQA Determination: Not a CEQA project

Prepared By: Mandy Kellogg, Finance Manager

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

On October 23, 2019, extreme conditions aided the Kincade Fire, which was declared a local, state and federal emergency. Due to the threat it became necessary for the Sonoma County Sheriff's Office to request mutual aid assistance to support law enforcement services in connection with the Kincade Fire.

DISCUSSION

The Law Enforcement Mutual Aid Plan (LEMAP) delineates the current policy concerning law enforcement mutual aid. It describes standard procedures used to acquire law enforcement mutual aid resources and the method to ensure coordination of law enforcement mutual aid planning and readiness at the local, state, and federal levels. The LEMAP states that a request for law enforcement mutual aid requires the approval of the chief law enforcement officer of the requesting jurisdiction. The Sonoma County Sheriff is the Operational Area Law Enforcement and Mutual Aid Coordinator. The Sonoma County Sheriff requested mutual aid from the Saint Helena Police Department on October 25, 2019.

The Saint Helena Police Department responded to the request for mutual aid assistance to Sonoma County Sheriff's Office providing personnel, equipment, and materials from October 26, 2019 through October 30, 2019. In order to receive reimbursement for City expenses related to this response, a Memorandum of Agreement (MOA) between Sonoma County Sheriff's Office and the Saint Helena Police Department must be approved by the City Council. The attached resolution requests City Council authorization to have the City Manager execute the MOA.

FISCAL IMPACT

Staff is currently compiling a list of costs incurred from October 26, 2019 through October 30, 2019 to request reimbursement from the Sonoma County Sheriff's Office.

RECOMMENDED ACTION

Approve a resolution authorizing the City Manager to execute a MOA between Sonoma County Sheriff's Office and Saint Helena Police Department pertaining to assistance under the LEMAP.

ATTACHMENTS

[Resolution 2020- Sonoma County Sheriff's Office MOA](#)
[Law Enforcement Mutual Aid Post Event Agreement Kincade](#)

Attachment 1

CITY OF ST. HELENA

RESOLUTION NO. 2020-

Resolution authorizing the City Manager to enter into a memorandum of agreement between Sonoma County Sheriff's Office and Saint Helena Police Department pertaining to assistance under the law enforcement mutual aid plan.

RECITALS

- A. On October 23, 2019 extreme conditions aided the Kincade Fire, which was declared a local emergency; and
- B. The Emergency Management Mutual Aid Plan delineates the current state policy concerning Emergency Management Mutual Aid; and
- C. The County Sheriff is the Operational Area Law Enforcement and Mutual Aid Coordinator; and
- D. The Emergency Management Mutual Aid Plan describes the standard procedures used to acquire emergency management mutual aid resources and the method to ensure coordination of emergency management mutual aid planning and readiness; and
- E. Law Enforcement Mutual Aid Plan provides, in pertinent part, "When an emergency develops or appears to be developing which cannot be resolved by a law enforcement agency within an Operational Area, it is the responsibility of the Operational Area Mutual Aid Coordinator to provide assistance and coordination to control the problem; and
- F. The Emergency Management Mutual Aid Plan provides, in pertinent part, "A request for emergency management mutual aid requires the approval of an authorized official of the requesting jurisdiction"; and
- G. The Sheriff of the County of Sonoma requested the mutual assistance of the Saint Helena Police Department, pursuant to the Law Enforcement Mutual Aid Plan to support law enforcement services in connection with the Kincade Fire; and
- H. The Saint Helena Police Department agrees to document all its mutual assistance costs related to the Kincade Fire as attachments to the MOA and submit to Sonoma County Sheriff's Office as soon as practicable.

RESOLUTION

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

1. The City Council authorizes the City Manager to enter into a memorandum of agreement between Sonoma County Sheriff's Department and Saint Helena Police Department pertaining to assistance under the law enforcement mutual aid plan.

Approved at a Regular Meeting of the St. Helena City Council on January 28, 2020, by the following vote:

Mayor Ellsworth:

Vice Mayor Dohring:

Councilmember Koberstein:

Councilmember Chouteau:

Councilmember Knudsen:

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzaopoulos, City Clerk

**MEMORANDUM OF AGREEMENT BETWEEN SONOMA COUNTY SHERIFF'S
OFFICE AND THE SAINT HELENA POLICE DEPARTMENT PERTAINING TO
ASSISTANCE UNDER THE LAW ENFORCEMENT MUTUAL AID PLAN**

WHEREAS, this event and associated conditions will collectively be referred to as the Kincade Fire; and

WHEREAS, on October 23, 2019 this proclaimed emergency event consists of fire and damages associated with response; and

WHEREAS, the Sonoma County Board of Supervisors ratified this Proclamation of the Existence of a Local Emergency on October 31, 2019; and

WHEREAS, on October 25, 2019, the Governor of the State of California proclaimed a State of Emergency to exist in Sonoma County; and

WHEREAS, the Law Enforcement Mutual Aid Plan is issued and revised under the authority of Sections 8550, 8569, 8615 through 8619, and 8668 of the California Government Code, the California Emergency Plan, and the Master Mutual Aid Agreement; and

WHEREAS, the Law Enforcement Mutual Aid Plan delineates the current state policy concerning law enforcement mutual aid; and

WHEREAS, the Law Enforcement Mutual Aid Plan describes the standard procedures used to acquire law enforcement mutual aid resources and the method to ensure coordination of law enforcement mutual aid planning and readiness; and

WHEREAS, the county sheriff is the Operational Area Law Enforcement and Mutual Aid Coordinator; and

WHEREAS, Law Enforcement Mutual Aid Plan provides, in pertinent part, "When an emergency develops or appears to be developing which cannot be resolved by a law enforcement agency within an Operational Area, it is the responsibility of the Operational Area Mutual Aid Coordinator to provide assistance and coordination to control the problem;" and

WHEREAS, the Law Enforcement Mutual Aid Plan provides, in pertinent part, "A request for law enforcement mutual aid requires the approval of the chief law enforcement officer of the requesting jurisdiction;" and

WHEREAS, the Sonoma County Sheriff's Office requested the mutual aid assistance of Saint Helena Police Department, pursuant to the Law Enforcement Mutual Aid Plan to support law enforcement services in connection with the "Kincade" Fire; and

WHEREAS, Saint Helena Police Department provided mutual aid assistance consisting of law enforcement personnel, equipment, and materials from October 26, 2019

through October 30, 2019 to assist with law enforcement services in connection with the “Kincade” Fire; and

WHEREAS, Saint Helena Police Department agrees to document all of its mutual aid assistance costs related to the “Kincade” Fire as attachments to this MOA and submit to the Sonoma County Sheriff’s Office as soon as practicable; and

NOW, THEREFORE, IT IS HEREBY AGREED by and between the Sonoma County Sheriff’s Office and Saint Helena Police Department that the Sonoma County Sheriff’s may reimburse all reasonable costs associated with Saint Helena Police Department’s law enforcement mutual aid assistance during the “Kincade” Fire.

SONOMA COUNTY SHERIFF’S
OFFICE

RESPONDER

By 
Name: Mark Essick
Title: Sheriff-Coroner
Date: 11/6/19

By _____
Name: Mark T. Prestwich
Title: City Manager
Date: January 28, 2020



Report to the City Council
Regular City Council - 28 Jan 2020

Agenda Section: CONSENT ITEMS

Subject: Consideration of approval of a Resolution approving out-of-state travel for Senior Planner Aaron Hecock to attend the American Planning Association (APA) conference in Houston, Texas from April 25-28, 2020.

CEQA Not a CEQA project
Determination:

Prepared By: Aaron Hecock, Senior Planner

Reviewed By: Maya DeRosa, Planning & Building Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

The American Planning Association (APA), founded in 1978, is a professional organization representing the field of urban planning based in the United States. The APA has over 38,000 members in more than 100 countries around the world. The APA provides leadership in the development of vital communities by advocating excellence in planning, promoting education and citizen empowerment, and providing our members with the tools and support necessary to meet the challenges of growth and change.

DISCUSSION

APA's National Planning Conference, held each spring in a major American city, brings together thousands of planners, planning commissioners, appointed and elected officials, and students for sessions, workshops, and networking. This provides a unique opportunity to learn about issues, challenges, and trends that are motivating planners worldwide to plan smarter. The conference program is filled with more than 250 expert-led sessions, mobile workshops, exhibits, events and career building opportunities.

The American Institute of Certified Planners (AICP) is APA's professional institute and provides the only nationwide, independent verification of planners' qualifications. Certified planners pledge to uphold high standards of practice, ethics, and professional

conduct, and to keep their skills sharp and up-to-date by continuously pursuing advanced professional education. As an accredited member of the AICP, the National Planning Conference will provide Senior Planner Aaron Hecock an important opportunity to gain required certification maintenance education.

City Council Resolution 85-44 requires City Council approval for staff to attend out-of-state conferences.

FISCAL IMPACT

The cost of the conference including registration, transportation, hotel, and meals is expected to be approximately \$3,000. Funds for the APA Conference have been included in the FY 2019-20 adopted budget.

RECOMMENDED ACTION

Staff recommends the City Council approve a resolution authorizing out-of-state travel for Senior Planner Aaron Hecock to attend the American Planning Association (APA) conference in Houston, Texas from April 25-28, 2020.

ATTACHMENTS

[Resolution](#)

CITY OF ST. HELENA
RESOLUTION NO. 2020-

Resolution Authorizing Out-of-State Travel for Senior Planner
Aaron Hecock to Attend the American Planning Association
(APA) Conference in Houston, Texas from April 25-28, 2020.

RECITALS

- A. City Council Resolution 85-44 requires City Council approval for staff to attend out-of-state meetings and training; and
- B. The American Planning Association (APA) hosts an annual professional development conference; and
- C. The APA Conference will be held April 25-28, 2020 in Houston, Texas; and
- D. Attending the APA annual conference will be beneficial to Senior Planner Aaron Hecock and the City of St. Helena; and
- E. The total approximate Conference costs to the City is \$3,000 which includes registration, airfare, hotel, ground transportation, and per diem costs; and
- F. Funds for the Conference are included in the FY 2019-20 adopted budget.

RESOLUTION

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

- 1. Travel is not a CEQA project; and
- 2. Approves out-of-state travel for Senior Planner Aaron Hecock to attend the APA Conference in Houston, Texas from April 25-28, 2020.

Approved at a Regular Meeting of the St. Helena City Council on January 28, 2020, by the following vote:

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

APPROVED:

Geoff Ellsworth, Mayor

ATTEST:

Cindy Tzafopoulos, City Clerk



Report to the City Council
Regular City Council - 28 Jan 2020

Agenda Section: CONSENT ITEMS

Subject: Consideration and proposed adoption of a Resolution accepting the work and final CIP Project R19-02 Hunt Avenue Sidewalk Gap Closure construction costs of \$245,011.69 and directing the filing of the Notice of Completion

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

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

On May 8, 2018, City Council adopted the Capital Improvement Program (CIP) which included the R19-02 Hunt Avenue Sidewalk Gap Closure Project (R19-02 Project). The R19-02 Project included construction of approximately 901 lineal feet of sidewalk along the south side of Hunt Avenue from June Lane to Starr Avenue and 138 lineal feet of sidewalk along the north side of Hunt Avenue (between 770 and 830 Hunt Avenue). In addition, the City upgraded curb ramps, pedestrian crossings, and a valley gutter on Hunt Avenue at Edwards Street and the curb ramps on Hunt Avenue at Church Street and June Lane.

On June 25, 2019, City Council awarded the R19-02 Project to Coastsides Concrete and Construction, Inc. (Coastsides) in the amount of \$225,500.

DISCUSSION

The Director of Public Works was authorized a construction contingency for unforeseen conditions not to exceed 15% (\$33,825) of the construction contract. The Director authorized two contract change orders during the project. In addition to contract change orders, there were \$8,221 in contract unit item cost over-runs. The change orders and over-runs are summarized below:

Number	Description	Amount
CCO #1	Curb and sidewalk installed, extra storm drain installed, storm drain lowered under utilities, extra catch basin filter, and sewer cleanout installed.	\$9,940.69
CCO #2	Curb installation.	\$1,350.00
Contract Change Order Total		\$11,290.69
Contract Unit Item Over-runs	Sidewalk and driveway	\$8,221.00

The R19-02 Project was completed within the allocated budgets. The Public Works Department has inspected the work and found the work to be completed satisfactorily. Following the acceptance of the project, City Staff will file a Notice of Completion for the project with the Napa County Recorder's Office. If no liens or claims have been filled within 35 days of filing the Notice of Completion, the retained payment funds (5% of construction invoices) and any amount due will be released to Coastsides Concrete and Construction, Inc.

FISCAL IMPACT

The total estimated project expenditures are summarized below:

R19-02 Hunt Avenue Sidewalk Gap Closure project	
Survey, Design, Engineering	\$49,215
Final Construction Contract	\$245,011.69
Total Cost	\$294,226.69

The total approved project budget for FY 2019/20 is \$335,000 and funding includes a combination of Measure T and Grant TDA III funds.

RECOMMENDED ACTION

Adopt the attached Resolution accepting the work and final project construction costs of \$245,011.69 and directing the filing of the Notice of Completion for CIP Project R19-02 Hunt Avenue Sidewalk Gap Closure

ATTACHMENTS

[Attachment 1: R19-02 Resolution](#)

[Attachment 2: R19-02 Notice of Completion](#)

CITY OF ST. HELENA

RESOLUTION No. 2020-

**Resolution accepting the work
and final project construction
costs of \$245,011.69 and
directing the filing of the Notice
of Completion for CIP Project
R19-02 Hunt Avenue Sidewalk
Gap Closure**

RECITALS

- A. On May 28, 2019, the City of St. Helena City Council adopted a Resolution Approving the Plans, Specification, Authorizing the Bid Advertisement and made findings that the project R19-02 Hunt Avenue Sidewalk Gap Closure is categorically exempt from the California Environmental Quality Act; and
- B. On June 19, 2019, six (6) bids were received by the Public Works Director and opened in accordance with applicable law; and
- C. The lowest responsive and responsible bidder for the Project was Coastside Concrete & Construction, Inc. of Santa Rosa, CA in the amount of \$225,500; and
- D. On June 25, 2019, the City of St. Helena Council awarded the R19-02 Hunt Avenue Sidewalk Gap Closure Project to Coastside Concrete and Construction, Inc. in the amount of \$225,500 and authorized the Director of Public Works to approve change orders not to exceed 15% of the contract account; and
- E. The Public Works Director/City Engineer authorized two contract change orders (CCO) during the project as follows:

Number

De

scription	Am
ount	
CCO#1	Cu
rb and sidewalk installed, extra storm drain installed,	\$9,
940.69	
storm drain lowed under utilities, and extra catch basin	
filter and sewer cleanout installed.	
CCO#2	Cu
rb Installation	\$1,
350.00	
	Tot
al Change Orders:	\$1
1,290.69	
Over-runs included sidewalk and driveway	
	Su
m of over-runs:	\$8,
221.00	

F. The final construction contract amount is 245,011.69, which includes change orders totaling \$11,290.69 and contract unit item overruns in the amount of \$8,221.00; and

G. The project has been inspected and Coastside Concrete and Construction, Inc. has completed the work in accordance with the contract documents for the project and within budget; and

H. If no liens or claims have been filled within 35 days of filing the Notice of Completion, the retained payment funds and any amount due will be released to Coastside Concrete and Construction, Inc.

RESOLUTION

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

1. The contract entitled R19-02 Hunt Avenue Sidewalk Gap Closure with the final contract amount of \$245,011.69, is accepted as complete, subject to the Contractor, Coastside Concrete and Construction, Inc., completing the punch list work prior to the release of the retention, and the Contractor's continuing warranty and other obligations pursuant to the contract.
2. The Public Works Director/City Engineer is authorized to prepare a Notice of Completion and the City Clerk is directed to file a Notice of Completion with the Napa County Recorder.

Approved at a Regular Meeting of the St. Helena City Council on January 28, 2020 by the following vote:

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

APPROVED: ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzafofopoulos, City Clerk

Recording Requested By: City of St Helena 1480 Main Street St Helena, CA 94574	
Exempt From Recording Fees Per Government Code Sec. 27383	
When Recorded Mail To: City Clerk City of St Helena 1480 Main Street St Helena, CA 94574	

SPACE ABOVE THIS LINE FOR RECORDERS USE ONLY

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN THAT:

1 The undersigned is an owner of an interest of estate in the hereinafter described real property, the nature of which interest or estate is: fee simple.

2 The full name and address of the undersigned owner and of any and all co-owners are:

Name	Street and No.	City	State
City of St Helena	1480 Main Street	St Helena	CA

3 Work or Improvement on the property hereinafter described as the R19-02 Hunt Avenue Sidewalk Gap Closure Project was completed and accepted by the City of St. Helena City Council on January 28, 2020.

4 The work done was: the construction of approximately 901 lineal feet of sidewalk along the south side of Hunt Avenue from June Lane to Starr Avenue and 138 lineal of sidewalk along the north side of Hunt Avenue (between 770 and 830 Hunt Avenue). In addition, the City will upgrade the curb ramps, pedestrian crossing, and valley gutter on Hunt Avenue at Edwards Street and the curb ramps on Hunt Avenue at Church Street and June Lane.

5 The name of the original contractor for the work of improvement as a whole was: Coastside Concrete and Construction, Inc.

6 The real property herein referred to is situated in the City of St Helena, County of Napa, State of California, and described as follows: Hunt Avenue from Church Street to Starr Avenue.

By: _____
 Owner's Authorized Agent's Signature
 Erica Ahmann Smithies, PE Public Works Director/City Engineer

VERIFICATION

I, the undersigned, say:

I am the person who signed the foregoing notice. I have read the above notice and know its contents, and the facts stated therein are true of my own knowledge.

I declare under the penalty of perjury that the above is true and correct.

Executed at St. Helena, California, this 28th day of January, 2020.

City of St. Helena

Erica Ahmann Smithies, Public Works Director



Report to the City Council
Regular City Council - 28 Jan 2020

Agenda Section: CONSENT ITEMS

Subject: Consideration and proposed adoption of a Resolution accepting the work and final project construction costs of \$836,856.15 and directing the filing of the Notice of Completion for CIP Project R19-79 Year 1 Pavement Restoration

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

Prepared By: Edrees Argand, 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 maintenance of public streets within the City limits. On May 28, 2019, City Council adopted the Capital Improvement Program (CIP) which included the two year R19-79 Pavement Restoration Project. The R19-79 Year 1 Pavement Restoration Project included maintenance of existing streets, including full depth asphalt concrete repairs, pavement grinding, asphalt concrete overlays, slurry sealing, crack sealing, microsurfacing, traffic striping, sidewalk replacement, valley gutters replacement, curb and gutter repairs, and ADA curb ramp upgrades for the following street segments: Spring Street from Valley View Street to City Limits, Grove Court from Hunt Avenue to End (N), Monte Vista Avenue from Hunt Avenue to End (N), Hudson Avenue from Madrona Avenue to Spring Street, McCorkle Avenue from Allison Avenue to End (W), Arrowhead Drive from Sulphur Springs Avenue to End (S), Church Street from Hunt Avenue to Pope Street, Money Way from Adams Street to Spring Street, and Paulson Court from Pope Street to End (N).

On June 25, 2019, City Council awarded the R19-79 Year 1 Pavement Restoration Project to Argonaut Constructors in the amount of \$773,380.27.

The City of St. Helena required construction management and inspection services in order to produce a high quality, cost effective project. On August 13, 2019, City Council approved a professional service agreement with Coastland Civil Engineering, Inc. (Coastland) for the R19-79 Pavement Restoration project in an amount not to exceed \$85,954.00.

DISCUSSION

This item was originally scheduled for acceptance at the January 14, 2020 City Council meeting. However, the City discovered that there was thermoplastic striping deteriorating on the project and requested the item to be continued to the following meeting. After inspecting the entire paving project, it was determined that the striping failure was isolated to two crosswalks on Hunt Avenue. Thermoplastic can fail if the material is over/under heated, there is moisture on the surface, and/or the temperature of the pavement or air is too low (50 and 55 degrees respectively). City staff believes that the thermoplastic may have been applied too soon to the new concrete crossings at Montevista Avenue and Grove Court, which is why the material failed to fully bond with the surface. The replacement of the striping would normally be captured within the one year maintenance period of the contract which the City has a bond with Argonaut. Due to the failure being limited to a minor portion of work on the overall project (value of approximately \$1,500) and that the replacement striping cannot take place until warmer temperatures, City staff is recommending that the acceptance of the project move forward at this time.

Argonaut Constructors was awarded the R19-79 Year 1 Pavement Restoration project in the amount of \$773,380.27. The Director of Public Works was authorized a construction contingency for unforeseen conditions not to exceed 15% (\$116,007.04) of the construction contract. The Director authorized three contract change orders during the project. In addition to contract change orders, there were some contract unit item cost over-runs. The change orders and over-runs are summarized below:

Number	Description	Amount
CCO #1	Increase the quantity of bid item #17, 2.5" HMA Overlay, by 147 tons to achieve a total quantity of 240 tons.	\$24,255.00
CCO #2	Shoulder backing was placed along Spring Street on 11/11/2019.	\$10,182.73
CCO #3	Removal of thermoplastic centerline striping on Spring Street. Lump-sum bid item 8, Thermoplastic Striping - Various Types, shall be decreased by 25% to address the decrease in the scope of work.	\$(4,543.75)
	Contract Change Order Total	\$29,893.98
Contract Unit Item Over-runs	Over-runs included water valve, Caltrans case "A" curb ramp, 2.0" HMA overlay, HMA base repair dig-out repairs, and	\$33,581.90

pavement reinforcement fabric.

The final construction contract cost is \$836,856.15, which includes change orders totaling \$29,893.98 and contract unit item over-runs in the amount of \$33,581.90. The R19-79 Year 1 Pavement Restoration project was completed within the allocated budget. The Public Works Department has inspected the work and found the work to be completed satisfactorily. Following the acceptance of the project, City staff will file a Notice of Completion concerning the project with the Napa County Recorder's Office.

FISCAL IMPACT

The total estimated project expenditures are summarized below:

R19-79 Year 1 Pavement Restoration project	
Survey, Design, Engineering (includes Year 2 Pavement design costs)	\$90,000.00
Final Construction Contract	\$836,856.15
Construction Management	\$85,954.00
Field and Laboratory Testing	\$10,100.00
Total Cost	\$1,022,910.16

The total approved project budget for FY 2019/20 is \$1,970,000 and funding includes a combination of General Fund (Measure T/RMRA MOE), Measure T, and Senate Bill 1 (SB1).

RECOMMENDED ACTION

Adopt the attached Resolution accepting the work and final project construction costs of \$836,856.15 and directing the filing of the Notice of Completion for CIP Project R19-79 Year 1 Pavement Restoration.

ATTACHMENTS

[Attachment 1: R19-79 Resolution](#)

[Attachment 2: R19-79 Notice of Completion](#)

CITY OF ST. HELENA

RESOLUTION NO. 2020-

Resolution accepting the work and final project construction costs of \$836,856.15 and directing the filing of the Notice of Completion for CIP Project R19-79 Year 1 Pavement Restoration

RECITALS

- A. On May 28, 2019, the City of St. Helena City Council adopted a Resolution Approving the Plans, Specification, Authorizing the Bid Advertisement and made findings that the project R19-79 Pavement Restoration was categorically exempt from the California Environmental Quality Act; and
- B. On June 19, 2019, seven (7) bids were received by the Public Works Director and opened in accordance with applicable law; and
- C. The lowest responsive and responsible bidder for the Project was Argonaut Constructors, of Santa Rosa, CA in the amount of \$773,380.27; and
- D. On June 25, 2019, the City of St. Helena Council awarded the R19-79 Year 1 Pavement Restoration Project to Argonaut Constructors in the amount of \$773,380.27, authorized the City Manager to execute a construction contract in the amount of \$773,380.27 with Argonaut Constructors for R19-79 Year 1 Pavement Restoration Project, and authorized the Director of Public Works to approve change orders not to exceed 15% of the contract amount; and
- E. The Public Works Director/City Engineer authorized three contract change orders (CCO) during the project as follows:

Number	Description	Amount
CCO#1	Increase the quantity of bid item #17, 2.5" HMA Overlay, by 147 tons to achieve a total quantity of 240 tons.	\$24,255.00
CCO#2	Shoulder backing along Spring Street	\$10,182.73
CCO#3	Removing of thermoplastic centerline striping on Spring Street. Lump-sum bid item 8, Thermoplastic Striping - Various Types, shall be decreased by 25% to address	(\$4,543.75)

the decrease in the scope of work.

Total Change Orders: \$29,893.98

Over-runs included water valve, Caltrans case "A" curb ramp, 2.0" HMA overlay, HMA base repair dig-out repairs, and pavement reinforcement fabric.

Sum of over-runs: \$33,581.90

- F. The final construction contract amount is \$836,856.15, which includes change orders totaling \$29,893.98 and contract unit item overruns in the amount of \$33,581.90; and
- G. The project has been inspected and Argonaut Constructors has completed the work in accordance with the contract documents for the project; and
- H. If no liens or claims have been filled within 35 days of filing the Notice of Completion, the retained payment funds and any amount due will be released to Argonaut Constructors.

RESOLUTION

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

1. The contract entitled R19-79 Year 1 Pavement Restoration, with the final contract amount of \$836,856.15, is accepted as complete, subject to the Contractor, Argonaut Constructors, completing the punch list work prior to the release of the retention, and the Contractor's continuing warranty and other obligations pursuant to the contract.
2. The Public Works Director/City Engineer is authorized to prepare a Notice of Completion and the City Clerk is directed to file a Notice of Completion with the Napa County Recorder.

Approved at a Regular Meeting of the St. Helena City Council on January 28, 2020 by the following vote:

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

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzaferopoulos, City Clerk

Recording Requested By: City of St Helena 1480 Main Street St Helena, CA 94574	
Exempt From Recording Fees Per Government Code Sec. 27383	
When Recorded Mail To: City Clerk City of St Helena 1480 Main Street St Helena, CA 94574	

SPACE ABOVE THIS LINE FOR RECORDERS USE ONLY

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN THAT:

1. The undersigned is an owner of an interest of estate in the hereinafter described real property, the nature of which interest or estate is: fee simple.
2. The full name and address of the undersigned owner and of any and all co-owners are:

Name	Street and No.	City	State
City of St Helena	1480 Main Street	St Helena	CA

3. Work or Improvement on the property hereinafter described as the R19-79 Year 1 Pavement Restoration Project was completed and accepted by the City of St. Helena City Council on January 28, 2020.
4. The work done was: maintenance of existing streets, including full depth asphalt concrete repairs, pavement grinding, asphalt concrete overlays, slurry sealing, crack sealing, microsurfacing, traffic striping, sidewalk replacement, valley gutters replacement, curb and gutter repairs, and ADA curb ramp upgrades.
5. The name of the original contractor for the work of improvement as a whole was: Argonaut Constructors.
6. The real property herein referred to is situated in the City of St Helena, County of Napa, State of California, and described as follows: Spring Street from Valley View Street to City Limits, Grove Court from Hunt Avenue to End (N), Monte Vista Avenue from Hunt Avenue to End (N), Hudson Avenue from Madrona Avenue to Spring Street, McCorkle Avenue from Allison Avenue to End (W), Arrowhead Drive from Sulphur Springs Avenue to End (S), Church Street from Hunt Avenue to Pope Street, Money Way from Adams Street to Spring Street, and Paulson Court from Pope Street to End (N).

By: _____
 Owner's Authorized Agent's Signature
 Erica Ahmann Smithies, PE Public Works Director/City Engineer

VERIFICATION

I, the undersigned, say:

I am the person who signed the foregoing notice. I have read the above notice and know its contents, and the facts stated therein are true of my own knowledge.

I declare under the penalty of perjury that the above is true and correct.

Executed at St. Helena, California, this 28th day of January, 2020.

City of St. Helena

Erica Ahmann Smithies, Public Works Director



Report to the City Council
Regular City Council - 28 Jan 2020

Agenda Section: PUBLIC HEARINGS

Subject: Applicant Appeal of Planning Commission Denial of Demolition Permit and Design Review at 1443 Stockton Street (#PL19-001)

**CEQA Exempt
Determination:**

Prepared By: Chris Gustin, Contract Planner

Reviewed By: Aaron Hecock, Senior Planner

Approved By: Aaron Hecock, Senior Planner

BACKGROUND

This application was first considered by the Planning Commission at its meeting of June 18, 2019. During the public hearing, nearby residents and Planning Commissioners expressed concerns regarding the proposed two-story building and its relationship to existing buildings in the neighborhood. The Commission continued the public hearing in order to provide the applicant the opportunity to prepare an exhibit showing the relative height of buildings on the block and the proposed residence.

At its meeting of November 5, 2019, the Planning Commission considered the exhibits and information submitted by the property owner. After considering the information from the property owner, receiving testimony from those desiring to be heard, and discussing the issues, the Planning Commission voted to deny the application and directed Staff to prepare a resolution with findings memorializing the Commission's decision. Copies of the Staff Reports and Resolution are attached.

The following has been excerpted from the Planning Commission Resolution establishing the grounds for denial:

"3. The Planning Commission has considered the criteria identified in St. Helena Municipal Code ("SHMC") Sections 17.164.020 and 17.164.030 required to support approval of a Design Review Permit and hereby finds that:

A. The proposed design is not compatible with the immediate environment of the site.

4. Furthermore, the Planning Commission finds that the proponent failing to take reasonable account of the items discussed in SHMC Sections 17.164.010 through 17.164.030 is justification for disapproving the proposal based on its design.”

DISCUSSION

APPELLENTS GROUNDS FOR APPEAL

Attached is the letter from the appellant setting forth the basis for requesting that the City Council overturn the denial of the Demolition Permit and Design Review.

The appellant contends that the proposed residence complies with all applicable provisions of the Zoning Code as determined by Staff and memorialized in the staff reports prepared for the two public hearings. Regarding the specific findings adopted by the Planning Commission, the appellant is of the opinion that the proposed residence is compatible with the immediate environment of the site, and did in fact take into reasonable account the items discussed in Sections 17.164.020, “Purpose (of Design Review) and Section 17.164.030, “Design criteria”.

FISCAL IMPACT

None

RECOMMENDED ACTION

It is recommended the City Council open the public hearing, take all relevant testimony from the Appellant and anyone desiring to be heard and, after deliberation, direct Staff to prepare either a Draft Resolution and Findings sustaining the Planning Commission’s denial of a Demolition Permit and Design Review for 1443 Stockton Street or, alternatively, direct Staff to prepare a Draft Resolution and Findings overturning the Planning Commission’s denial and approve the Demolition Permit and Design Review.

ATTACHMENTS

[Appeal Letter](#)

[Nov. 19, 2019 Resolution of Denial](#)

[Nov. 5, 2019 Staff Report and Attachments](#)

[Nov. 5, 2019 Comment Letter Beckstoffer](#)

[Nov. 5, 2019 Comment Letter Kelperis](#)

[Nov. 5, 2019 Comment Letter Lynn](#)

[Nov. 5, 2019 Comment Letter Wilson](#)

Mayor Ellsworth and City Council Members
City of St. Helena
1480 Main St.
St. Helena, CA 94574

Re: 1443 Stockton Street, St. Helena, California

December 3, 2019

Dear Mayor Ellsworth and City Council Members:

On January 4, 2019 my husband, Nick Vitro and I filed an application for a demolition permit and design review to build a new home on our property located at 1443 Stockton Street, St. Helena, California (the "Property"). Together with our architect Terry Tracy, we have designed a home that is compliant with the City of St. Helena's ("City") zoning land use regulations, the St. Helena General Plan ("General Plan") and St. Helena's Design Review Guidelines stated in Chapter 17.164 of the St. Helena Municipal Code.

On November 19, 2019 the Planning Commission passed a resolution denying our demolition permit and design review application. We are seeking a reversal of the Planning Commission decision as we feel they were incorrect in determining that our proposed project is not compatible with the immediate environment. We would also like to assert that we absolutely did take careful consideration all of the Design Review guidelines.

This communication aims to provide you with a description of the Property, an analysis of how the project is consistent with the medium density zoning regulations, the General Plan, and the City's Design Review Guidelines. Finally, this letter will conclude with an overview of our efforts throughout this application process and why we feel the Planning Commission's decision should be reversed.

Project Location and Description

The Property is located on a flat residential lot of 6,500 square feet on the block of Stockton Street between Adams Street and Madrona Avenue in the Medium Density (MD) Residential Zone. The lot is 52 feet wide, and 125 feet deep.

The project consists of demolishing an existing one-story, two-bedroom residence with an attached one-car garage. The existing structure consists of 1,046 square feet of habitable space and approximately 200 square feet of garage. The existing residence was reviewed by Brunzell Historical and was found not to be a Historical Resource, and thus exempt from CEQA requirements.

The new residence will be two stories with a building height of 25 feet. The first floor will consist of a living/dining/kitchen great room, a den, half bath, mudroom, entry,

closets, and an attached one-car garage. The second floor will have three bedrooms with closets, three bathrooms, a laundry room and hallway. The living area will be 1,101 square feet on the first floor and 1,104 square feet on the second floor, for a total living area of 2,205 square feet, and garage area of 228 square feet. There will be two off-street parking spaces provided, one in the garage and one in the driveway.

The design of the new residence will be a contemporary farmhouse with a covered front porch, double hung windows and board and batten siding. The porches, dormers, and lower roofs will have a 3:12 pitch with standing seam metal roofing. The main roof will have a 7:12 pitch with dark composition shingles. The color of the house will be white with dark gray windows, and doors. A materials board was submitted to the Planning Department, as required.

The City's development standards require a 10-foot setback on either side of the fairly narrow lot, which limits the design significantly. With these restrictions, we decided to design a two-story home that achieves a desirable environment for the occupants, meets all the setback requirements, is under the maximum height restriction, and does not require a variance.

General Plan

Medium Density Residential Zoning

According to code section 17.40.020(A), remodeling or reconstruction of one single-family dwelling is a permitted use in the MD district. There is an existing single-family residence on the Property that we will demolish upon receiving approval and reconstruct a new single-family residence.

Section 17.40.060 Development Standards covers standards and requirements that shall apply in the MD residential district. Below is a table illustrating how our project is in compliance with all of the applicable Development Standards for the medium density residential zone.

Development Standard	Allowable	Proposed
Lot Coverage	45%	20.4%
Floor Area Ratio	34%	34%
Height of Principal Building	30 Feet	25 Feet
Front Setback	20 Feet	22' 10"
Side Setbacks	10 Feet	10 Feet
Rear Setback	20 Feet	40' 6"

Design Review

Municipal Code section 17.164.030 outlines the design review guidelines that the Planning Commission should consider when reviewing a single-family residential project. Below I have listed each element, and provided an analysis of how our home

complies with those guidelines. The Planning Department also provided a similar analysis in their staff report provided for the Planning Commission Meeting of June 18, 2019.

1. Consistency and compatibility with applicable elements of the General Plan. Analysis: The proposed project is a single-family residence that is replacing an existing single-family residence. This project is consistent with the Medium Density Residential zoning, and is requesting no variances to comply with the development standards. The proposed building height is 5 feet under the allowable limit, and the lot coverage is only 20.4%, where 45% is allowed. The proposed project would be appropriate in the context of the greater neighborhood and would be consistent with the intent of applicable General Plan policies pertaining to historic preservation (as noted, there are no historic preservation issues), design, compatibility, and continuity of defining features of the neighborhood.
2. Compatibility of design with the immediate environment of the site. Analysis: The surrounding environment is a medium density residential neighborhood consisting of one-story and two-story existing single-family homes of varying architectural styles and sizes, most dating to the mid to late twentieth century. While not seeking “sameness”, the project is compatible with the character of existing residences in the immediate environment. The project is a contemporary farmhouse architectural style that is common in the neighborhood, and throughout Napa Valley. The design has ample set backs from the neighbors, with appropriate proportions for the lot, as regulated by zoning requirements. The home immediately to the right of the Property has a significantly pitched roof of approximately 18-20 feet in height, making it almost as tall as the 25-foot height of the proposed two-story project. Of the surrounding homes, exterior building materials include stucco, wood siding, and wood shingles. Roof materials vary from wood shake, composite shingle, standing-seam metal, to clay tiles. The proposed design features board and batten wood siding, with a combination of standing-seam metal roofing and composite shingles. The front entry consists of a wrap-around covered porch and French-style front door that will add to the welcoming feeling of the home.
3. Relationship of the design to the site. Analysis: The proposed project maintains an appropriate relationship to the site. The site is in an established residential neighborhood and the design relates well to this function. The front entry and covered porch face the street and sidewalk, with a pedestrian-friendly design. The rear of the structure will open on-grade to the backyard for outdoor entertaining and enjoyment of the environment of the site.

4. Determination that the design is compatible in areas considered by the board as having a unified design or historical character. Analysis: The neighboring homes consist of a variety of architectural styles, construction materials, size, scale, and age, with no unified design or historical character.

Brunzell Historical was retained to conduct a historical study of the existing home, and determined that “the property does not qualify for historic listing at any level and is not a historical resource under CEQA.” Further, “1443 Stockton Street is not significant for its architecture or engineering. It is a modest example of a Ranch-style house, thousands of which were constructed throughout California in the 1960s. It lacks architectural or design distinction.”

Architectural styles represented on the block are single-story bungalow, one and two-story wooden shingle, English-cottage with pitched roof, as well as some updated homes with a more contemporary aesthetic, including a two-story modern farmhouse design on the corner of Madrona Avenue. One somewhat unifying theme among them is the existence of a front entry porch, which our design incorporates as a main architectural element.

5. Whether the design promotes harmonious transition in scale and character in areas between different designated land uses. Analysis: The home is adjacent to other single-family residential houses, so there is no difference in designated land uses in the area.
6. Compatibility with future construction both on site and off the site. Analysis: The project fits all of the required parking on site, is well below the allowable lot coverage, meets all the setbacks and is not requesting any variances that may impact any future construction on neighboring properties. It exhibits a recognizable architectural style and character that can be seen in other homes in the neighborhood.
7. Whether the architectural design of the structures and their materials and colors are appropriate to the function of the project. Analysis: The project is a single-family home, and all the design elements are focused on promoting the functionality of the single-family home with high-quality construction materials including board and batten siding, double-hung clad windows, raised-seam metal roofing, high-grade composite shingle roofing, solid-wood front porch elements, and a solid-wood roll-up garage door. The colors proposed are white and slate gray, which are consistent with the contemporary farmhouse aesthetic.
8. Whether the planning and siting of the various functions and buildings on site create an internal sense of order and provide a desirable environment for occupants, visitors, and the general community. Analysis: The project

is designed in response to the size and shape of the lot, as well as the neighborhood in general. With a relatively narrow lot and large side yard setback requirements, the two-story design creates the best use of space and most desirable environment for the occupants. The floor plan features an open layout of kitchen, living and dining areas that open to the backyard. The bedrooms are located on the second story with each featuring windows on two walls, but only transom-style windows facing the side neighbors to maximize privacy. Furthermore, the front façade of the home features a traditional, covered front porch and provides a desirable environment for the general community.

9. Whether the amount and arrangement of open space and landscaping are appropriate to the design and the function of the structures. Analysis: The parcel is 6,500 square feet and the lot coverage is only 20.4%, therefore providing a comfortable amount of outdoor entertaining space, and well-designed landscape elements, including space for a pool.
10. Whether access to the property and circulation systems are safe and convenient for pedestrians, cyclists and vehicles. Analysis: The house is setback from the street so that we will be able to park two vehicles on the property without an impact to street parking, therefore providing more room on the street for cars, cyclists, and pedestrians.
11. Whether the natural features are appropriately preserved and integrated into the project. Analysis: The property is located on an existing flat, residential lot without any significant natural features.
12. Whether the materials, textures, colors and details of construction are an appropriate expression of its design concept and function and whether they are compatible with the adjacent and neighboring structures and functions. Analysis: The architectural design is contemporary farmhouse, which is compatible with the neighboring houses, and residential design employed throughout the City of St. Helena. It features a wrap-around front entry porch with wooden posts, white board and batten siding, and double-hung clad windows in a slate gray color. The neighboring homes consist of a variety of construction styles, with no consistent theme or materials. The proposed siding, colors, and roofing materials are compatible with the surrounding homes.
13. Whether the landscape design concept for the site, as shown by the relationship of plant masses, open space, scale, plant forms, and foliage textures and colors create a desirable and functional environment and whether the landscape concepts depicts an appropriate unity with the various buildings on the site. Analysis: The landscape designs aims to create an invitation to the outdoors from the interior of the home. The main feature of the backyard is a pool at the rear of the property. Other backyard design elements include a built-in BBQ, a fire pit area with

lounge seating, and an outdoor dining terrace with a pergola. There are plantings surrounding the entire site, including a water feature outside of the kitchen window. The front landscape design features a low fence for design aesthetic, keeps an existing orange tree and adds new olive trees by the entry.

14. Whether sustainability and climate protection are promoted through the use of green building practices such as appropriate site/architectural design, use of green building materials, energy efficient systems, and water efficient landscape materials. Analysis: The proposed landscaping is consistent with the applicable low-water landscaping ordinances and will be irrigated by a drip system. The project will be conditioned to comply with all current applicable Title 24 building standards for energy efficiency and conservation and would achieve required energy metrics.

As stated herein, this project complies with or exceeds all the design review guidelines that are set forth in the St. Helena municipal code for design review of a single-family residence.

Process

We purchased the property at 1443 Stockton Street in 2014 and have spent several years contemplating a design for a new home on the lot. We explored some single-story designs and quickly came to realize that given the City's design guidelines, we could not achieve a desirable floor plan that would leave an acceptable amount of yard without building a two-story design. We developed our current design with high priority given to an open floor plan, ample natural light in all spaces, and a generous backyard for outdoor living.

We submitted our application to the St. Helena Planning Department in January of 2019. We received one round of feedback from the Planning Department that was so minimal in nature that we did not even need to re-submit a full set of new drawings. The only notes received were from the Engineering Department related to site drainage and a request to show the utilities on the plan set. There was no pushback on any element of the building architecture, size, scale or design.

The project was given Planning Department support and was forwarded to the Planning Commission with recommendation for approval at the June 4, 2019 Planning Commission meeting. Unfortunately, the owners of some neighboring properties sent in complaints about the design of the home prior to the public hearing. The complaints were in opposition to a two-story home, not anything specific about the design or architectural style of the home. The Commission decided to continue the review to a future meeting and asked us to create a visual of the proposed home in relation to the neighboring properties, which was then provided.

During this time we also reached out to the neighbors and tried to open a dialogue, but with no success. Not a single neighbor responded to our outreach. We

regret that some of the neighbors do not wish to see change on their street, but we see no reason to believe that our new home poses a threat to the charm or character of the neighborhood, as they have tried to argue. We firmly believe the design would add to the character of the neighborhood and would improve the overall streetscape.

At the November 5, 2019 Planning Commission meeting I provided additional exhibits showing our proposed design in relation to neighboring homes, other examples of similar architectural styles in the neighborhood, and evidence of many two-story homes in the immediate and surrounding neighborhood. Despite the Planning Department's recommendation, the Planning Commission voted to reject the approval of the project, and then on November 19, 2019 the application was officially denied.

According to Section 17.164.040 Limitations of Review, "Only the proponent's failure to take reasonable account of (the criteria) shall justify the Commission's disapproving a proposal solely on the basis of design." As outlined in the section above, I believe we have shown that we have gone well beyond taking a reasonable account of the design criteria. Further, 17.164.040 (B) states, "individual initiative and experimentation are to be encouraged," proving that the purpose of design review is not to ensure homogeneousness on any given block within a neighborhood, and that "compatibility" should not be construed as uniformity.

Also, Section 17.164.040 (E) states, "The commission is not to use design review intentionally or inadvertently to prohibit or unduly restrict building types, materials or methods or to vary the specific allowances or other development controls." It is clear that the Planning Commission has yielded to a bias against two-story design. Given the varied housing stock both on our block, and within the entire MD Residential zone, we see no grounds for this project to have been denied.

Conclusion

My grandparents planted our family roots in St. Helena 50 years ago, and I have spent my entire life loving this town. Nick and I are drawn to the natural beauty of the Valley and the character and charm of St. Helena, which is precisely why we decided to buy our home here. When we started this design process we envisioned creating a home that would fit in with the charm of the neighborhood, and would enhance the character of our street, which is precisely what we feel our design achieves.

This house complies with all of the governing code sections for the Medium Density Residential zoning district. We are not requesting any variances, and have met all the setback requirements. Further, this home meets all the design review guidelines that are set forth in Section 17.164.030 and, as stated in the Planning Department staff report, "there is no component of the project that would be incompatible with the immediate environment of the site or that of the greater neighborhood."

According to the City of St. Helena Mission Statement, the City “encourages a wide range of innovative, well-designed housing available for residents of all ages and income levels.” In that spirit, we are requesting that the City Council grant our appeal and approve the project as proposed.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jennifer Moore Vitro", with a long horizontal flourish extending to the right.

Jennifer Moore Vitro

CITY OF ST. HELENA PLANNING COMMISSION

RESOLUTION NO. PC2019-034

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ST. HELENA
DENYING A DEMOLITION PERMIT AND DESIGN REVIEW FOR 1443 STOCKTON
STREET IN THE CITY OF ST. HELENA, CALIFORNIA (File No. PL19-001)**

PROPERTY OWNER: Jenny and Nick Vitro

APN: 009-305-020

Recitals

1. **Whereas**, On January 4, 2019, Jenny and Nick Vitro submitted an application for Design Review and a Demolition Permit to demolish an existing one-story 1,140 square foot single family residence and construct a new two-story single family residence and an attached one-car garage at 1443 Stockton Street in the Medium Density Zoning District; and
2. **Whereas**, A public notice was published in the Napa Valley Register and mailed to residents and occupants within 300 feet of the project site in compliance with state and local law; and
3. **Whereas**, this application was originally scheduled for the June 4, 2019 meeting of the Planning Commission where the public hearing was opened and closed without comment and the item was continued to a date certain (June 18, 2019) at the applicant's request; and
4. **Whereas**, The Planning Commission of the City of St. Helena, State of California, considered the project, staff report, and all testimony, written and spoken, at a duly noticed public hearing on June 18, 2019; and
5. **Whereas**, The Planning Commission expressed certain concerns and after discussion, provided the applicant with specific direction and continued the hearing to an undetermined future date; and
6. **Whereas**, A public notice was published in the Napa Valley Register and mailed to residents and occupants within 300 feet of the project site in compliance with state and local law; and
7. **Whereas**, The Planning Commission of the City of St. Helena, State of California, considered the project, staff report, and all testimony, written and spoken, at a duly noticed public hearing on November 5, 2019; and
8. **Whereas**, the Planning Commission, after reviewing project materials, and considering written evidence and the testimony submitted at the June 18, 2019 and November 5, 2019 meetings, voted to deny the applications in their entirety and without prejudice, and directed staff to prepare a resolution with findings memorializing the Planning Commission's decision.

1443 Stockton Avenue
Demolition Permit and Design Review Resolution of Denial
November 19, 2019

Resolution

Now, therefore be it resolved that the Planning Commission hereby denies the requested Demolition Permit and Design Review for 1443 Stockton Street without prejudice and on the basis of the following findings:

1. The Planning Commission relied upon and hereby incorporates by reference all of the documents to which this Resolution refers, and the associated staff report(s), City files for this matter, correspondence, presentations and other materials, including statements made in the review and deliberation on the project. The Planning Commission further hereby incorporates by reference the recitals set forth above.
2. Pursuant to Section 15270 of the CEQA Guidelines, CEQA does not apply to a project which a public agency rejects or disapproves.
3. The Planning Commission has considered the criteria identified in St. Helena Municipal Code ("SHMC") Sections 17.164.020 and 17.164.030 required to support approval of a Design Review Permit and hereby finds that:
 - A. The proposed design is not compatible with the immediate environment of the site.
4. Furthermore, the Planning Commission finds that the proponent failing to take reasonable account of the items discussed in SHMC Sections 17.164.010 through 17.164.030 is justification for disapproving the proposal based on its design.
5. To the extent not expressly stated above, the Planning Commission hereby incorporates herein, and adopts herein as its findings, the statements and comments for denial made by the members of the Planning Commission during the public hearing and deliberations on the project.

I HEREBY CERTIFY that the foregoing demolition permit and design review for 1443 Stockton Street were duly and regularly denied by the Planning Commission of the City of St. Helena without prejudice and at a regular meeting of said Planning Commission held on November 19, 2019, by the following roll call vote:

AYES: Commissioners Ponte, Monnette, Anderson and Hardy

NOES: Commissioner Hale

ABSENT: None

ABSTAIN: None

RECUSED: None

APPROVED:



 Lester Hardy
 Chair, Planning Commission

ATTEST:



 Aaron Hecock, AICP
 Acting Planning & Building Director



PLANNING COMMISSION REPORT
Planning Commission Meeting of November 5, 2019

AGENDA SECTION: Public Hearing

FILE NUMBER: PL19-001

SUBJECT: The applicants are requesting adoption of a resolution approving a demolition permit and design review in order to demolish an existing single-family residence and construct a new single family residence on the property located at 1443 Stockton Street in the Medium Density Residential District.

PREPARED BY: Chris Gustin, Contract Planner

REVIEWED BY: Aaron Hecock, Acting Planning & Building Director

APPROVED BY: Aaron Hecock, Acting Planning & Building Director

APPLICATION FILED: 01/04/19

ACCEPTED AS COMPLETE: 01/08/19

LOCATION OF PROPERTY: 1443 Stockton Street

APN: 009-305-020

GENERAL PLAN/ZONING: Medium Density Residential: MDR

APPLICANT: Jenny & Nick Vitro

PHONE: (650)-235-5335

BACKGROUND

This application was originally considered by the Planning Commission at its meeting of June 18, 2019. The original Staff Report for that hearing is attached.

During the public hearing, nearby residents and Planning Commissioner's expressed concerns regarding the proposed two-story building and its relationship to existing buildings in the neighborhood. The Commission continued the public hearing in order to provide the applicant the opportunity to prepare an exhibit showing the relative height of

buildings on the block and the proposed residence. The applicant has prepared the attached exhibits as requested by the Planning Commission.

PROJECT DESCRIPTION

See the attached staff report of June 18, 2019.

STAFF RECOMMENDATION

The Planning Department recommends that the Planning Commission adopt a resolution finding that:

1. The project is exempt from the requirements of CEQA pursuant to CEQA Section 15303 (a); and
2. Accepting the required findings and approving the requested Demolition Permit and Design Review for a new single family residence at 1443 Stockton Street.

ATTACHMENTS

[Resolution updated](#)

[Stockton Street – 1400 Block](#)

[Parcel Map of Area](#)

[New Constr](#)

[June 18, 2019 Report](#)

[Public Comment \(1\)](#)

[Public Comment \(2\)](#)

[Public Comment \(3\)](#)

[Public Comment \(4\)](#)

[Public Comment \(5\)](#)

[Public Comment \(6\)](#)

[Supplemental Information Provided at Meeting- Kelperis](#)

CITY OF ST. HELENA PLANNING COMMISSION

RESOLUTION NO.

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ST. HELENA
GRANTING APPROVAL OF A DEMOLITION PERMIT AND DESIGN REVIEW
FOR THE VITRO RESIDENCE LOCATED AT 1443 STOCKTON STREET**

PROPERTY OWNERS: Jenny and Nick Vitro **APN:** 009-305-020

Recitals

1. On January 4, 2019, Jenny and Nick Vitro submitted an application for Design Review and a Demolition Permit to demolish an existing one-story 1,140 square foot single family residence and construct a new two-story single family residence and an attached one-car garage at 1443 Stockton Street in the Medium Density Zoning District; and
2. A public notice was published in the Napa Valley Register and mailed to residents and occupants within 300 feet of the project site in compliance with state and local law; and
3. This application was originally scheduled for the June 4, 2019 meeting of the Planning Commission where the public hearing was opened and closed without comment and the item was continued to a date certain (June 18, 2019) at the applicant's request ; and
4. The Planning Commission of the City of St. Helena, State of California, considered the project, staff report, and all testimony, written and spoken, at a duly noticed public hearing on June 18, 2019; and
5. The Planning Commission expressed certain concerns and after discussion, provided the applicant with specific direction and continued the hearing to an undetermined future date; and
6. A public notice was published in the Napa Valley Register and mailed to residents and occupants within 300 feet of the project site in compliance with state and local law;
7. The Planning Commission of the City of St. Helena, State of California, considered the project, staff report, and all testimony, written and spoken, at a duly noticed public hearing on November 5, 2019; and
8. Now, therefore let it be found that, the Planning Commission approves the Demolition Permit and Design Review and authorizes the modifications contained in said plans based on the findings below and subject to the conditions of approval enumerated herein.

*PL19-001, Design Review and Demolition Permit
1443 Stockton Street
November 5, 2019*

Resolution

A. CEQA

The project is exempt from the requirements of CEQA pursuant to Section 15301(L)(1) and 15303(A) which exempts demolition of an existing single family residence and the construction of a new single family residence. The proposed project is not subject to any of the exceptions to the use of a categorical exemption as outlined in CEQA Section 15300.2. The project site is not located on or near an environmentally sensitive area, is not visible from a scenic highway, is not included on a hazardous waste site, and will not impact historic resources or otherwise generate or contribute to any potentially significant impacts.

B. DEMOLITION PERMIT

Zoning Code Section 17.164.050 “Applicability” (of Design Review) specifies that “...no permit authorizing the demolition of any building within any zoning district shall be issued until approved by the Planning Commission in accordance with the following findings:

1. That, based on the public record and testimony presented at a public hearing, the building is determined not to be a significant architectural or historical building.
2. That the demolition of the existing 1960’s era ranch-style single family residence does not eliminate elements that are required to maintain the essential character of the neighborhood;
3. That design review of the proposed replacement structure is approved prior to approval of the demolition of a housing structure.

C. DESIGN REVIEW

The Planning Commission has considered the Design Review design criteria identified in Municipal Code Section 17.164.030 to support the motion to approve the Design Review given that the project has been found to demonstrate:

1. *The proposed project would be appropriate in the context of the greater neighborhood and would be consistent with the intent of applicable General Plan policies pertaining to historic preservation (as noted, there are no historic preservation issues), design, compatibility, and continuity of defining features of the neighborhood.*
2. *The immediate neighborhood consists of modest, one-story and two-story homes, most dating to the mid to late twentieth century. As proposed, the project would retain the character of the existing residences. There is no component of the project that would be incompatible with the immediate environment of the site or that of the greater neighborhood.*
3. *The proposed project maintains an appropriate relationship to the site.*
4. *The project is consistent and compatible with the surrounding properties and neighborhood.*

PL19-001, Design Review and Demolition Permit
1443 Stockton Street
November 5, 2019

5. *The proposed work would not alter the scale or transition between different land uses.*
6. *The proposed home will blend in with the existing and future construction in the immediate neighborhood.*
7. *The proposed design and materials are of a quality and type that are appropriate for the residential nature of the project and would be consistent with the site and its surroundings.*
8. *The proposed siting of the new home will create an internal sense of order and provide a desirable environment for occupants, visitors, and will be consistent with the general community.*
9. *The landscaping proposed is consistent with the residential character of the project and sufficient open space will be provided.*
10. *No changes to access are proposed as part of the project, and sidewalks exist along the frontage of Stockton Street for safe and convenient pedestrian and bicycle access. No changes are proposed to the width of the street that would impact vehicular access.*
11. *The site is essentially flat and does not have any significant natural features.*
12. *The proposed siding, colors, and roofing materials are consistent with residential architecture and compatible with surrounding residential design employed throughout the City of St. Helena.*
13. *The project proposes an extensive landscaping that plan that would be consistent with that seen throughout St. Helena.*
14. *The proposed landscaping is consistent with the applicable low-water landscaping ordinances and will be irrigated by a drip system. The project will be conditioned to comply with all current applicable Title 24 building standards for energy efficiency and conservation and would achieve required energy metrics.*

Conditions of Approval

1. Permit shall be in conformance with all City ordinances, rules, regulations and policies in effect at the time of issuance of a building permit.

2. The Demolition Permit and Design Review approval shall be vested within one (1) year from the date of the decision. A building permit for the project allowed under this approval shall have been obtained within one (1) year from the effective date of the Demolition permit and Design Review decision or these approvals shall expire; provided however that the approved Demolition Permit and Design Review may be extended for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 17.08.030, Extension of Permits and Approvals.

PL19-001, Design Review and Demolition Permit
1443 Stockton Street
November 5, 2019

3.This permit is valid for this design only. New permits must be applied for any change in use. These permits will expire if the use is discontinued pursuant to then existing ordinances and regulations.

4.The Demolition Permit and Design Review shall not become effective until fourteen (14) calendar days after approval, providing that the action is not appealed by the City Council or any other interested party within that 14 day period.

5.Any request for an extension of the Demolition Permit or Design Review must be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.

6.All required fees, including planning fees, development impact fees, building fees, retrofit fees, and St. Helena Unified School District fees shall be paid prior to issuance of building permit.

7.Pursuant to City Council Resolution 2003-65, the owner and applicant are informed of the following:

In recognition of the need for additional affordable housing, and to mitigate the effects of this development on the supply and demand of affordable housing, the permittee shall be subject to a Housing Impact Fee, an inclusionary requirement, an in-lieu fee, and/or similar fair and appropriate mechanisms, to provide funds for or to develop additional affordable housing.

8.Compliance with all permit conditions shall be clearly identified on all plans submitted for building permit approval, shall occur in accordance with specific regulations but in all cases no later than prior to occupancy or initiation of use unless another time is set by law or by this approval. Occupancy or final inspection of a project may be withheld if all conditions, including payment of fees for services rendered by the City, are not met.

9.The applicant will defend and indemnify and hold the City, its agents, officers, and employees harmless of any claim, action or proceedings to attack, set aside, void or annul an approval so long as the City promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.

10.Provided they are in general compliance with the approved Design Review, minor modifications found to be in substantial conformance with the approved design may be approved by the Planning Director.

11.This Design Review shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.

12.The primary purpose of this review is for compliance with the General Plan and Zoning Ordinance. The owner/applicant is responsible for meeting with the Building

PL19-001, Design Review and Demolition Permit
1443 Stockton Street
November 5, 2019

Official / Fire Inspector to review compliance with Building and Fire Codes, including fire protection systems and the accessibility standards of Title 24.

13. Construction documents shall be in compliance with approved plans and exhibits. All conditions of approval shall be clearly identified and included on all plans submitted for building permit review and issuance.

14. Where the MR District adjoins agricultural districts, there exists a right-to-farm the adjoining property. There is a good faith expectation that no complaints will occur regarding legal, normal agricultural activities on the adjacent land. Such activities may include day or night disbursement of chemicals, and creation of dust, noise, or fumes.

15. Developer is required to incorporate street trees into the frontage improvements of the proposed project and/or to replace any dead or dying trees currently within the existing planting strip or tree wells (per General Plan Policy 6.4.13) The size, species and location of these trees shall be identified on all plans submitted for building permit review and issuance.

Public Works Department Conditions of Approval

16. Approval of this project shall be subject to the requirements of, and all improvements shall be designed and constructed in accordance with, the most current version at the time of improvement plan submittal, Caltrans Standards and Specifications, the City of St. Helena Municipal Code, the St. Helena Water and Sewer Standards, the St. Helena Street, Storm Drain and Sidewalk Standards, and all current federal, state and county codes governing such improvements.

17. For any improvements outside the existing building envelope, a grading and drainage plan showing topographic data, all easements, infrastructure onsite and directly adjoining, and an erosion control plan shall be submitted for review and approval by the City Engineer prior to the issuance of a building permit. If the project entails more than 50 cubic yards of soil disturbance, 10,000 square feet of disturbance area, a cut or fill of 3 feet or more, or alteration of any drainage pattern, a grading permit shall be required.

18. Drainage needs to be routed to prevent inundation of neighboring properties. Grading and/or site improvement plans shall show how 2-year and 10-year storm flows shall be infiltrated on site and/or diverted at the property lines to prevent inundation of neighboring properties.

19. Erosion and sediment control plans shall conform to the latest State and City codes at a minimum.

20. Provide details of any and all proposed fencing, gates, and/or walls on all plans submitted for building permit review.

21. The applicant shall install an approved backflow device behind the existing water meter prior to Certificate of Occupancy. If a current approved backflow device exists,

*PL19-001, Design Review and Demolition Permit
1443 Stockton Street
November 5, 2019*

then please provide current test certifications. Any new and modified existing water laterals, meters and backflow prevention devices shall be required and constructed in accordance with the current requirements of the City of St. Helena's Water Standards and the California Department of Health Standards. Existing meter boxes located within a driveway shall be retrofitted with a traffic-rated box. New laterals shall be located perpendicular to the water main and outside any driveway/drive aisle.

22. Remodels or new construction which require fire sprinklers shall install an appropriately-sized water service with appropriate backflow and meter devices prior to Certificate of Occupancy. Fire system calculations shall be submitted with the Grading and Drainage Plan to verify fire service lateral and meter sizing. Deferred submittals are not accepted.

23. The applicant shall incorporate water conservation practices into the proposed project. Any and all non-conforming appliances and plumbing fixtures shall be removed from the premises. The water conservation requirements shall be replicated in-full on the architectural plans.

24. If the project includes 500 square feet or more of new landscaping and/or 2,500 square feet or more of rehabilitated landscape, the proposed landscaping shall comply with the State's Model Water Efficient Landscape Ordinance (MWELO).

25. Prior to Certificate of Occupancy the applicant shall conform to the requirements of City of St. Helena Standard Drawings, Water and Sewer Standards Section 6-2.10 which includes assessing the adequacy of the lateral, replacing if necessary and installing any needed cleanouts.

26. All driveway approaches shall be per current City and ADA standards. Where none exists, or where deteriorating or non-standard driveway approaches exist, they shall be installed or replaced at the direction of the Public Works Department prior to Certificate of Occupancy.

27. All driveway approaches shall be per current City and ADA Standards. Where none exists, or where deteriorating or non-standard driveway approaches exist, they shall be installed or replaced at the direction of the Public Works Department prior to Certificate of Occupancy.

28. Any missing or broken curb and gutter along the project frontage shall be constructed and/or replaced prior to Certificate of Occupancy, extent to be determined by the Public Works Department.

29. Prior to Certificate of Occupancy the applicant shall conform to the requirements of City of St. Helena Standard Drawings, Water and Sewer Standards Section 7-1.12 and applicable Health Standards, which includes water laterals being a minimum of five (5) feet from sewer laterals.

30. Existing streets being cut by new utility services will require edge grinding and an A.C. overlay per City standards, extent to be determined by the Public Works Department.

31. An encroachment permit shall be required for any work performed in the public right of way.

32. The applicant shall repair all public improvements that are damaged by the construction process in accordance with the City Water/Sewer/Street/Storm Drain/Sidewalk Standards prior to Certificate of Occupancy.

Fire Department Conditions of Approval

33. Plans submitted for building permit shall exhibit compliance with the current St. Helena Fire Code, as adopted and codified in St. Helena Municipal Code Chapter 15.36.

34. Installation of approved interior fire sprinkler system is required, unless waived by the Fire Chief.

35. One hour minimum fire resistant construction on all exterior walls within 10' of property boundary is required. Fire resistant construction of interior walls shall be determined by type of occupancy.

36. Any gates installed to control vehicular access to a property are required to be setback 30-feet from the property line and/or edge of pavement, whichever is greater. No vehicle gates may be installed without Fire Department and Public Works Department review and explicit approval.

Building Department Conditions of Approval

37. A building permit is required for all onsite demolition, construction and/or change of occupancy.

38. The applicant will be required to comply with the codes adopted at the time the applicant applies for a building permit. At this time the City of St. Helena utilizes the 2016 Title 24 codes.

39. When submitting plans for a building permit, the plans shall include all documentation listed on the building permit application checklist.

40. The applicant shall provide a construction waste management plan with the building permit application.

41. The plans for construction shall include a checklist for compliance with the California Green Buildings Standards Code, mandatory measures. Provide a reference on the checklist indicating where the mandatory measures can be found on the plans.

42. When submitting plans, the title page shall include all information referenced on the building permit application checklist Title Page requirements.

43. Building Permit application materials and plans shall include any documentation pertaining to special loads applicable to the design and the specified section of the code that addresses the condition; special inspections for any systems or components requiring special inspection; requirements for seismic resistance; and a complete list of deferred submittals at time of application. Any deferral of the required submittal items shall have prior approval of the Building Official however deferral of fire sprinkler design is not allowed.

44. Properties which are on septic systems and proposing substantial renovations may require approval from the Napa County Environmental Health Department. Applicants are encouraged to engage with the County early in the building permit review process to reduce the potential for delay.

45. Building Permit application materials and plans shall include any documentation pertaining to special loads applicable to the design and the specified section of the code that addresses the condition; special inspections for any systems or components requiring special inspection; requirements for seismic resistance; and a complete list of deferred submittals at time of application. Any deferral of the required submittal items shall have prior approval of the Building Official however deferral of fire sprinkler design is not allowed.

I HEREBY CERTIFY that the foregoing demolition permit and design review application was duly and regularly approved by the Planning Commission of the City of St. Helena at a regular meeting of said Planning Commission held on November 5, 2019 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Lester Hardy
Chair, Planning Commission

Aaron Hecock, AICP
Interim Planning Director

Stockton Street – 1400 Block “West” Elevation



1421

1441

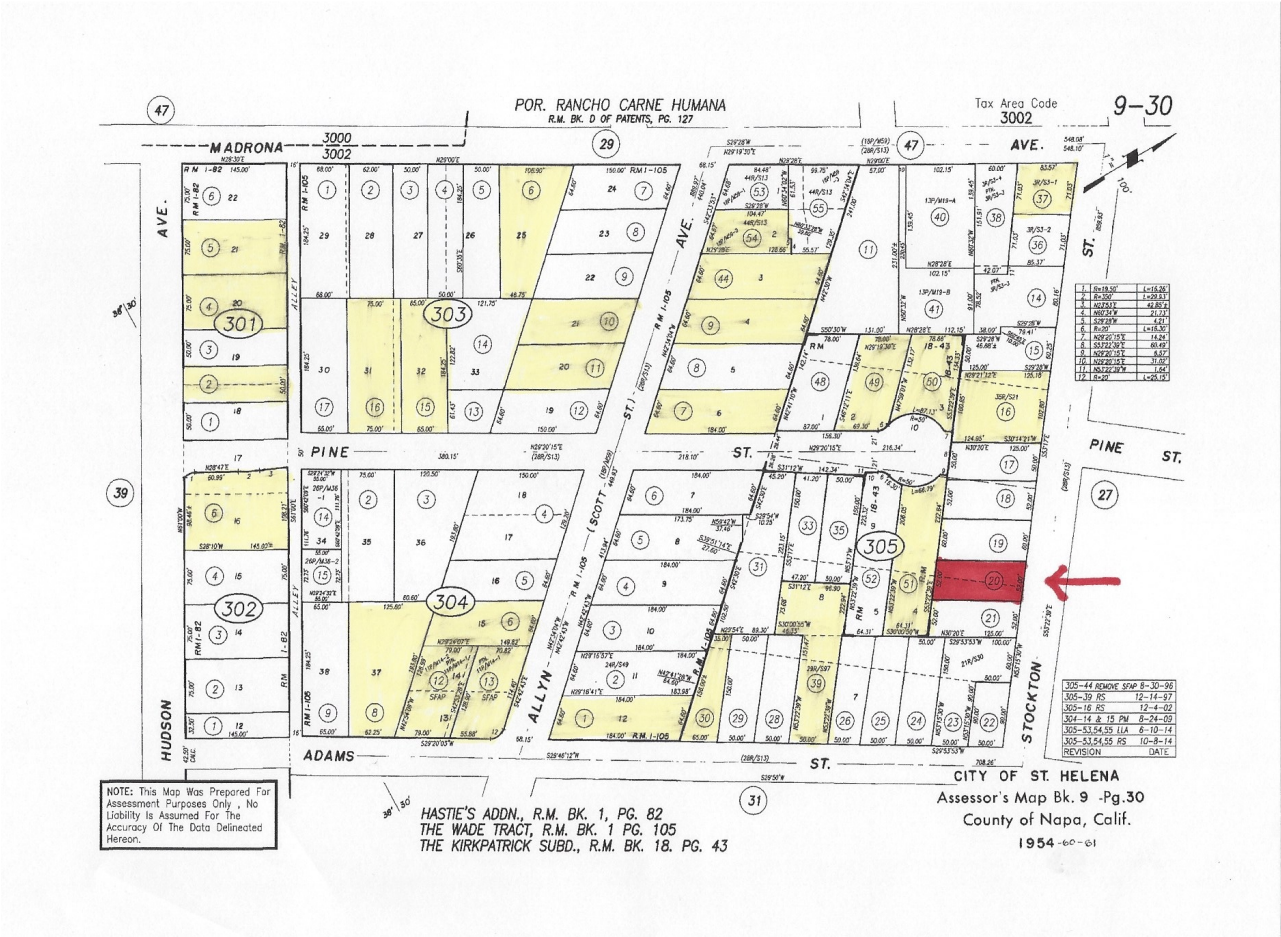
1443
Project Site

1445

1457

1467

Parcel Map of Area



New Construction Projects in the Neighborhood



1443 Stockton – Proposed



1401 Allyn Ave. – In Progress



1645 Vineyard Ave – Completed 2018



1242 Allyn Ave. – Completed 2018



1620 Scott Street – completed 2016



1842 Pine Street – Completed 2015



PLANNING COMMISSION REPORT

Planning Commission Meeting of June 18, 2019

AGENDA SECTION: Public Hearing

FILE NUMBER: PL19-001

SUBJECT: 1443 Stockton Street, Design Review and Demolition Permit

PREPARED BY: Chris Gustin, Contract Planner

REVIEWED BY: Noah Housh, Planning & Community Improvement Director

APPROVED BY: Noah Housh, Planning & Community Improvement Director

APPLICATION FILED: 01/04/19

ACCEPTED AS COMPLETE: 01/08/19

LOCATION OF PROPERTY: 1443 Stockton Street

APN: 009-305-020

GENERAL PLAN/ZONING: Medium Density Residential: MDR

APPLICANT: Jenny & Nick Vitro

PHONE: (650)-235-5335

BACKGROUND

This application was originally scheduled for the June 4, 2019 meeting of the Planning Commission where the public hearing was opened and closed without comment and the item was continued to a date certain (June 18, 2019) at the request of the applicant.

The subject property is a residential lot of 0.149 acres (6,500 sq. ft.) and improved with a one-story, two-bedroom, single family residence of approximately 1,046 sq. ft. and a single car garage of approximately 200 sq. ft. The residence is a modest example of a 1960-era ranch house with little architectural or historical significance. The house is located on the south side of Stockton Street to the east of the intersection of Pine Street and Stockton Street. According to the Historical Evaluation prepared for this application by Brunzell Historical (copy attached), the property does not qualify for historic listing at

any level and is not a historical resource under CEQA. The streetscape is established mature landscaping around single-family residences from the twentieth through twenty-first centuries.

PROJECT DESCRIPTION

The applicants, Jenny and Nick Vitro submitted a request to demolish the existing single-story home and construct a new 2,433 sq. ft. single family residence with a single car garage. The new home would feature natural wood shiplap siding with a combination of standing seam roofing and asphalt shingles. A new patio would also be constructed at rear of the proposed home with room set aside for a future pool.

In order to carry out the proposed project, the applicant has requested a Demolition Permit and Design Review Permit.

ANALYSIS

GENERAL PLAN

The General Plan Land Use Map designates the site for Medium Density Residential uses. This land use designation allows single family detached and attached homes, secondary residential units, and other compatible uses including accessory structures. The Medium Density Residential land use designation serves as the predominant residential land use designation and is intended to perpetuate the existing development patterns of St. Helena's established neighborhoods.

Relevant General Plan policies include:

4.3.4 Strengthen community identity by appropriate building design, size, and site landscaping.

4.3.5 Require future residential development to conform to the pattern and density of older, neighboring areas of town in order to complement existing town character and ensure that densities are high enough to protect against unnecessary incursion into Vineyard agricultural areas

4.4.3 Driveways and garages should be as unobtrusive as possible, with garages preferably located at the rear of the lot.

7.5.1 Preserve the City's historic and cultural resources as they contribute to the special character and quality of the City and help support its economic base.

7.5.9 Require new development in or adjacent to historic areas or buildings to be compatible in pattern and character with existing historic buildings.

Staff Analysis:

The proposed new construction of the single family residence is consistent with and meets the criteria set forth in the applicable General Plan policies outlined above.

ZONING

Consistent with the General Plan land use designation, 1443 Stockton Street is in the MDR: Medium Density Residential District. The MDR Zoning District allows for residential construction insofar as it conforms to the development standards prescribed by Municipal Code Section 17.40.060. While the subject lot does not meet the current minimum area standards, it is a legally subdivided lot and therefore is considered a legal non-conforming parcel. So long as all of the applicable development standards are met, the "Small Lot Standards" are not applicable.

	Standard	Existing	Proposed
Parcel Size:	7,000 sq. ft.	6,500 sq. ft.	6,500 sq. ft.
Setbacks:			
Front:	20 feet		22'-10"
Sides:	10 feet		10 feet
Rear:	20 feet		40'-6"
Building Height:	30 feet		25 feet
Lot Coverage:	45%		20.4%
Floor Area Ratio:	0.34		0.34*

* Section.40.070 Other uses, standards, and requirements, Subsection C, exempts one covered parking space of two hundred square feet in size from the Floor Area Ratio provisions.

The proposed single family residence complies with or exceeds all applicable MDR District Development Standards, except as noted, the minimum lot size, which is an existing non-conforming situation, not being intensified by the proposed development of a single family home in keeping with all established development criteria.

DEMOLITION PERMIT

Zoning Code Section 17.164.050 G, Demolition, states in part: "...no permit authorizing the demolition of any building within any zoning district shall be issued until approved by the Planning Commission in accordance with the following findings":

1. That, based on the public record and testimony presented at a public hearing, the building is determined not to be a significant architectural or historical building.

The building to be demolished has been determined to have no architectural or historical significance therefore the subsequent provisions of this Section do not apply.

1. That the demolition does not eliminate elements that are required to maintain the essential character of the neighborhood;

The building to be demolished, a typical 1960'S era ranch house, will not eliminate any elements that are required to maintain the essential character of the neighborhood.

1. That the design review of the proposed replacement structure is approved prior to or in conjunction with the demolition of a housing structure.

The project is subject to Design Review Approval and any demolition permit approval is contingent upon the Design Review Approval of the proposed new dwelling.

DESIGN REVIEW

The purpose of design review is to, among other things, promote the qualities that bring value to the community and foster attractiveness and functional utility of the community as a place to live and work. The Planning Commission must find that the project takes reasonable account of the design criteria prescribed by Section 17.164.030 (detailed below) and exhibit a quality of design that is compatible with adjacent development, features a siting, scale, massing and architectural style that is generally consistent with the predominant development patterns, and that does not otherwise detract or negatively affect the established character of the surrounding neighborhood. Consistency findings related to the Design Review Criteria are enumerated, below.

Design Review Criteria.

1. Consistency and compatibility with applicable elements of the general plan.
The proposed project would be appropriate in the context of the greater neighborhood and would be consistent with the intent of applicable General Plan policies pertaining to historic preservation (as noted, there are no historic preservation issues), design, compatibility, and continuity of defining features of the neighborhood.
2. Compatibility of design with the immediate environment of the site;
The immediate neighborhood consists of modest, one-story and two-story homes, most dating to the mid to late twentieth century. As proposed, the project would retain the character of the existing residences. There is no component of the project that would be incompatible with the immediate environment of the site or that of the greater neighborhood.
3. Relationship of the design to the site.
The proposed project maintains an appropriate relationship to the site.
4. Determination that the design is compatible in areas considered by the board as having a unified design or historical character;
The project is consistent and compatible with the surrounding properties and neighborhood.

5. Whether the design promotes harmonious transition in scale and character in areas between different designated land uses;

The proposed work would not alter the scale or transition between different land uses.

6. Compatibility with future construction both on and off the site;

The proposed contemporary home will blend in with the existing and future construction in the immediate neighborhood.

7. Whether the architectural design of structures and their materials and colors are appropriate to the function of the project;

The proposed design and materials are of a quality and type that are appropriate for the residential nature of the project and would be consistent with the site and its surroundings.

8. Whether the planning and siting of the various functions and buildings on the site create an internal sense of order and provide a desirable environment for occupants, visitors and the general community;

The proposed siting of the new home will create an internal sense of order and provide a desirable environment for occupants, visitors, and will be consistent with the general community.

9. Whether the amount and arrangement of open space and landscaping are appropriate to the design and the function of the structures;

The landscaping proposed is consistent with the residential character of the project and sufficient open space will be provided.

10. Whether access to the property and circulation systems are safe and convenient for pedestrians, cyclists and vehicles;

No changes to access are proposed as part of the project, and sidewalks exist along the frontage of Stockton Street for safe and convenient pedestrian and bicycle access. No changes are proposed to the width of the street that would impact vehicular access.

11. Whether natural features are appropriately preserved and integrated with the project;

The site is essentially flat and does not have any significant natural features.

12. Whether the materials, textures, colors and details of construction are an appropriate expression of its design concept and function and whether they are compatible with the adjacent and neighboring structure and functions;

The proposed siding, colors, and roofing materials are consistent with residential architecture and compatible with surrounding residential design employed throughout the City of St. Helena.

13. Whether the landscape design concept for the site, as shown by the relationship of plant masses, open space, scale, plant forms and foliage textures and colors create a

desirable and functional environment and whether the landscape concept depicts an appropriate unity with the various buildings on the site;

The project proposes an extensive landscaping that plan that would be consistent with that seen throughout St. Helena.

14. Whether sustainability and climate protection are promoted through the use of green building practices such as appropriate site/architectural design, use of green building materials, energy efficient systems and water efficient landscape plant materials.

The proposed landscaping is consistent with the applicable low-water landscaping ordinances and will be irrigated by a drip system. The project will be conditioned to comply with all current applicable Title 24 building standards for energy efficiency and conservation and would achieve required energy metrics.

WATER USE ANALYSIS

Based upon the attached Water Use Analysis Report prepared by the project Architect, the construction of the proposed single family residence will result in a decrease in the net indoor water use at the property.

ISSUES

No issues have been identified as of the preparation of this Report.

CORRESPONDENCE

No comments have been received at the writing of this report.

STAFF RECOMMENDATION

The Planning Department recommends that the Planning Commission adopt a resolution finding that:

1. The project is exempt from the requirements of CEQA pursuant to CEQA Section 15301 and 15303 (a), and
1. Accepting the required findings and approving the requested Demolition Permit and Design Review for a new single family residence at 1443 Stockton Street.

ATTACHMENTS

[1443 Stockton PC Resolution](#)

[Plan Set](#)

[Landscape Plan](#)

[Site Photos](#)

[WRITTEN STATEMENT](#)

[Vitro Historical Report Brunzell](#)

[WATER USE ANALYSIS REPORT 5.03.19](#)

[5.1 Public Comment_Lynn](#)

CITY OF ST. HELENA PLANNING COMMISSION

RESOLUTION NO.

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ST. HELENA
GRANTING APPROVAL OF A DEMOLITION PERMIT AND DESIGN REVIEW
FOR THE VITRO RESIDENCE LOCATED AT 1443 STOCKTON STREET**

PROPERTY OWNERS: Jenny and Nick Vitro **APN:** 009-305-020

Recitals

1. On January 4, 2019, Jenny and Nick Vitro submitted an application for Design Review and a Demolition Permit to demolish an existing one-story 1,140 square foot single family residence and construct a new two-story single family residence and an attached one-car garage at 1443 Stockton Street in the Medium Density Zoning District; and
2. A public notice was published in the Napa Valley Register and mailed to residents and occupants within 300 feet of the project site in compliance with state and local law;
3. This application was originally scheduled for the June 4, 2019 meeting of the Planning Commission where the public hearing was opened and closed without comment and the item was continued to a date certain (June 18, 2019) at the applicant's request.
4. The Planning Commission of the City of St. Helena, State of California, considered the project, staff report, and all testimony, written and spoken, at a duly noticed public hearing on June 18, 2019, and
5. Now, therefore let it be found that, the Planning Commission approves the Demolition Permit and Design Review and authorizes the modifications contained in said plans based on the findings below and subject to the conditions of approval enumerated herein.

Resolution

A. CEQA

The project is exempt from the requirements of CEQA pursuant to Section 15301(L)(1) and 15303(A) which exempts demolition of an existing single family residence and the construction of a new single family residence. The proposed project is not subject to any of the exceptions to the use of a categorical exemption as outlined in CEQA Section 15300.2. The project site is not located on or near an environmentally sensitive area, is not visible from a scenic highway, is not included on a hazardous waste site, and will not impact historic resources or otherwise generate or contribute to any potentially significant impacts.

B. DEMOLITION PERMIT

*PL19-001, Design Review and Demolition Permit
1443 Stockton Street
June 18, 2019*

Zoning Code Section 17.164.050 “Applicability” (of Design Review) specifies that “...no permit authorizing the demolition of any building within any zoning district shall be issued until approved by the Planning Commission in accordance with the following findings:

1. That, based on the public record and testimony presented at a public hearing, the building is determined not to be a significant architectural or historical building.
2. That the demolition of the existing 1960’s era ranch-style single family residence does not eliminate elements that are required to maintain the essential character of the neighborhood;
3. That design review of the proposed replacement structure is approved prior to approval of the demolition of a housing structure.

C.DESIGN REVIEW

The Planning Commission has considered the Design Review design criteria identified in Municipal Code Section 17.164.030 to support the motion to approve the Design Review given that the project has been found to demonstrate:

1. *The proposed project would be appropriate in the context of the greater neighborhood and would be consistent with the intent of applicable General Plan policies pertaining to historic preservation (as noted, there are no historic preservation issues), design, compatibility, and continuity of defining features of the neighborhood.*
2. *The immediate neighborhood consists of modest, one-story and two-story homes, most dating to the mid to late twentieth century. As proposed, the project would retain the character of the existing residences. There is no component of the project that would be incompatible with the immediate environment of the site or that of the greater neighborhood.*
3. *The proposed project maintains an appropriate relationship to the site.*
4. *The project is consistent and compatible with the surrounding properties and neighborhood.*
5. *The proposed work would not alter the scale or transition between different land uses.*
6. *The proposed home will blend in with the existing and future construction in the immediate neighborhood.*
7. *The proposed design and materials are of a quality and type that are appropriate for the residential nature of the project and would be consistent with the site and its surroundings.*

8. *The proposed siting of the new home will create an internal sense of order and provide a desirable environment for occupants, visitors, and will be consistent with the general community.*
9. *The landscaping proposed is consistent with the residential character of the project and sufficient open space will be provided.*
10. *No changes to access are proposed as part of the project, and sidewalks exist along the frontage of Stockton Street for safe and convenient pedestrian and bicycle access. No changes are proposed to the width of the street that would impact vehicular access.*
11. *The site is essentially flat and does not have any significant natural features.*
12. *The proposed siding, colors, and roofing materials are consistent with residential architecture and compatible with surrounding residential design employed throughout the City of St. Helena.*
13. *The project proposes an extensive landscaping that plan that would be consistent with that seen throughout St. Helena.*
14. *The proposed landscaping is consistent with the applicable low-water landscaping ordinances and will be irrigated by a drip system. The project will be conditioned to comply with all current applicable Title 24 building standards for energy efficiency and conservation and would achieve required energy metrics.*

Conditions of Approval

1. Permit shall be in conformance with all City ordinances, rules, regulations and policies in effect at the time of issuance of a building permit.
2. The Demolition Permit and Design Review approval shall be vested within one (1) year from the date of the decision. A building permit for the project allowed under this approval shall have been obtained within one (1) year from the effective date of the Demolition permit and Design Review decision or these approvals shall expire; provided however that the approved Demolition Permit and Design Review may be extended for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 17.08.030, Extension of Permits and Approvals.
3. This permit is valid for this design only. New permits must be applied for any change in use. These permits will expire if the use is discontinued pursuant to then existing ordinances and regulations.
4. The Demolition Permit and Design Review shall not become effective until fourteen (14) calendar days after approval, providing that the action is not appealed by the City Council or any other interested party within that 14 day period.

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1443 Stockton Street
June 18, 2019

5.Any request for an extension of the Demolition Permit or Design Review must be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.

6.All required fees, including planning fees, development impact fees, building fees, retrofit fees, and St. Helena Unified School District fees shall be paid prior to issuance of building permit.

7.Pursuant to City Council Resolution 2003-65, the owner and applicant are informed of the following:

In recognition of the need for additional affordable housing, and to mitigate the effects of this development on the supply and demand of affordable housing, the permittee shall be subject to a Housing Impact Fee, an inclusionary requirement, an in-lieu fee, and/or similar fair and appropriate mechanisms, to provide funds for or to develop additional affordable housing.

8.Compliance with all permit conditions shall be clearly identified on all plans submitted for building permit approval, shall occur in accordance with specific regulations but in all cases no later than prior to occupancy or initiation of use unless another time is set by law or by this approval. Occupancy or final inspection of a project may be withheld if all conditions, including payment of fees for services rendered by the City, are not met.

9.The applicant will defend and indemnify and hold the City, its agents, officers, and employees harmless of any claim, action or proceedings to attack, set aside, void or annul an approval so long as the City promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.

10.Provided they are in general compliance with the approved Design Review, minor modifications found to be in substantial conformance with the approved design may be approved by the Planning Director.

11.This Design Review shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.

12.The primary purpose of this review is for compliance with the General Plan and Zoning Ordinance. The owner/applicant is responsible for meeting with the Building Official / Fire Inspector to review compliance with Building and Fire Codes, including fire protection systems and the accessibility standards of Title 24.

13.Construction documents shall be in compliance with approved plans and exhibits. All conditions of approval shall be clearly identified and included on all plans submitted for building permit review and issuance.

14. Where the MR District adjoins agricultural districts, there exists a right-to-farm the adjoining property. There is a good faith expectation that no complaints will occur

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June 18, 2019

regarding legal, normal agricultural activities on the adjacent land. Such activities may include day or night disbursement of chemicals, and creation of dust, noise, or fumes.

15. Developer is required to incorporate street trees into the frontage improvements of the proposed project and/or to replace any dead or dying trees currently within the existing planting strip or tree wells (per General Plan Policy 6.4.13) The size, species and location of these trees shall be identified on all plans submitted for building permit review and issuance.

Public Works Department Conditions of Approval

16. Approval of this project shall be subject to the requirements of, and all improvements shall be designed and constructed in accordance with, the most current version at the time of improvement plan submittal, Caltrans Standards and Specifications, the City of St. Helena Municipal Code, the St. Helena Water and Sewer Standards, the St. Helena Street, Storm Drain and Sidewalk Standards, and all current federal, state and county codes governing such improvements.

17. For any improvements outside the existing building envelope, a grading and drainage plan showing topographic data, all easements, infrastructure onsite and directly adjoining, and an erosion control plan shall be submitted for review and approval by the City Engineer prior to the issuance of a building permit. If the project entails more than 50 cubic yards of soil disturbance, 10,000 square feet of disturbance area, a cut or fill of 3 feet or more, or alteration of any drainage pattern, a grading permit shall be required.

18. Drainage needs to be routed to prevent inundation of neighboring properties. Grading and/or site improvement plans shall show how 2-year and 10-year storm flows shall be infiltrated on site and/or diverted at the property lines to prevent inundation of neighboring properties.

19. Erosion and sediment control plans shall conform to the latest State and City codes at a minimum.

20. Provide details of any and all proposed fencing, gates, and/or walls on all plans submitted for building permit review.

21. The applicant shall install an approved backflow device behind the existing water meter prior to Certificate of Occupancy. If a current approved backflow device exists, then please provide current test certifications. Any new and modified existing water laterals, meters and backflow prevention devices shall be required and constructed in accordance with the current requirements of the City of St. Helena's Water Standards and the California Department of Health Standards. Existing meter boxes located within a driveway shall be retrofitted with a traffic-rated box. New laterals shall be located perpendicular to the water main and outside any driveway/drive aisle.

22. Remodels or new construction which require fire sprinklers shall install an appropriately-sized water service with appropriate backflow and meter devices prior to

*PL19-001, Design Review and Demolition Permit
1443 Stockton Street
June 18, 2019*

Certificate of Occupancy. Fire system calculations shall be submitted with the Grading and Drainage Plan to verify fire service lateral and meter sizing. Deferred submittals are not accepted.

23.The applicant shall incorporate water conservation practices into the proposed project. Any and all non-conforming appliances and plumbing fixtures shall be removed from the premises. The water conservation requirements shall be replicated in-full on the architectural plans.

24.If the project includes 500 square feet or more of new landscaping and/or 2,500 square feet or more of rehabilitated landscape, the proposed landscaping shall comply with the State's Model Water Efficient Landscape Ordinance (MWELO).

25.Prior to Certificate of Occupancy the applicant shall conform to the requirements of City of St. Helena Standard Drawings, Water and Sewer Standards Section 6-2.10 which includes assessing the adequacy of the lateral, replacing if necessary and installing any needed cleanouts.

26.All driveway approaches shall be per current City and ADA standards. Where none exists, or where deteriorating or non-standard driveway approaches exist, they shall be installed or replaced at the direction of the Public Works Department prior to Certificate of Occupancy.

27.All driveway approaches shall be per current City and ADA Standards. Where none exists, or where deteriorating or non-standard driveway approaches exist, they shall be installed or replaced at the direction of the Public Works Department prior to Certificate of Occupancy.

28.Any missing or broken curb and gutter along the project frontage shall be constructed and/or replaced prior to Certificate of Occupancy, extent to be determined by the Public Works Department.

29.Prior to Certificate of Occupancy the applicant shall conform to the requirements of City of St. Helena Standard Drawings, Water and Sewer Standards Section 7-1.12 and applicable Health Standards, which includes water laterals being a minimum of five (5) feet from sewer laterals.

30.Existing streets being cut by new utility services will require edge grinding and an A.C. overlay per City standards, extent to be determined by the Public Works Department.

31.An encroachment permit shall be required for any work performed in the public right of way.

32. The applicant shall repair all public improvements that are damaged by the construction process in accordance with the City Water/Sewer/Street/Storm Drain/Sidewalk Standards prior to Certificate of Occupancy.

Fire Department Conditions of Approval

*PL19-001, Design Review and Demolition Permit
1443 Stockton Street
June 18, 2019*

33.Plans submitted for building permit shall exhibit compliance with the current St. Helena Fire Code, as adopted and codified in St. Helena Municipal Code Chapter 15.36.

34.Installation of approved interior fire sprinkler system is required, unless waived by the Fire Chief.

35.One hour minimum fire resistant construction on all exterior walls within 10' of property boundary is required. Fire resistant construction of interior walls shall be determined by type of occupancy.

36.Any gates installed to control vehicular access to a property are required to be setback 30-feet from the property line and/or edge of pavement, whichever is greater. No vehicle gates may be installed without Fire Department and Public Works Department review and explicit approval.

Building Department Conditions of Approval

37.A building permit is required for all onsite demolition, construction and/or change of occupancy.

38.The applicant will be required to comply with the codes adopted at the time the applicant applies for a building permit. At this time the City of St. Helena utilizes the 2016 Title 24 codes.

39.When submitting plans for a building permit, the plans shall include all documentation listed on the building permit application checklist.

40.The applicant shall provide a construction waste management plan with the building permit application.

41.The plans for construction shall include a checklist for compliance with the California Green Buildings Standards Code, mandatory measures. Provide a reference on the checklist indicating where the mandatory measures can be found on the plans.

42.When submitting plans, the title page shall include all information referenced on the building permit application checklist Title Page requirements.

43.Building Permit application materials and plans shall include any documentation pertaining to special loads applicable to the design and the specified section of the code that addresses the condition; special inspections for any systems or components requiring special inspection; requirements for seismic resistance; and a complete list of deferred submittals at time of application. Any deferral of the required submittal items shall have prior approval of the Building Official however deferral of fire sprinkler design is not allowed.

44.Properties which are on septic systems and proposing substantial renovations may require approval from the Napa County Environmental Health Department. Applicants

*PL19-001, Design Review and Demolition Permit
1443 Stockton Street
June 18, 2019*

are encouraged to engage with the County early in the building permit review process to reduce the potential for delay.

45. Building Permit application materials and plans shall include any documentation pertaining to special loads applicable to the design and the specified section of the code that addresses the condition; special inspections for any systems or components requiring special inspection; requirements for seismic resistance; and a complete list of deferred submittals at time of application. Any deferral of the required submittal items shall have prior approval of the Building Official however deferral of fire sprinkler design is not allowed.

I HEREBY CERTIFY that the foregoing demolition permit and design review application was duly and regularly approved by the Planning Commission of the City of St. Helena at a regular meeting of said Planning Commission held on June 18, 2019 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

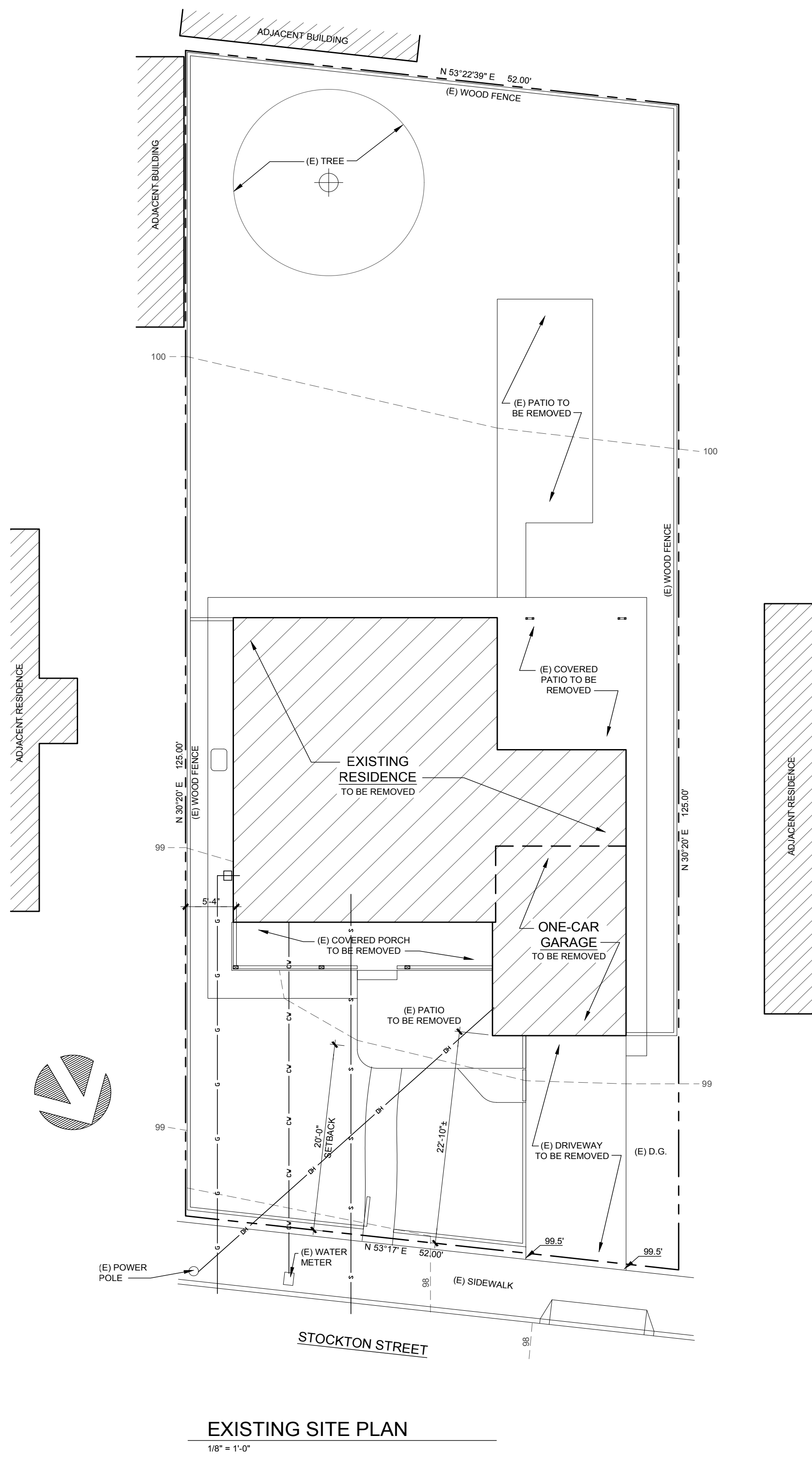
APPROVED:

ATTEST:

Lester Hardy
Chair, Planning Commission

Aaron Hecock, AICP
Interim Planning Director

VITRO RESIDENCE
1443 STOCKTON ST., ST. HELENA, CA

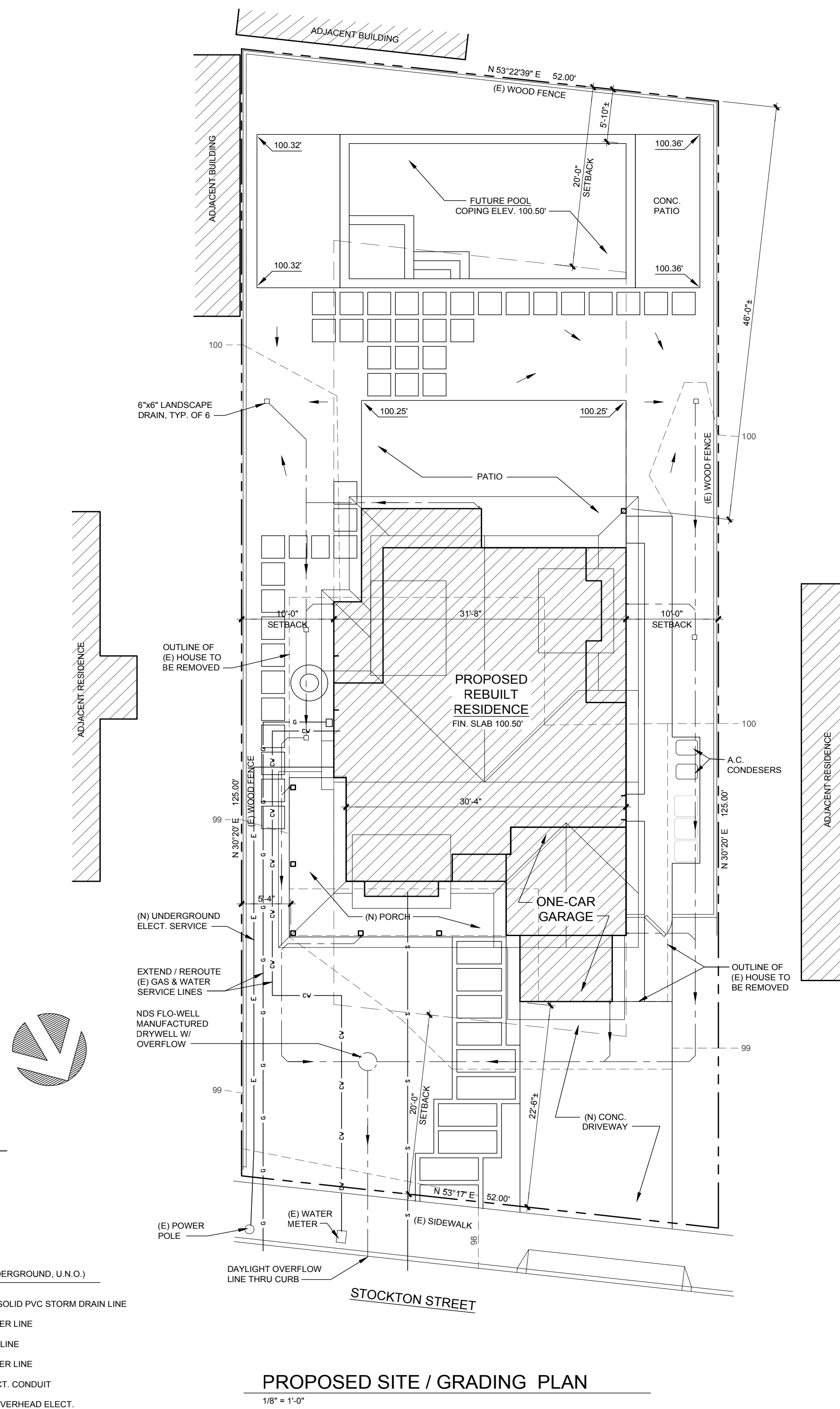


SITE PLAN NOTES

1. FINISH GRADE ADJACENT NEW BUILDING SHALL SLOPE AT 5% TO SWALE OR DRAIN SHOWN ON SITE PLAN.
2. CONNECT ALL RAIN WATER LEADERS TO DRAIN LINES SHOWN.

UTILITY LEGEND

	(UNDERGROUND, U.N.O.)
4"Ø SOLID PVC STORM DRAIN LINE	
SEWER LINE	
GAS LINE	
WATER LINE	
ELECT. CONDUIT	
(E) OVERHEAD ELECT.	

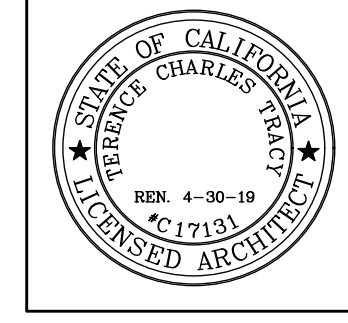


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REVISIONS

TERRY TRACY ARCHITECT

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707-363-1478
ttracy@sbcglobal.net



VITRO RESIDENCE REBUILD

1443 STOCKTON ST.
ST. HELENA, CA 94574

APN 009-305-020

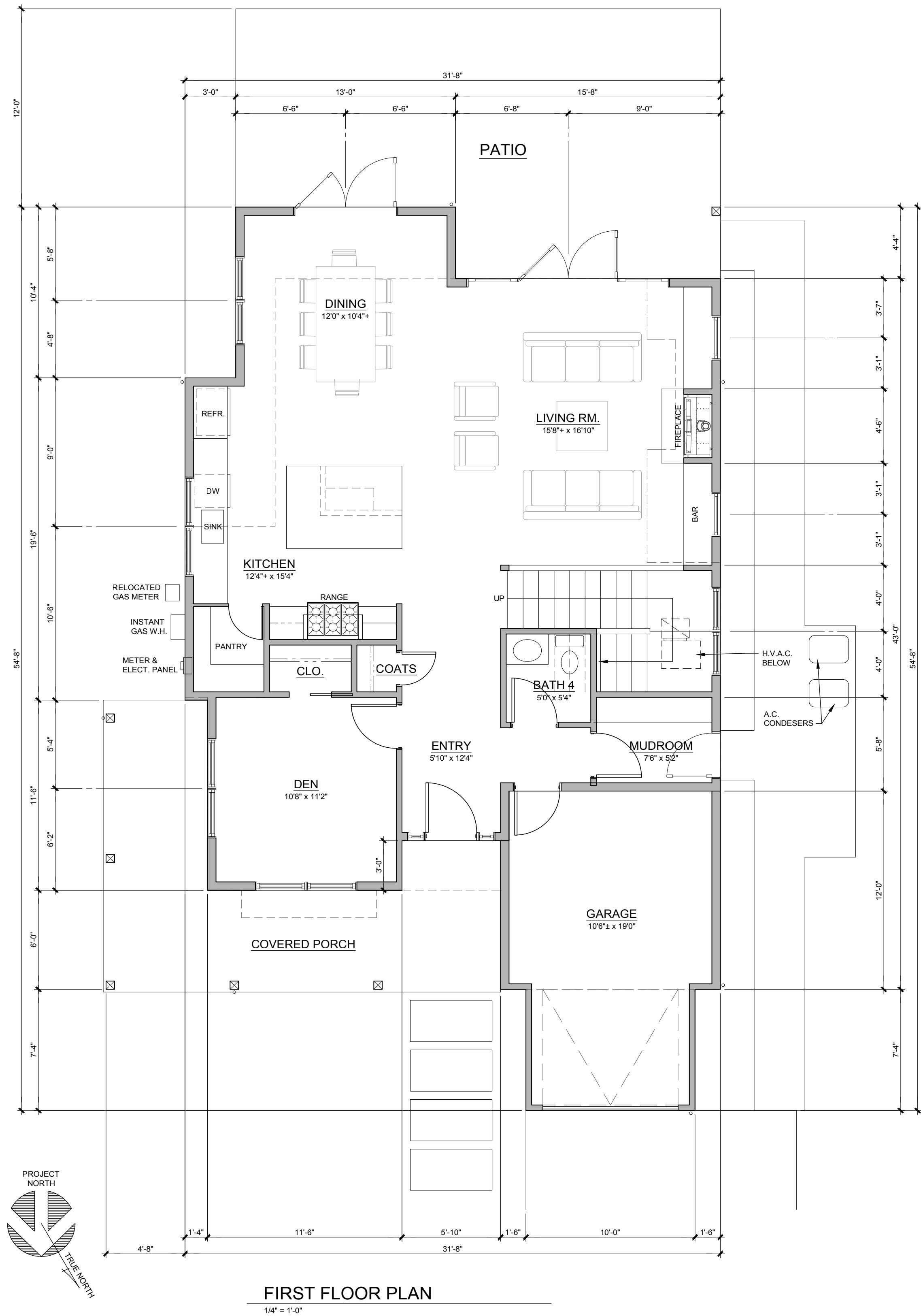
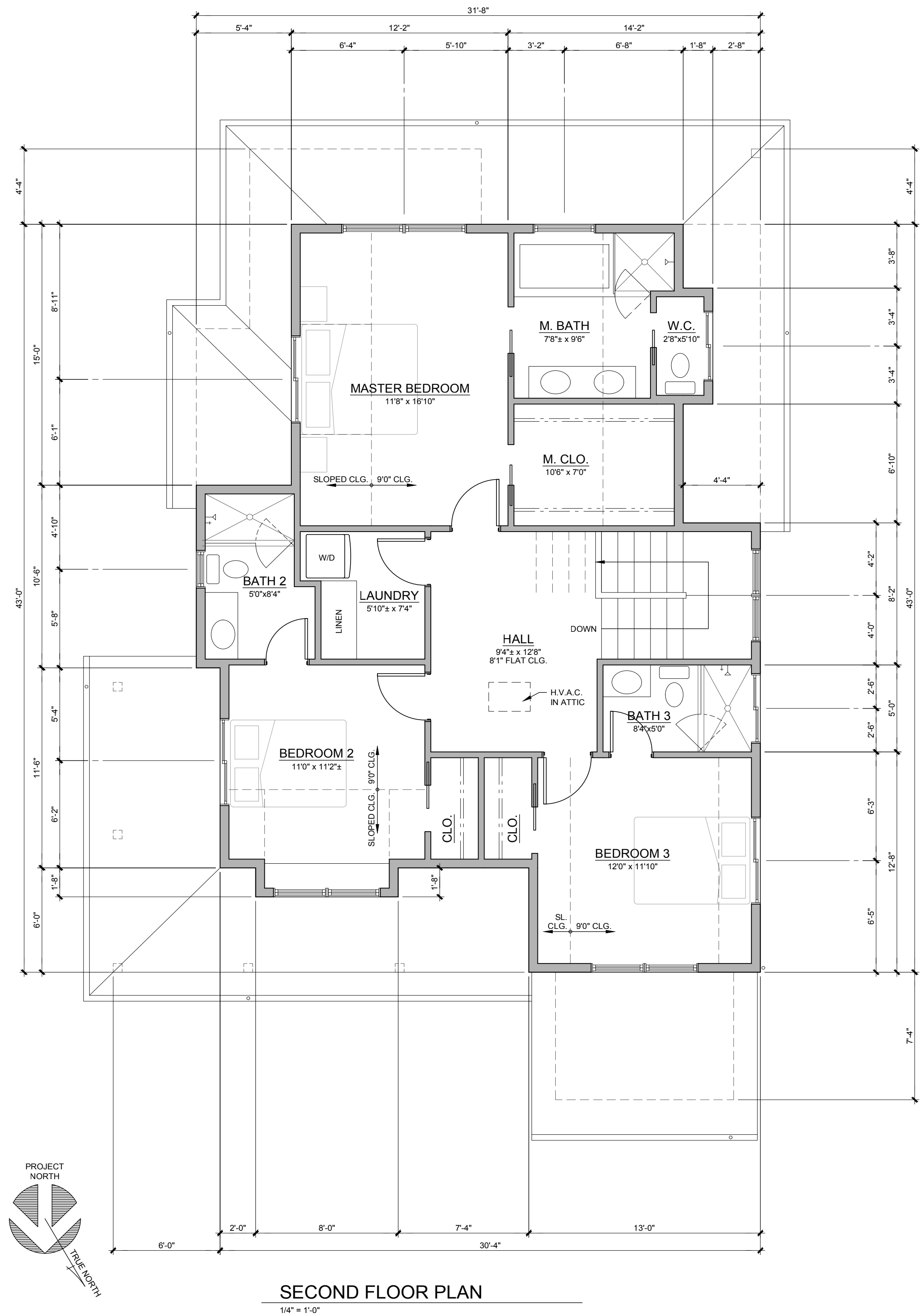
SHEET DESCRIPTION

EXISTING & PROPOSED SITE / GRADING PLANS

DRAWN:	DATE
TCT	12-28-2018

SHEET

A1



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REVISIONS



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ARCHITECT

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PROJECT

VITRO RESIDENCE REBUILD

1443 STOCKTON ST.
ST. HELENA, CA 94574

APN 009-305-020

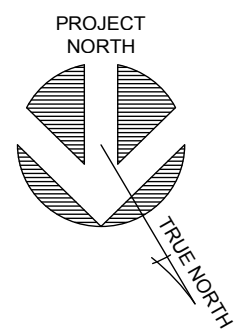
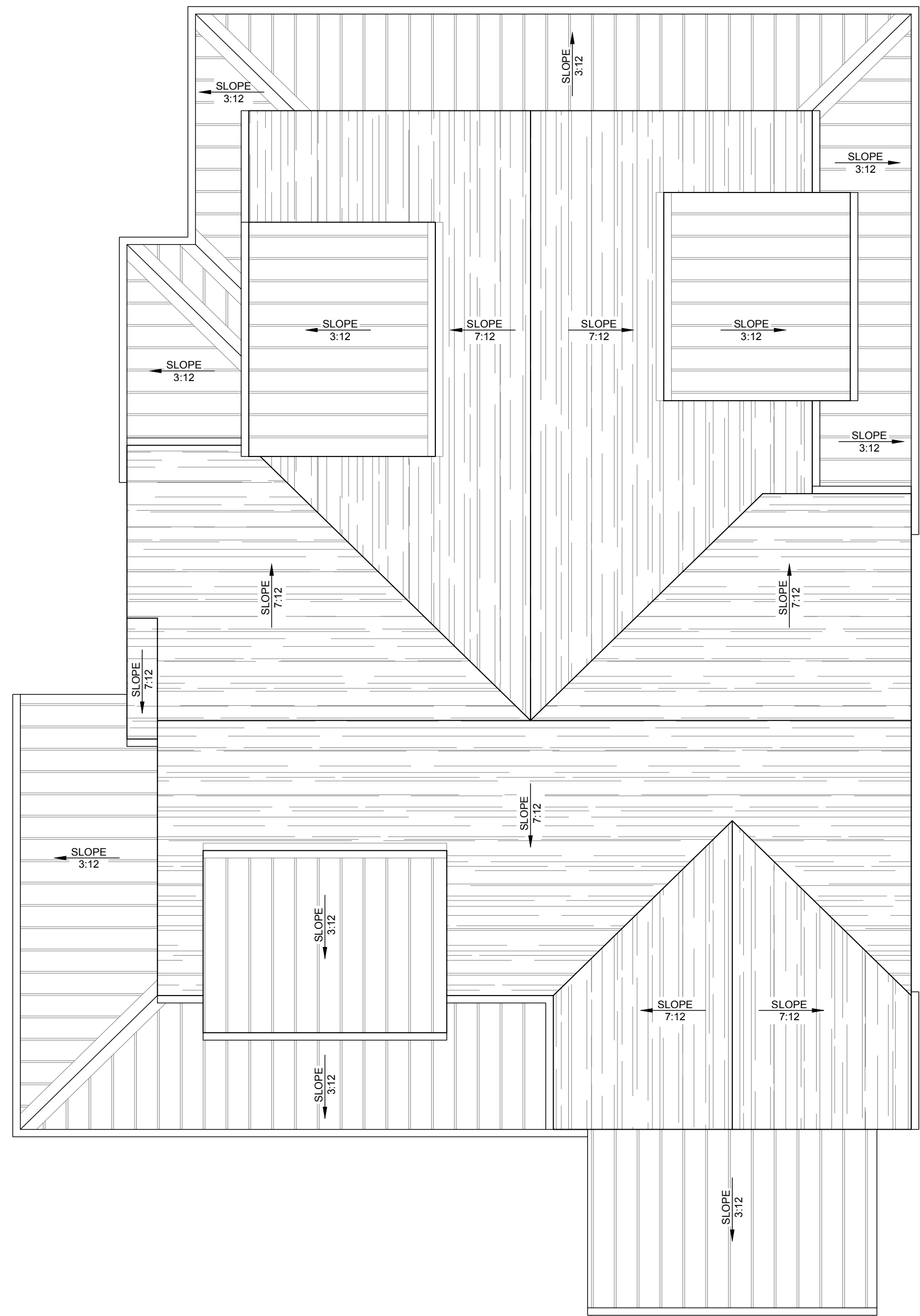
SHEET DESCRIPTION

PROPOSED FLOOR PLANS

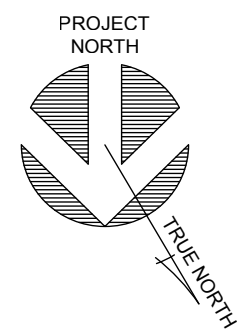
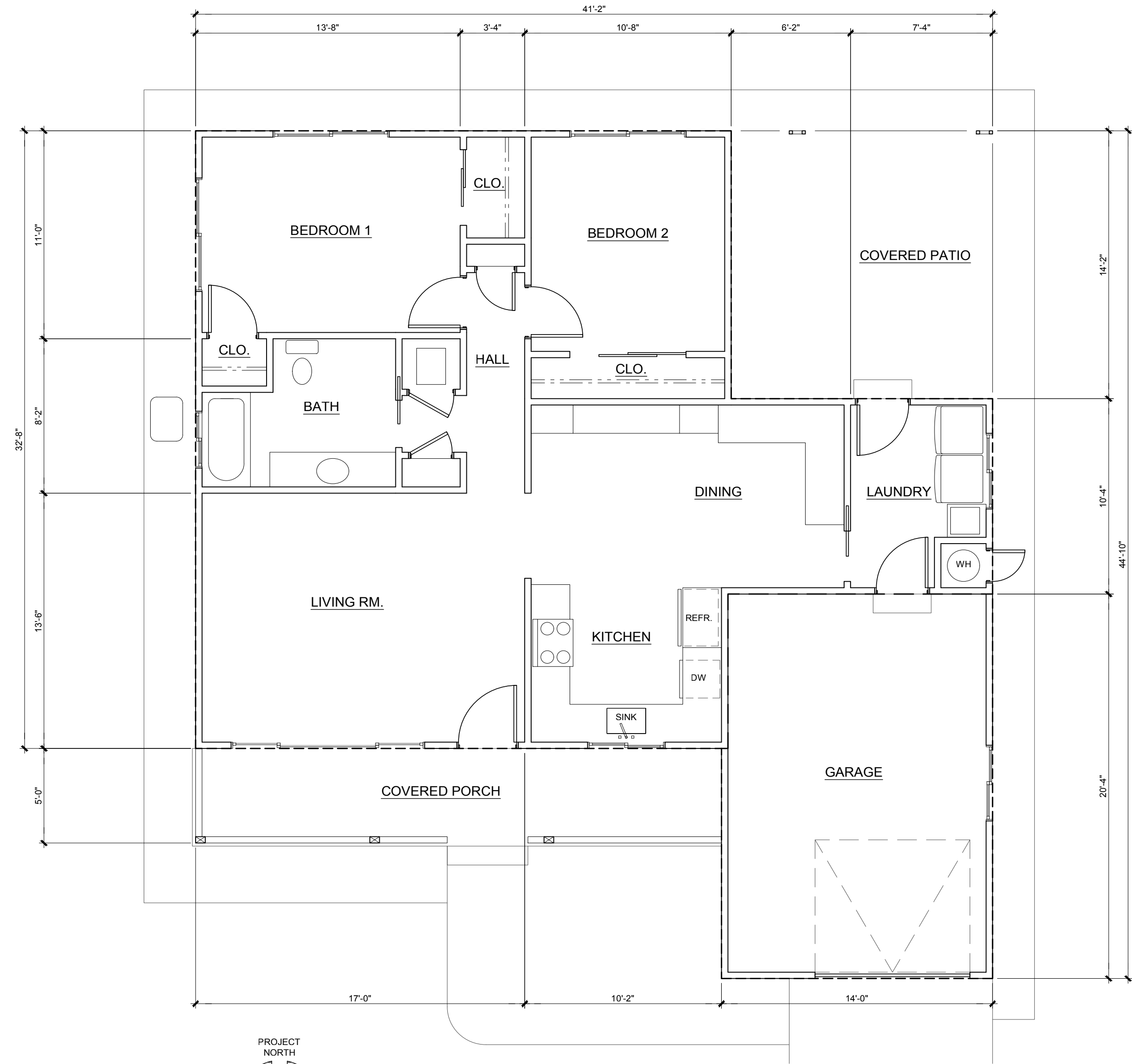
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SHEET

A2.1



PROPOSED ROOF PLAN
1/4" = 1'-0"



EXISTING FLOOR PLAN (TO BE DEMOLISHED)
1/4" = 1'-0"

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REVISIONS



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PROJECT

**VITRO
RESIDENCE
REBUILD**

1443 STOCKTON ST.
ST. HELENA, CA
94574

APN 009-305-020

SHEET DESCRIPTION

**EXISTING
FLOOR PLAN**

**PROPOSED
ROOF PLAN**

DRAWN: TCT DATE: 12-28-2018

SHEET

A2.2

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REVISIONS



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PROJECT

**VITRO
RESIDENCE
REBUILD**

1443 STOCKTON ST.
ST. HELENA, CA
94574

APN 009-305-020

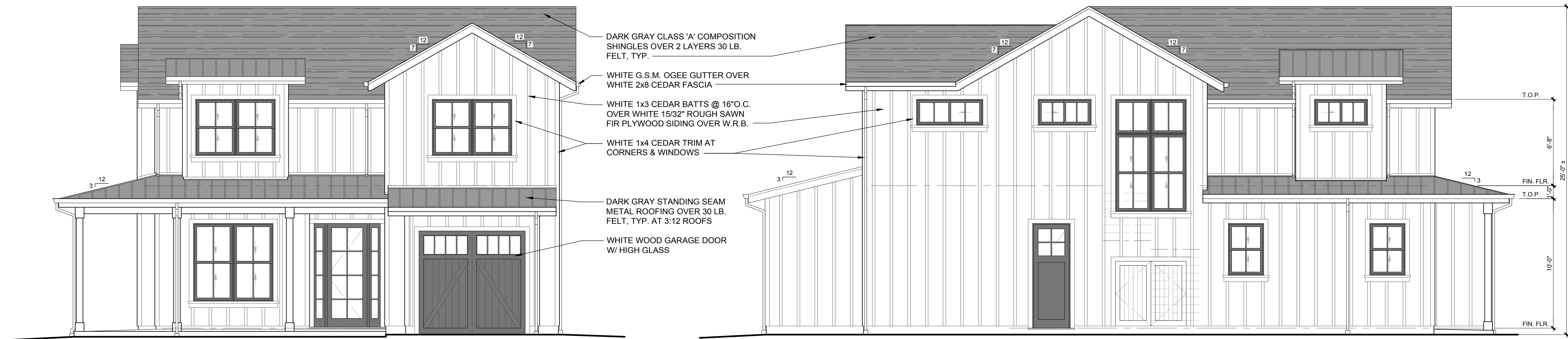
SHEET DESCRIPTION

**EXTERIOR
ELEVATIONS**

DRAWN: TCT DATE: 12-28-2018

SHEET

A3

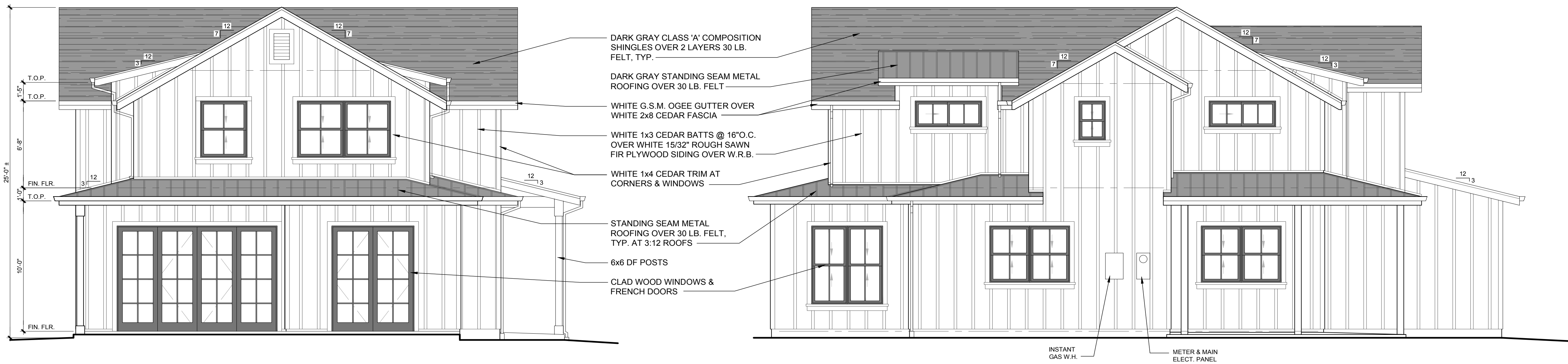


FRONT - NORTH ELEVATION

1/8" = 1'-0"

RIGHT SIDE - WEST ELEVATION

1/8" = 1'-0"

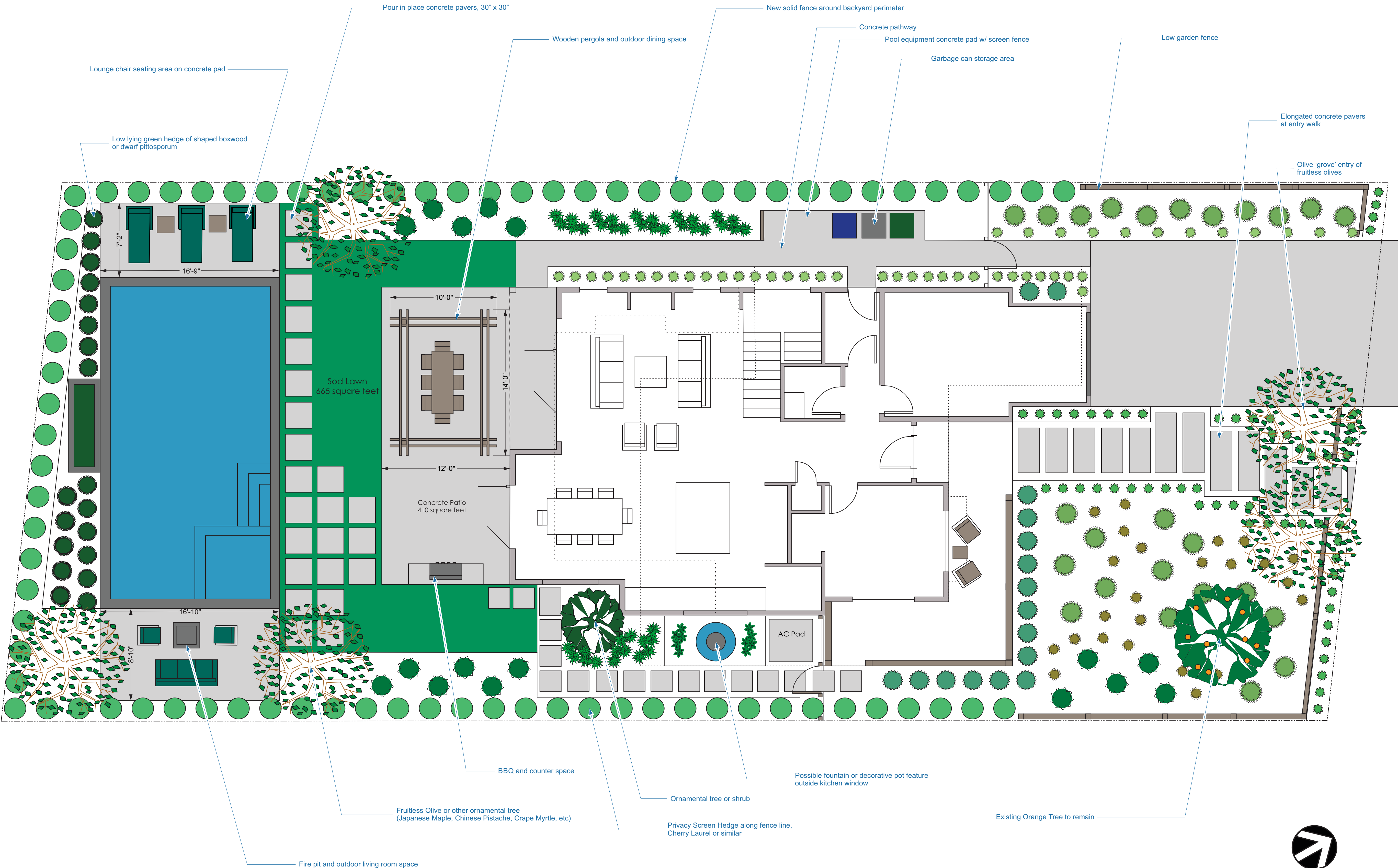


REAR - SOUTH ELEVATION

1/8" = 1'-0"

LEFT SIDE - EAST ELEVATION

1/8" = 1'-0"



Scale: $\frac{1}{4}" = 1'-0"$

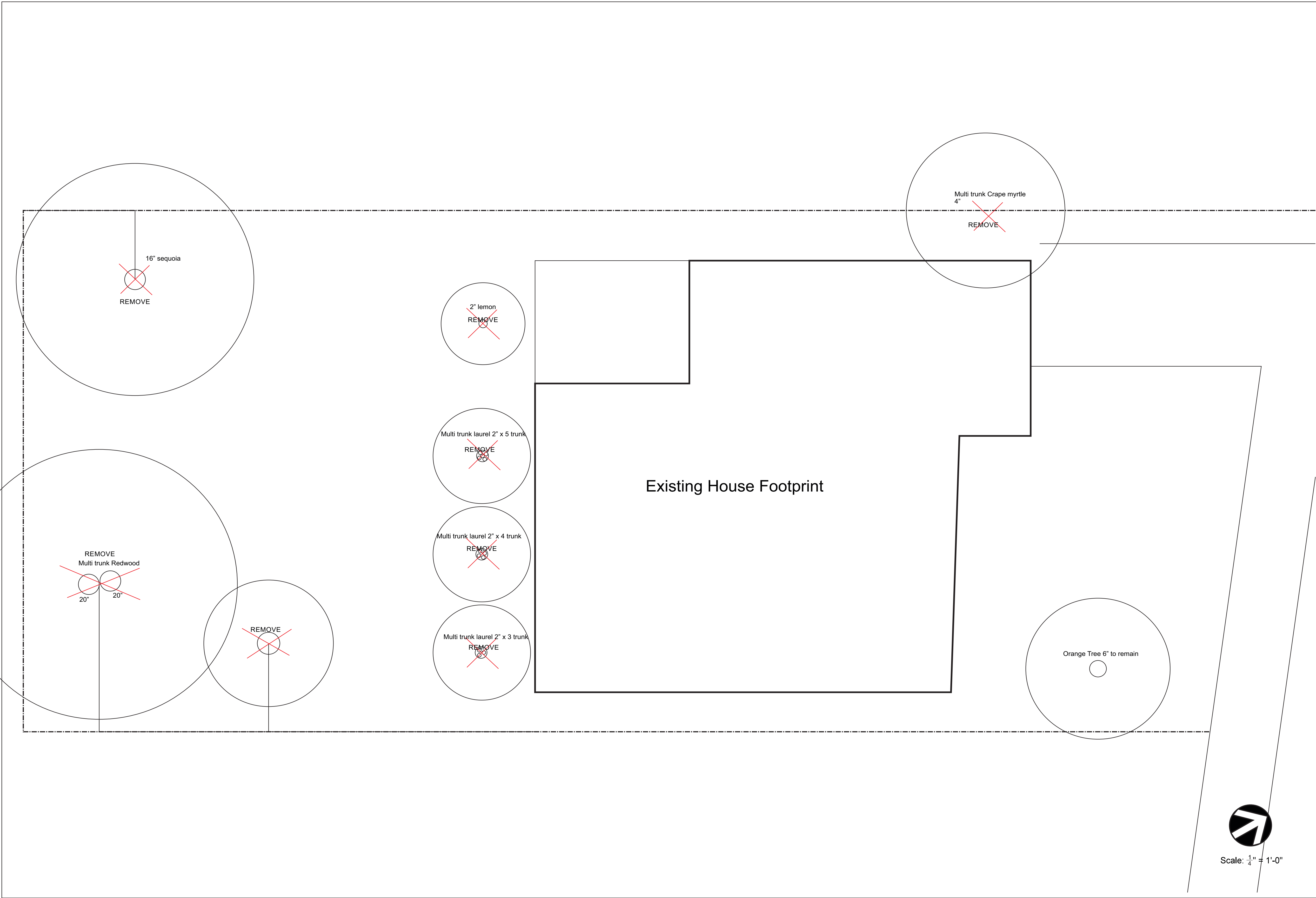
REVISIONS	

**Price Landscape Services, Inc.**
583 California Boulevard, Napa CA 94559
Tel. (707) 252-6319 Fax. (707) 252-2421
www.pricelandscapeservices.com

1443 Stockton Street
St Helena, CA 94574

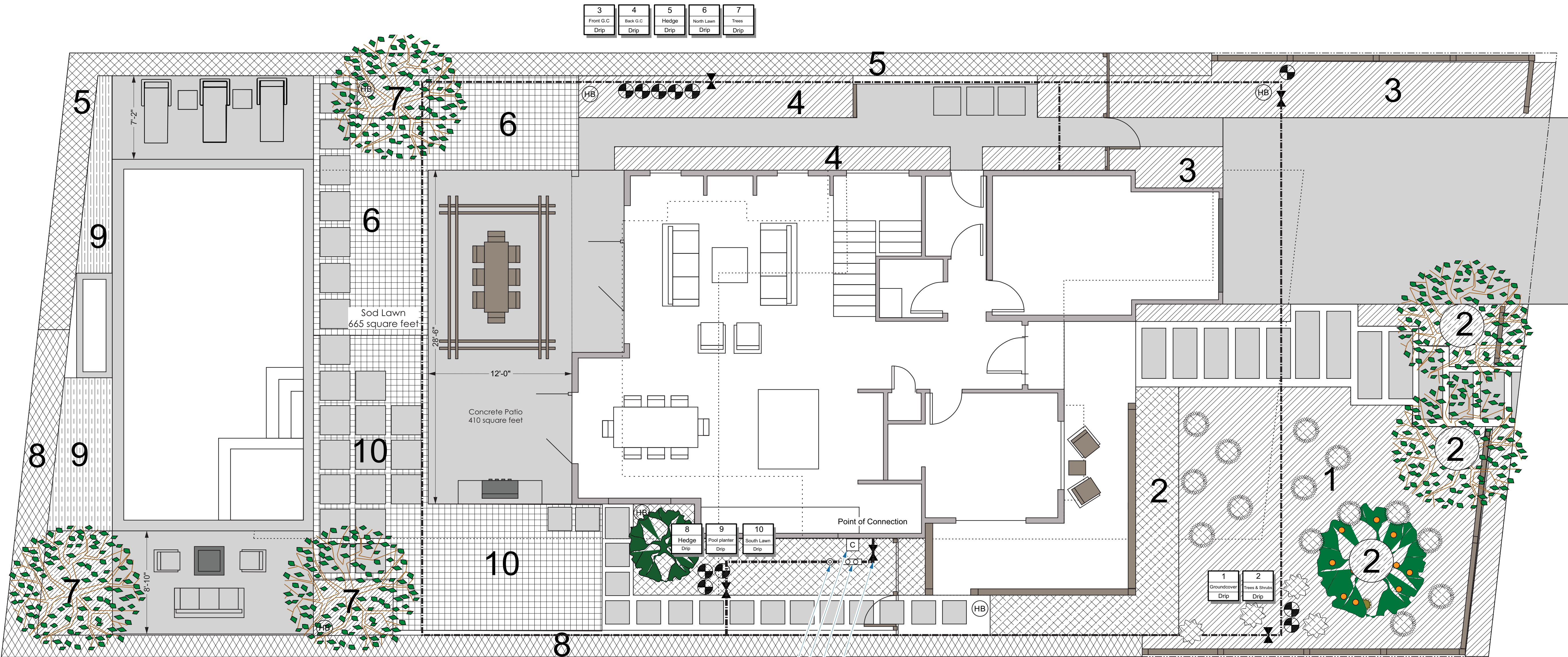
Landscape
Site Plan
Scale: $\frac{1}{4}" = 1'-0"$
Date: 11/30/2018
Drawn By: Wesley Price

L-1



Scale: $\frac{1}{4}$ " = 1'-0"

REVISIONS	
Draft 1 11/30/18	
 Price Landscape Services, Inc. 583 California Boulevard, Napa, CA 94559 Tel: (707) 252-6319 Fax: (707) 252-2421 www.pricelandscapeservices.com	1443 Stockton Street St Helena, CA 94574
Existing Site Plan Scale: $\frac{1}{4}$ " = 1'-0" Date: 11/30/2018 Drawn By: Wesley Price	
L-2	



3	4	5	6	7
Front G.C.	Back G.C.	Hedge	North Lawn	Trees
Drip	Drip	Drip	Drip	Drip

- HB 3/4" Nebco Brass Hose Bib mounted on 4x4 Redwood Post
- 1" Hunter ICDV Drip Control Valve w/ filter and 30 PSI pressure reducer
- 1" Brass gate valve

Hydrawise Pro-HC WiFi enabled smart irrigation controller
Flow sensor
Backflow preventer
Master shut off valve

- Notes:
- Irrigation mainline to be sch 40 PVC buried at minimum depth of 24". Lateral lines to be buried at depth 18" below finished grade.
 - All irrigation valves to be located in in-ground valve boxes.
 - All new irrigation zones to be irrigated via inline drip w/ emitters sized per plant, or via techline (lawn) and controlled via Smart Clock with weather sensing capabilities, monitored by water meter and master shut off valve.
 - Mainline depth to be minimum of 24", lateral depth to be minimum 18" below top of grade.
 - All drip lines to be covered w/ 2-3" bark mulch and secured with landscape staples.

I have complied with the criteria of the Water Conservation in Landscaping Ordinance and applied them for the efficient use of water in the Irrigation Design Plan

Tom Price, Landscape Contractor C27 Lic No: 824872



Scale: 1/4" = 1'-0"

REVISIONS
Draft 1 11/30/18

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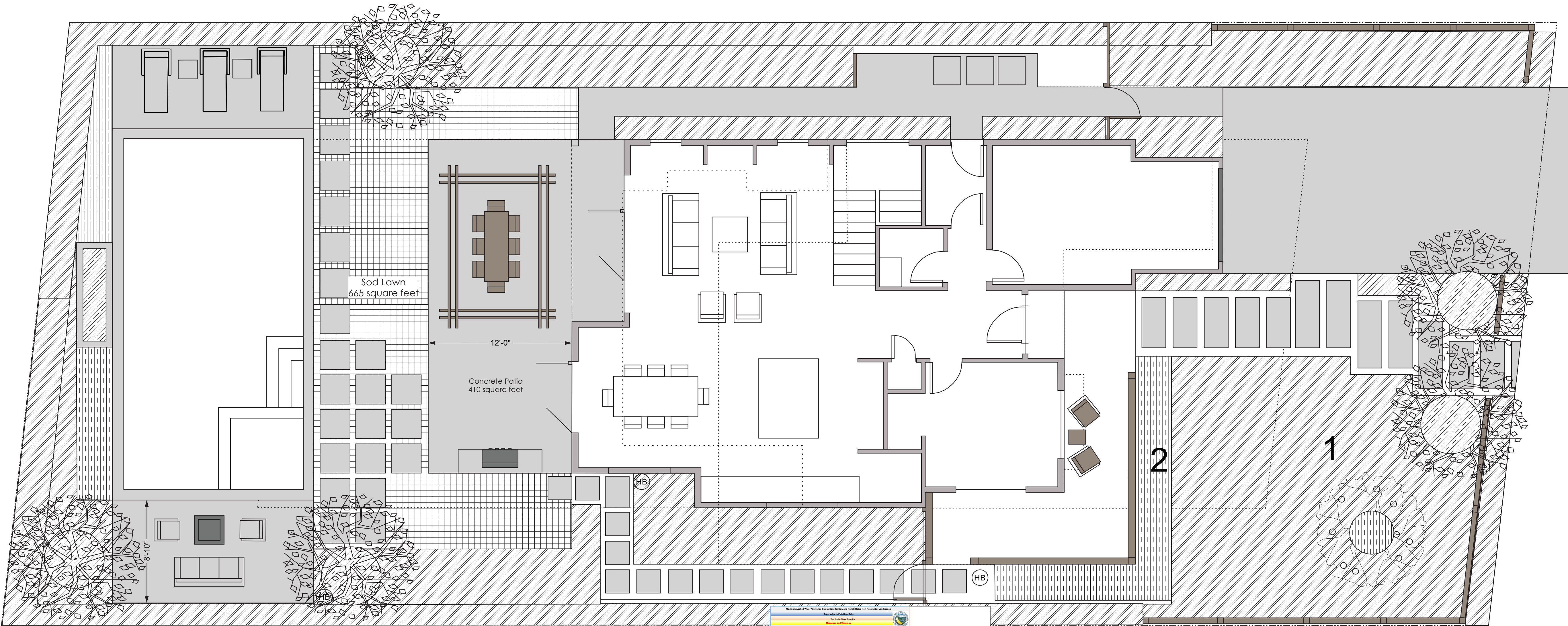
1443 Stockton Street
St Helena, CA 94574

Irrigation Plan
Scale: 1/4" = 1'-0"

Date: 11/30/2018
Drawn By: Wesley Price

L-3

Total Landscaped Area: 2,449 square feet



Hydrozone:	Description:	Irrigation Type:	Irrigation Efficiency:	Water Use:	Plant Factor:	Square footage:
1	Shrubs/grasses	Drip	0.81	Low	0.3	1,799
2	Shrubs	Drip	0.81	Medium	0.5	172
3	Lawn	Drip	0.81	Medium	0.6	378
4	Olives	Drip	0.81	Very Low	0.1	100
5	Pool	Auto-Fill		High/SLA	1.0	450

Total Landscaped Area: 2,449 sqft
Total Landscaped Area + SLA (pool): 2,899 sqft

Maximum Applied Water Allowance: 38,346 gallons
Estimated Total Water Use: 37,427 gallons

ETWU complies with MAWA

Total Non-porous surfaces (concrete pathways/patio/pavers): 788 sqft
Total Non-porous surfaces (concrete driveway): 462 sqft

Water Use Summary			
Hydrozone	Description	Area (sqft)	Water Use (gallons)
1	Shrubs/grasses	1,799	1,799
2	Shrubs	172	172
3	Lawn	378	378
4	Olives	100	100
5	Pool	450	450
Total		2,449	2,449

Notes:
1. Total landscaped area is below 2,500 square feet and does not meet the minimum required square footage to require WELO documentation, however the project fulfills all guidelines of a Water Efficient Landscape and will be installed with best practices to ensure maximum potential water savings and efficiency.

I have complied with the criteria of the Water Conservation in Landscaping Ordinance and applied them for the efficient use of water in the Irrigation Design Plan.



Scale: 1/4" = 1'-0"

REVISIONS
Draft 1 11/30/18

Price Landscape Services, Inc.
583 California Boulevard, Napa CA 94559
Tel: (707) 252-6319 Fax: (707) 252-2421
www.pricelandscapeservices.com

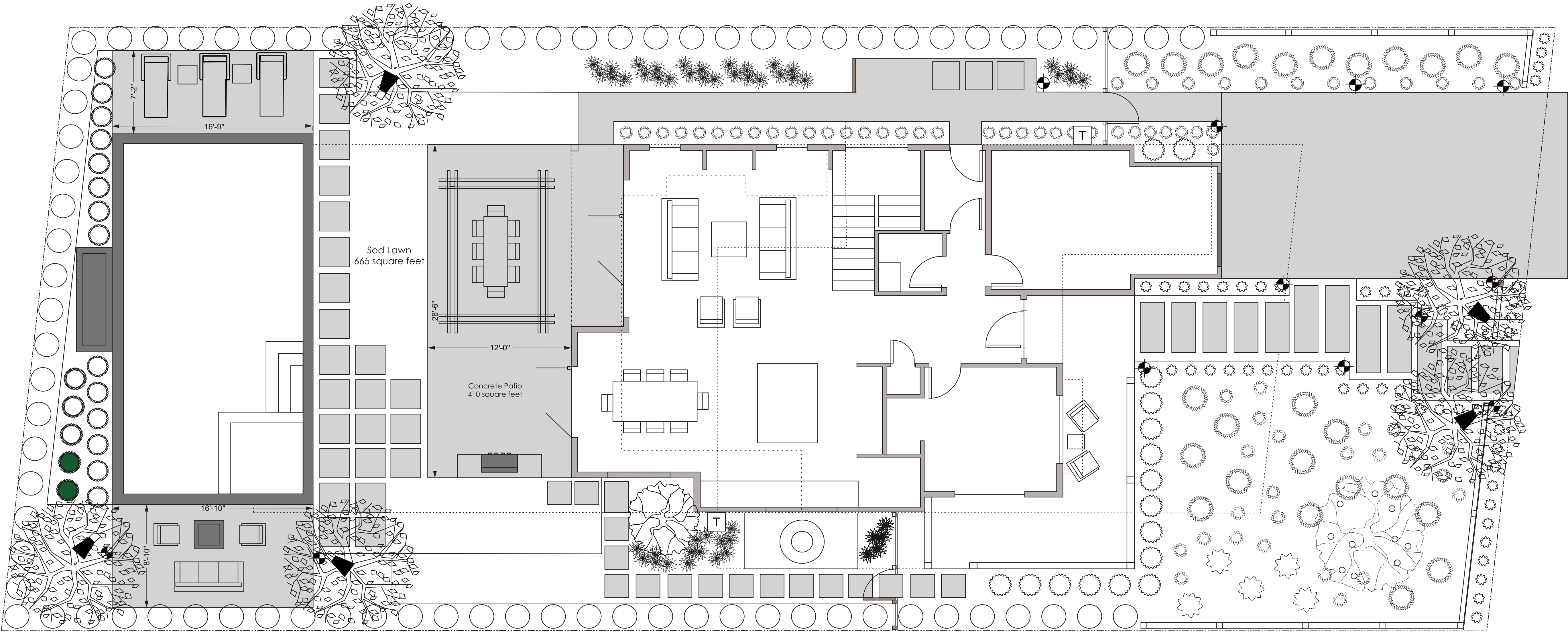
1443 Stockton Street
St Helena, CA 94574

WELO
Plan

Scale: 1/4" = 1'-0"

Date: 11/30/2018
Drawn By: Wesley Price

L-4



- Qty:
-  12 Low volt LED path lights – style/make TBD
 -  5 Low volt LED tree up lights – style/make TBD
 -  2 Low volt transformers



Scale: $\frac{1}{4}" = 1'-0"$

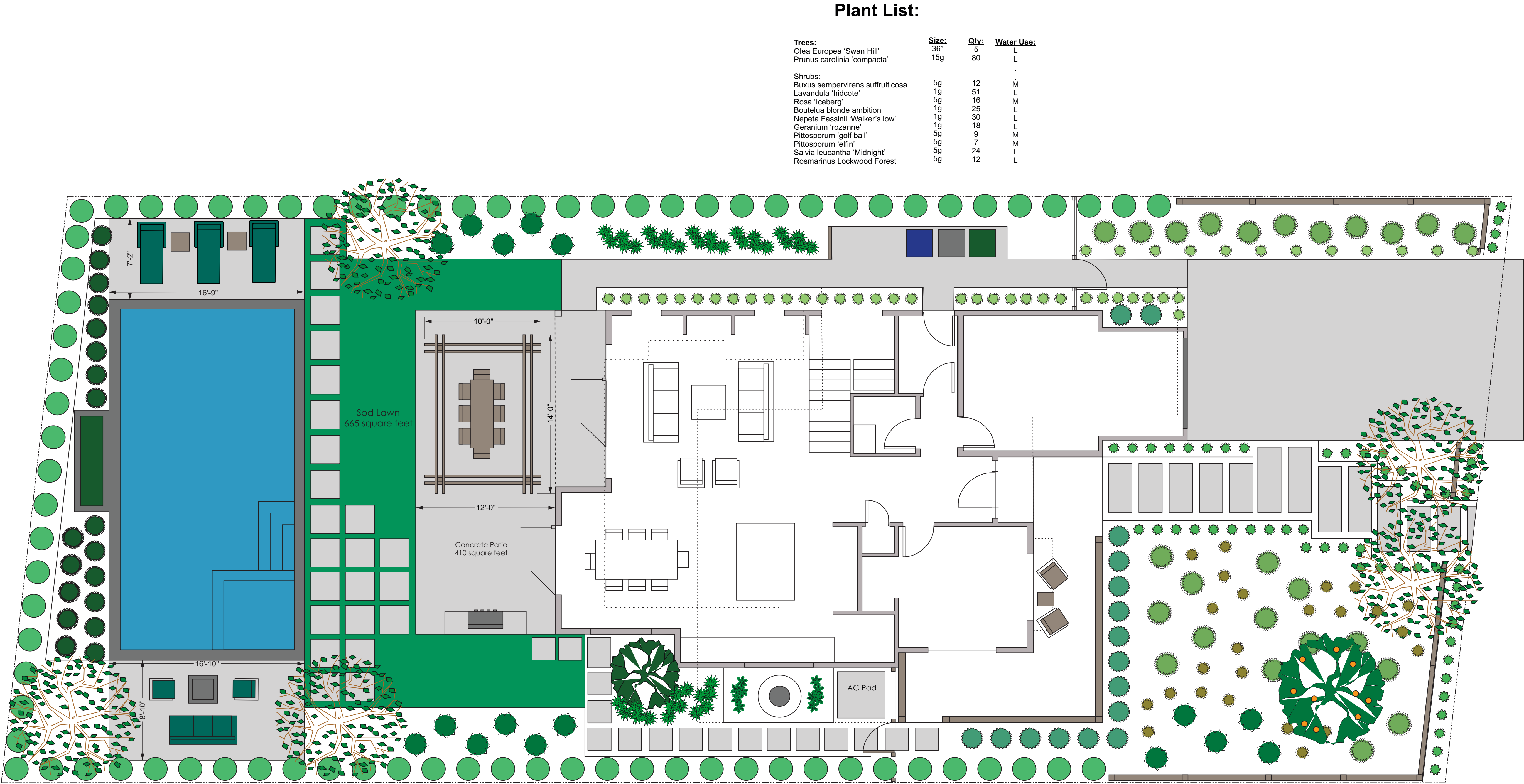
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1443 Stockton Street
St Helena, CA 94574

Lighting
Plan
Scale: $\frac{1}{4}" = 1'-0"$
Date: 11/30/2018
Drawn By: Wesley Price

L-5



REVISIONS

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1443 Stockton Street
St Helena, CA 94574

Landscape Site Plan

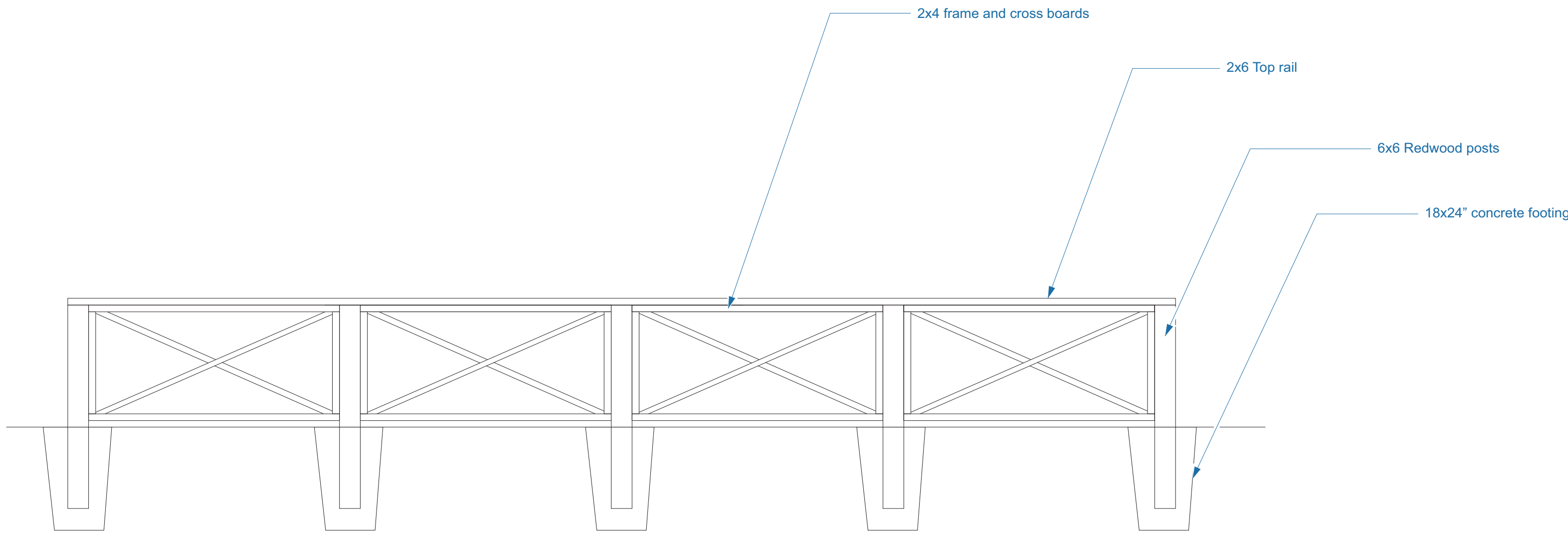
Scale: $\frac{1}{4}" = 1'-0"$

Date: 11/30/2018
Drawn By: Wesley Price

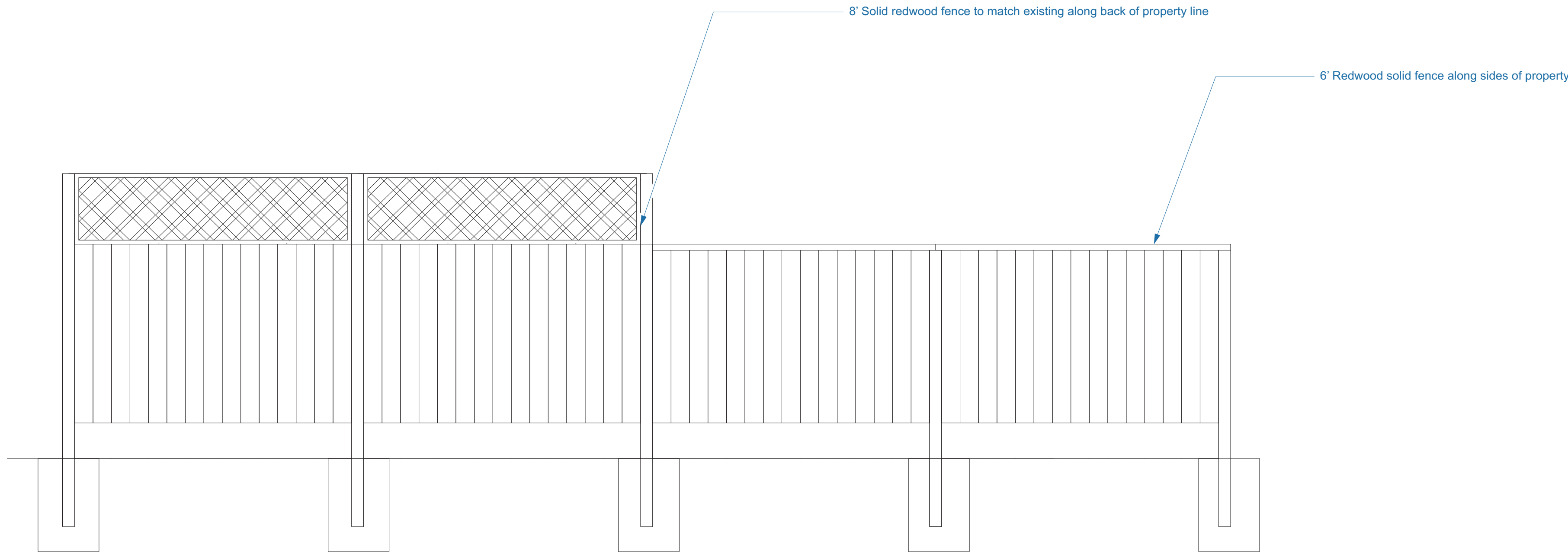
L-6



Scale: $\frac{1}{4}" = 1'-0"$



Front Yard Decorative Fence
scale: 1/2" = 1'



Back Yard Property Line Fencing
scale: 1/2" = 1'

REVISIONS	
Draft 1 11/30/18	
 Price Landscape Services, Inc. 583 California Boulevard, Napa CA 94559 Tel: (707) 252-6319 Fax: (707) 252-2421 www.pricelandscapeservices.com	1443 Stockton Street St Helena, CA 94574
Fence Detail	
Scale: 1/2" = 1'-0"	
Date: 12/14/2018 Drawn By: Wesley Price	
L-7	



REVISIONS
Draft 1 11/30/18



Date: 12/14/2018
Drawn By: Wesley Price

L-8



LEFT SIDE - EAST ELEVATION



RIGHT SIDE - WEST ELEVATION



REAR YARD LOOKING SOUTH



EXISTING RESIDENCE - REAR (SOUTH) ELEVATION



EXISTING RESIDENCE - FRONT/GARAGE ELEVATION



EXISTING RESIDENCE - FRONT/PORCH ELEVATION

City of St Helena, City Hall
Received

JAN 04 2019

1480 Main St.
St Helena, CA 94574

Vitro Residence
1443 Stockton Street, St. Helena
Written Statement for Design Review and Demolition Approval Application

Owners Jenny and Nick Vitro are proposing to tear down the existing residence at 1443 Stockton Street in order to build a larger home with a more functional design and floor plan. The project consists of demolishing an existing one-story, two-bedroom residence with attached one-car garage. The existing structure consists of 1046 square feet of habitable space and approximately 200 square feet of garage. The existing residence has been reviewed by Brunzell Historical and was found not to be an Historical Resource (report attached).

The new residence will be two stories with a building height of 25 feet. The first floor will consist of a living/dining/kitchen great room, a den, half bath, mudroom, entry, closets, and an attached one-car garage. The second floor will have three bedrooms with closets, three bathrooms, a laundry room and hallway. The living area will be 1101 square feet on the first floor and 1104 square feet on the second floor, for a total living area of 2205 square feet, and garage area of 228 square feet. There will be two off-street parking spaces provided; one in the garage and one in the driveway.

The design of the new residence will be a contemporary farmhouse with a covered front porch, double hung windows and board and batten siding. The porches, dormers, and lower roofs will have a 3:12 pitch with standing seam metal roofing. The main roof will have a 7:12 pitch with dark composition shingles. The color of the house will be white with dark gray windows, and doors. (Materials board included.)



Applicant Signature

1/3/19

Date



December 20, 2018

Jenny Vitro
501 Cornell Avenue
San Mateo, California 94402

Subject: Historical Evaluation of the house at 1443 Stockton Street, St. Helena, Napa, California.

Dear Jenny,

The letter report that follows and the DPR 523 forms attached comprise the historical evaluation of the property at 1443 Stockton Street in St. Helena, as required by the City of St. Helena Planning Department.

Methodology

I conducted a site visit on November 6, 2018. The site visit included collecting photographs of all elevations of the house, the parcel, and the neighborhood setting. In order to establish the property's land use history, I conducted research through the property owner, the Napa County Assessor/Recorder's Office, and the St. Helena Public Library as well as online at Ancestry.com and other websites.

Summary of Findings

Because the property is over 50 years old, potential projects trigger a City of St. Helena requirement for historical evaluation under the California Environmental Quality Act (CEQA), since historical resources are considered part of the environment. The purpose of the historical evaluation is to determine whether an age-eligible property meets the criteria for historic listing. Because this work was completed pursuant to CEQA, all resources discovered during the field survey require evaluation for California Register of Historical Resources (CRHR). The property was also evaluated for National Register of Historic Places (NRHP) eligibility.

National Register of Historic Places

In conjunction with the following NRHP criteria, sites must be assessed for integrity of location, design, setting, materials, workmanship, feeling, and association. A site may be considered eligible to the NRHP if it retains sufficient integrity of the elements listed above and it:

- (a) is associated with events that have made a significant contribution to the broad patterns of our history;
- (b) is associated with the lives of persons significant in our past;
- (c) embodies the distinctive characteristics of a type, period, or method of construction, represents the work of a master, possesses high artistic values, or represents a significant or distinguishable entity whose components may lack individual distinction;
- (d) yields, or may be likely to yield, information important to the prehistory or history of the area/region.

California Register of Historical Resources

The CRHR criteria are based on NRHP criteria. For a property to be eligible for inclusion on the CRHR, one or more of the following criteria must be met:

1. It is associated with the events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States;
2. It is associated with the lives of persons important to local, California, or national history;

3. It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values; and/or
4. It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

In addition to meeting one or more of the above criteria, the CRHR requires that sufficient time has passed since a resource's period of significance to "obtain a scholarly perspective on the events or individuals associated with the resources" (CCR 4852 [d][2]). Fifty years is normally considered sufficient time for a potential historical resource, and in order that the evaluation remain valid for a minimum of five years after the date of this report, all resources older than 45 years are typically evaluated. The CRHR also requires that a resource possess integrity. This is defined as the ability for the resource to convey its historical significance through seven aspects: location, setting, design, materials, workmanship, feeling, and association.

Evaluation

The National Register of Historic Places (NRHP) and California Register of Historical Resources (CRHR) require that a significance criterion from A-D or 1-4 (respectively) be met for a resource to be eligible.

Criterion A/1: 1443 Stockton Street is not associated with events that have made a significant contribution to the broad patterns of our history. It was constructed within the general context of residential development in St. Helena, but research has revealed no significant associations with this or any other important historic context. Therefore, the property is not recommended eligible to the NRHP or CRHR under Criterion A/1.

Criterion B/2: 1443 Stockton Street is not associated with the life of a person important to our history. Research has not revealed that the members of the Constantini/Pina family or any other owners or residents were important to local history. Therefore, it is not recommended eligible to the NRHP or CRHR under Criterion B/2.

Criterion C/3: 1443 Stockton Street is not significant for its architecture or engineering. It is a modest example of a Ranch-style house, thousands of which were constructed throughout California in the 1960s. It lacks architectural or design distinction. Therefore, the property is not recommended eligible to the NRHP or CRHR under Criterion C/3.

Criterion D/4: In rare instances, buildings themselves can serve as sources of important information about historic construction materials or technologies and be significant under Criterion D/4. 1443 Stockton Street does not appear to be a principal source of important information in this regard.

The property does not qualify for historic listing at any level and is not a historical resource under CEQA.

Preparer's Qualifications

I meet the Secretary of Interior's Professional Qualifications for both History and Architectural History. I hold a Master's degree in Public History and have worked in multiple facets of historic preservation and cultural resource evaluation since 2007. My experience includes municipal preservation planning and working as the lead staff member of a non-profit preservation organization. Since 2012, I have worked full-time as a historical consultant, completing dozens of evaluations for CEQA and Section 106 compliance. Additionally, I have completed local and national register nominations, historic context statements, and HAER recordation. The North Bay region is the center of my practice, but I frequently work in the greater Sacramento area and other parts of the Bay Area, and have also completed projects in Southern California, Nevada, Oregon, Puerto Rico, Louisiana, and New York. In addition to my work with historic-period residential, agricultural, and commercial properties for private clients, I have evaluated post offices, military bases, university campuses, hospitals, church properties, and a NASA site. I am listed as a Historian and Architectural Historian on the California Office of Historic Preservation's roster of qualified consultants for every county in California.

Please contact me by phone at 707/290-2918 or e-mail at kara.brunzell@yahoo.com with any questions or comments.

Sincerely,

A handwritten signature in blue ink that reads "Kara L. Brunzell". The signature is written in a cursive, flowing style.

Kara Brunzell, M.A.
Brunzell Historical

Attachments: DPR 523 forms, 1443 Stockton Street, St. Helena, California

**State of California – The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD**

Primary # _____

HRI # _____

Trinomial _____

NRHP Status Code _____

Other Listings _____

Review Code _____ Reviewer _____ Date _____

Page 1 of 5

*Resource Name or # (Assigned by recorder) 1443 Stockton Street

P1. Other Identifier: 1443 Stockton Street

***P2. Location:** ☐ Not for Publication ☒ Unrestricted
and (P2b and P2c or P2d. Attach a Location Map as necessary.)

*a. County Napa

***b. USGS 7.5' Quad** St. Helena **Date** 2018 **T** ____; **R** ____; ____ ¼ of Sec ____; ____ **B.M.**

c. Address 1443 Stockton Street City St. Helena Zip 94574

d. UTM: (give more than one for large and/or linear resources) Zone 10; 545841 mE/ 4261685 mN

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate)

***P3a. Description:** (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

1443 Stockton Street is located in a residential neighborhood south of St. Helena's core. Between the building and sidewalk is a front yard, planted with a large orange tree and a number of smaller trees and shrubs and surrounded by a low wooden fence. The house is L-shaped with a cross-gabled composition shingle roof and a projecting single-car garage on the west side fitted with an articulated metal door. The full-width integral porch has a low wooden railing and a concrete floor and is accessed by a single concrete step. The main entrance is centered on the north (main) elevation and fitted with a partially glazed wood door. Fenestration consists of horizontal vinyl sliding sash. The house is clad in stucco, with brick trim along the bottom of the main elevation. The large back yard has a covered patio adjacent to the house and several mature trees (continued, p. 3).

***P3b. Resource Attributes:** (List attributes and codes) HP2. Single family property

***P4. Resources Present:** ☒ Building ☐ Structure ☐ Object ☐ Site ☐ District ☐ Element of District ☐ Other (Isolates, etc.)



P5b. Description of Photo: (View, date, accession #) Photograph 1: North elevation, camera facing southwest, photograph taken November 6, 2018.

***P6. Date Constructed/Age and Sources:**

☒ Historic ☐ Prehistoric ☐ Both

c1964, Napa County Assessor

***P7. Owner and Address:**

Jenny Vitro

501 Cornell Avenue

San Mateo, California 94402

***P8. Recorded by:** (Name, affiliation, address)

Kara Brunzell

1613 B Street

Napa, California 94559

***P9. Date Recorded:** November 16, 2018

***P10. Survey Type:** (Describe) Intensive

***P11. Report Citation:** (Cite survey report and other sources, or enter "none.")

***Attachments:** NONE ☒ Location Map ☐ Sketch Map ☒ Continuation Sheet ☒ Building, Structure, and Object Record ☐ Archaeological Record

☐ District Record ☐ Linear Feature Record ☐ Milling Station Record ☐ Rock Art Record ☐ Artifact Record ☐ Photograph Record

☐ Other (list) _____

DPR 523A (1/95)

*Required Information

**State of California – The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
BUILDING, STRUCTURE, AND OBJECT RECORD**

Primary # _____
HRI # _____

Page 2 of 5

*NRHP Status Code 6Z

*Resource Name or # (Assigned by recorder) 1443 Stockton Street

B1. Historic Name: 1443 Stockton Street

B2. Common Name: 1443 Stockton Street

B3. Original Use: residence B4. Present Use: residence

*B5. Architectural Style:

*B6. Construction History: (Construction date, alteration, and date of alterations) c1964, original construction
Unknown date after 1985, replacement of original windows and garage door

*B7. Moved? ☒ No ☐ Yes ☐ Unknown Date: _____ Original Location: _____

*B8. Related Features: _____

B9. Architect: Unknown b. Builder: Unknown

*B10. Significance: Theme Area St. Helena, California

Period of Significance N/A Property Type residential Applicable Criteria N/A

(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

1443 Stockton Street does not meet the criteria for listing on the National Register of Historic Places (NRHP) or the California Register of Historical Resources (CRHR) and is recommended ineligible for historic listing at any level (see continuation sheet).

B11. Additional Resource Attributes: (List attributes and codes)

*B12. References:

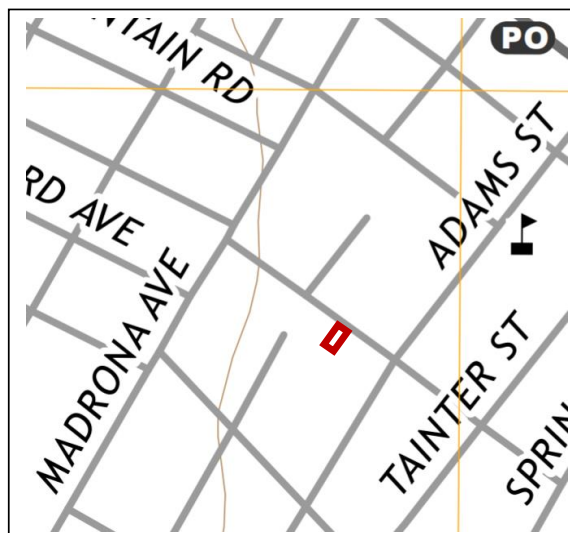
(See Footnotes)

B13. Remarks:

*B14. Evaluator: Kara Brunzell

*Date of Evaluation: November 16, 2018

(This space reserved for official comments)



State of California – The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary # _____
HRI # _____
Trinomial _____

Page 3 of 5 *Resource Name or # (Assigned by recorder) 1443 Stockton Street

*Recorded by Kara Brunzell

*Date: November 16, 2018 ☒ Continuation ☐ Update

*P3a. Description: (continued)



Photograph 2: North elevation, camera facing west, November 16, 2018.



Photograph 3: Detail, north elevation, front door, camera facing southwest, November 16, 2018.



Photograph 4: North and east elevations, camera facing west, November 16, 2018.



Photograph 5: East elevation, camera facing west, November 16, 2018.



Photograph 6: South elevation, camera facing northeast, November 16, 2018.



Photograph 7: View of backyard, camera facing south, November 16, 2018.

DPR 523B (1/95)

*Required Information

**State of California – The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET**

Primary # _____

HRI # _____

Trinomial _____

Page 4 of 5 *Resource Name or # (Assigned by recorder) 1443 Stockton Street

*Recorded by Kara Brunzell

*Date: November 16, 2018 ☒ Continuation ☐ Update

B10. Significance (continued):

St. Helena

St. Helena was originally home to a group of Native Americans known to Spanish missionaries as the Wappo. Although Napa Valley was within the Sonoma Mission's sphere of influence, the Spanish did not permanently settle in the vicinity. The first European to live in the St. Helena area was Dr. Edward Bale, an English physician who converted to Catholicism and married Maria Ygnacia Soberanes (a niece of Mariano Vallejo). After becoming a Mexican citizen, he received Rancho Carne Humana as a grant from the Mexican government in 1839. The huge land grant encompassed much of northern Napa Valley including the future town sites of Calistoga and St. Helena. Americans began to travel overland to California in the 1840s, and one of the first groups to complete the arduous trek was the Grigsby-Ide Party: at least 20 members of this group reached the Napa-Sonoma area by the end of 1845.¹

California statehood in 1850 drew more American farmers and land speculators to Napa Valley, and about 1853, Henry Still purchased 100 acres on the north side of Sulphur Creek from the Bale estate. The property was at the intersection of Napa Valley's main north-south road and the route to White Sulphur Springs (a natural hot spring that was already an attraction), and Still recognized the potential for a town site centered on the rich agricultural region. In partnership with Charles Walter, Still erected the first building in town, and by the middle of the decade Still and Walter were donating Main Street lots to anyone who would agree to open a business. Upper Napa Valley was at first called Hot Springs Township, and the new town was not named St. Helena until the mid-1850s, when it adopted the name of the recently-founded local Sons of Temperance lodge.²

Early agricultural activities in Napa Valley focused on cattle-grazing and grain production, but beginning in the late 1850s farmers began experimenting with wine grapes. St. Helena's position as a center of agriculture was consolidated when the railroad arrived in 1868. By the 1870s, much of the land surrounding the growing village had been converted to wine production. St. Helena was incorporated as a city in 1876, and reincorporated in 1889. By 1873, it had a school and several churches as well as a thriving commercial district.³

The population of Napa Valley doubled between 1870 and 1880, and by 1880, St. Helena was home to 1,500 residents. The St. Helena district (the area between Yountville and St. Helena) had 7,000 acres of grapevines by this time. As the nineteenth century progressed, St. Helena became the upper valley's most important shipping and commercial center. It also became more diverse as Chinese and then German and Italian immigrants arrived to work in the vineyards.⁴

Napa Valley was America's premier wine region by 1890, but a downturn in prices and an infestation of the phylloxera root louse nearly destroyed the wine industry at the turn of the century. Many growers pulled out wine grapes in the early decades of the twentieth century, replacing them with prunes and walnuts. In 1919, the wine business suffered a further blow when the Volstead Act outlawed the production of alcohol. Only a few local wineries were able to survive Prohibition by producing sacramental wine, and the industry did not begin to recover until after World War II.⁵

Ironically, the modern wine tourism industry was born during Prohibition, when Bay Area residents began driving up to Napa to buy illegal wine. Efforts to preserve agricultural land beginning in the second half of the twentieth century have allowed the town to grow slowly and retain much of its rural nineteenth-century character. Modern St. Helena is a center of both the Napa Valley wine business and the local wine tourism industry.⁶

1443 Stockton Street

James T. and Ethel L. Turner owned the property by the mid-1950s. The house at 1443 Stockton Street appears to have been constructed about 1964. The Turners, who lived next door at 1445 Stockton Street, may have built the house as a speculative investment, although James Turner died in 1964.⁷

¹ Lyman L. Palmer, *History of Napa and Lake Counties, California* (San Francisco: Slocum, Bowen, & Company, 1881), 55-333; Hubert Howe Bancroft, *History of California: 1841-1845* (San Francisco: The History Company, 1886), 578-581.

² C. A. Menefee, *Historical and Descriptive Sketchbook of Napa, Sonoma, Lake and Mendocino* (Napa: Reporter Publishing House, 1873), 186; Lin Weber, *Old Napa Valley: The History to 1900* (St. Helena: Wine Ventures Publishing, 1998), 159.

³ City of St. Helena, *Historic Resources Inventory*, Prepared by Page & Turnbull, Inc., August 2006, 7; Palmer, 335; Menefee, 187.

⁴ William F. Heinz, *Wine Country: A History of Napa Valley* (Santa Barbara: Capra Press, 1990), 162; City of St. Helena, 8.

⁵ Mariam Hansen, *Images of America, St. Helena* (Charleston: Arcadia Publishing, 2010), 96.

⁶ Lin Weber, *Roots of the Present: Napa Valley 1900 to 1950* (St. Helena: Wine Ventures Publishing, 2001), 148-175.

⁷ Deeds on file at the Napa County Assessor; Napa County Directories, 1962; Find a Grave, <https://www.findagrave.com/memorial/48336169> accessed 18 December 2018.

**State of California – The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET**

Primary # _____
HRI # _____

Trinomial _____

Page 5 of 5 *Resource Name or # (Assigned by recorder) 1443 Stockton Street

*Recorded by Kara Brunzell

*Date: November 16, 2018 ☒ Continuation ☐ Update

James (Giacomo) and Theresa Constantini moved into the house in 1964, and appear to have been its first residents. James and Teresa Constantini were born in Italy in the early 1800s and married as young adults. The couple came to Napa County in 1902, where they lived in the Rutherford area and operated a vineyard. Their son Charles was born about 1906, and as an adult was the assistant manager of the local Bank of America and St. Helena's mayor for a time. James and Theresa moved into St. Helena and lived at various addresses before moving to Stockton Street in retirement. Granddaughter Carla Constantini Pina inherited the house after Teresa Constantini's death in 1977. Carla Constantini was born in 1940, the daughter of Charles and Anita Constantini. She graduated from St. Helena High School in 1958, attended college, and then married Frank Pina in 1962. Frank Pina, a St. Helena native, was born in 1935; he worked as a driver for Keller Bros Meats Co. in the 1960s and in maintenance in the 1970s. Carla Pina worked at Bank of America her entire adult life. The couple had three children: Charles, Frank, and Maria. The Pinas may have lived briefly in the Stockton Street house but mostly lived on Grayson Avenue. Carla Pina died in 1998. In 2002, Frank sold the property to Lisa Sambora; Sambora sold it to Jennifer M. and Nicholas Vitro in 2015.⁸

Evaluation:

The National Register of Historic Places (NRHP) and California Register of Historical Resources (CRHR) require that a significance criterion from A-D or 1-4 (respectively) be met for a resource to be eligible.

Criterion A/1: 1443 Stockton Street is not associated with events that have made a significant contribution to the broad patterns of our history. It was constructed within the general context of residential development in St. Helena, but research has revealed no significant associations with this or any other important historic context. Therefore, the property is not recommended eligible to the NRHP or CRHR under Criterion A/1.

Criterion B/2: 1443 Stockton Street is not associated with the life of a person important to our history. Research has not revealed that the members of the Constantini/Pina family or any other owners or residents were important to local history. Therefore, it is not recommended eligible to the NRHP or CRHR under Criterion B/2.

Criterion C/3: 1443 Stockton Street is not significant for its architecture or engineering. It is a modest example of a Ranch-style house, thousands of which were constructed throughout California in the 1960s. It lacks architectural or design distinction. Therefore, the property is not recommended eligible to the NRHP or CRHR under Criterion C/3.

Criterion D/4: In rare instances, buildings themselves can serve as sources of important information about historic construction materials or technologies and be significant under Criterion D/4. 1443 Stockton Street does not appear to be a principal source of important information in this regard.

The property is not recommended eligible for historic listing and is therefore not a historic resource under CEQA.

⁸ Napa Register, "Obituary, Theresa Constantini," 10 September 1977, 2, "Obituary, Carla Pina," 18 December 1998, 5D; Napa County Assessor; Find a Grave Memorial 23347435, Carla C. Pina, 10 December 2007, accessed 17 December 2018, <https://www.findagrave.com/memorial/23347435> Carla C Pina; United States Federal Census, 1940; City Directory, Napa, California, 1963, 1965, 1967, 1972.

**TERRY TRACY
ARCHITECT**
www.tracyarchitect.com



Date: April 3, 2018

To: City of St. Helena Building Department
1480 Main Street
St. Helena, CA 94575

RECEIVED
PLANNING DEPARTMENT

Re: Vitro Residence
1443 Stockton Street
St. Helena, CA 94574

MAY 03 2019
CITY OF ST HELENA

WATER USE ANALYSIS REPORT

The Vitro Residence is presently a 2-bedroom, 1-bath house. The proposed plan is to demolish the existing residence and rebuild a 4 bedroom and 3-1/2 bath new residence.

Existing indoor water use:

2 bedrooms x 150 gpd = 300 gal

Proposed indoor water use:

fixture	flow rate	flow duration	daily use per occupant	number of occupants		gallons per day
showerheads	2	8	1	8	=	128
sink faucets	1.8	0.25	3	8	=	11
kitchen faucet	1.8	4	1	8	=	58
toilet	1.3	1	3	8	=	31
clothes washer	15	1	0.37	8	=	44
dish washer	12.5	1	0.1	8	=	10
total						282

Existing outdoor water use:

Existing Landscaped (irrigated) Area: 2400 sqft

MAWA for existing: 52,497 gallons/year

ETWU for existing: 46,784 gallons/year = ~128 gallons/day

Proposed outdoor water use:

New Landscaped Area: 2,449 sqft

MAWA for new landscape: 38,346 gallons/year

ETWU for new landscape: 37,427 gallons/year = ~103 gallons/day

The proposed remodel includes providing toilets, showerheads, faucets, and clothes washer with low-flush, low-flow, efficient fixtures meeting the requirements of the California Green Building Code and water efficient landscape. These improvements will result in a net water use decrease per the analysis above.

Sincerely,
Terry Tracy, Architect

P 707.363.1478
F 707.922.0115

1143 Alta Avenue
Napa, CA 94559

-----Original Message-----

From: Katalin Kádár Lynn [<mailto:katalin100@gmail.com>]

Sent: Monday, June 03, 2019 8:03 PM

To: Noah Housh

Subject: Commentary PL 19-001 Demolition Permit 1443 Stockton Street

Dear Noah,

Douglas and I are writing you as the near neighbors of 1443 Stockton Street. We received the notice regarding the application of its owners to demolish the present residential structure and replace it with a home more than twice the size of the present residence.

This part of Stockton Street consists mostly of small lots with appropriately scaled small homes. Tearing down a nice stucco home of 1016 feet that is perfectly in scale with most of the residences adjacent and across the street and replacing it with a two story home of 2205 square feet that fills the entire lot seems out of keeping with the nature of the neighborhood. We oppose the demolition and oppose the design of a home of two stories reaching a height of 25' feet. The two homes on either side of 1443 Stockton are bungalows as are the two homes across the street, including our home. This entire block of Stockton Street from Madrona to Adams consists primarily of small, single story homes.

We request that the planning commission ask that this design, due to its scale both in height and square footage be rejected and the owners of 1443 Stockton be asked to reduce their plans to a design more appropriately suited to the neighborhood. We bought our home because the personality of this part of Stockton Street was one of small homes and was family friendly, we don't want to see that change.

Sincerely,

Katalin

Katalin Kádár Lynn PhD & Douglas Gregory Lynn
1440 Stockton Street

From: Connie Wilson <clw1956@comcast.net>
Date: June 10, 2019 at 11:59:28 AM PDT
To: NHoush@cityofstheleena.org
Subject: 1443 Stockton Street Design Review and Demolition

Hello Noah,

I am writing in opposition to the massive size of the proposed design review at 1443 Stockton Street.

I grew up on this block and my mother still lives in our family home. This neighborhood has for the most part withstood the demolitions, new construction and flips that occur all over St. Helena.

An oversized two-story house that is twice the size of the current one does not fit the character of the block. It would be preferable to have the out-of-town applicants submit plans that would complement the style of the neighborhood.

Thank you.

Connie Wilson
1658 Scott Street
St. Helena, CA 94574

Xinia Gamero

From: Vickie Gomez <VickieG@beckstoffervineyards.com> on behalf of Andy Beckstoffer
<AndyB@beckstoffervineyards.com>
Sent: Friday, June 14, 2019 3:05 PM
To: Chris Gustin; Xinia Gamero
Cc: Andy Beckstoffer
Subject: Opposition to Demolition and Rebuild of 1443 Stockton Street, St. Helena, Project #PL19-001

To Whom This May Concern:

We are the owners of 1445 Stockton Street directly adjacent to the proposed demolition and re-build at 1443 Stockton Street. This project is totally out of scale with our neighborhood plus the mechanical requirements and the noise generated by the pool in the back affect our quiet enjoyment of our property and thus we are opposed to this project.

Sincerely,

Andy Beckstoffer

BECKSTOFFER VINEYARDS
PO Box 405 (8600 Conn Creek Rd.)
Rutherford, CA 94573
Ph: 707.963.9471 Fax: 707.963.8849
AndyB@beckstoffervineyards.com



Xinia Gamero

From: Aaron Hecock
Sent: Friday, June 14, 2019 3:10 PM
To: Xinia Gamero
Cc: Chris Gustin
Subject: FW: proposed demolition and rebuilding of Vitro residence at 1443 Stockton St.

FYI. Please print for the PC meeting.

Thanks!

AARON HECOCK, AICP
INTERIM PLANNING AND BUILDING DIRECTOR
City of St. Helena | Planning & Community Improvement Department
1480 Main Street | St. Helena, CA 94574
Direct: (707) 968-2659 | ahecock@cityofsthelena.org | <http://cityofsthelena.org/planning>

-----Original Message-----

From: Betty Beckstoffer [<mailto:beckstoffer@gmail.com>]
Sent: Friday, June 14, 2019 3:03 PM
To: Aaron Hecock <ahecock@cityofsthelena.org>
Subject: proposed demolition and rebuilding of Vitro residence at 1443 Stockton St.

Mr. Hecock,

As a neighbor at 1445 Stockton, I am very concerned about the size of this proposed residence. It seems much too large for this lot and out of character for the neighborhood. Our lots are very close and we are concerned with the proposed equipment which will be right on the lot line and the height of the new residence. I hope you will reconsider any permit for a residence of this size in this St. Helena neighborhood. Thank you for your consideration. Betty Beckstoffer

From: Carolyn Kelperis [<mailto:ckelperis@hotmail.com>]
Sent: Sunday, June 16, 2019 4:08 PM
To: Aaron Hecock <ahecock@cityofsthelena.org>
Cc: Autumn Anderson <AAnderson@cityofsthelena.org>; Bobbi Monnette <BMonnette@cityofsthelena.org>; Daniel Hale <DHale@cityofsthelena.org>; John Ponte <JPonte@cityofsthelena.org>; Lester Hardy <LHardy@cityofsthelena.org>
Subject: PL 19-001 1443 Stockton Demoliton & Design Review

Dear Aaron and Members of the Planning Commission,

As I stated in my response to the original notice for the June 4th hearing, I am the owner of record of APN 009-305-023 which consists of 1421 Stockton Street and 1612 Adams Street. These two homes were constructed in c.1955 by my in-laws, the late George and Hattie Kelperis. They have remained within the same family ownership ever since.

I have reviewed the documents distributed for the rescheduled hearing on June 18, 2019.

While the architectural plans include scale drawings of the proposed replacement home, there is no architectural image (to scale) that depicts this two story dwelling placed between the existing homes on either side (1441 and 1445 Stockton Street). . .or conceptual images from the side and backyards of 1441 and 1445 to show what those residents will be looking at if the two story home is approved and constructed.

Design review must determine if the proposed structure ". . .***is compatible with adjacent development, features a siting, scale, massing and architectural style that is generally consistent with the predominant development patterns, and that does not otherwise detract or negatively affect the established character of the surrounding neighborhood.***"

The packet documents indicate that "***The immediate neighborhood consists of modest, one-story and two-story homes, most dating to the mid to late twentieth century.***"

I would also add that Stockton Street between Spring and Madrona is such a narrow street that parking is only allowed on one side of the street.

Although the setbacks and FAR of the proposed dwelling are conforming, in my opinion, the size, scale and massing do not retain the character of existing residences and will cast extreme privacy issues with its adjacent neighbors.

One has only to view the two story homes that were permitted to be constructed at the end of Stockton closest to Spring Street, to see the result of such massing in relation to modest, single story homes.

I believe a two story home on this parcel would be incompatible with the immediate neighborhood.

Thank you for your consideration.

Sincerely,
Carolyn Kelperis
1615 Main Street
St. Helena, CA 94574

Xinia Gamero

From: Katalin Kádár Lynn <katalin100@gmail.com>
Sent: Monday, June 17, 2019 2:21 PM
To: Aaron Hecock
Cc: Chris Gustin; Xinia Gamero; Douglas Lynn
Subject: Re: Commentary PL 19-001 Demolition Permit 1443 Stockton Street

Dear Aaron,

Doug and I noticed that the discussion regarding the Demolition Permit for 1443 Stockton Street (PL 19-001) has been deferred until tomorrow night and want to make certain that our comments are again included in the packet for the Planning Commission.

You can see the commentary that we submitted for the meeting on June 4 when this issue was originally on the agenda in this email string below. As the issue is now coming up for consideration, we would like to reiterate our position and have our comments included in the packet for tomorrow's meeting.

Thanks so much,

Kati & Doug Lynn
415 518-1089

Dear Planning Commissioners:

While there may not be architectural significance in the present structure at 1443 Stockton, the present home is in scale with the neighborhood. The proposed home is out of scale - more than two times the size of the present home. The next door neighbors will encounter privacy issues having a large two story home next to their two cottages and noise issues with the pool equipment next to the house to the north and the A/C Pad on the south. The house behind 1443 that is literally on the property line will also have loss of privacy and noise issues.

We would be most appreciative if the views of the near neighbors as well as the next door neighbors be considered in evaluating these plans. We do not want the character of our neighborhood, with small single story homes that is family friendly to forever be altered.

*Sincerely
Katalin*

*Katalin Kádár Lynn PhD & Douglas G. Lynn
1440 Stockton Street*

On Jun 4, 2019, at 8:56 AM, Katalin Kádár Lynn <katalin100@gmail.com> wrote:

Thanks so much Noah!

We appreciate your including our comments in the packet for the Planning Commission.

all the best,

Katalin

On Jun 4, 2019, at 8:45 AM, Noah Housh <NHoush@cityofsthelelena.org> wrote:

Katalin and Douglas,

Thank you for your comments on this project. A copy will be provided to the Planning Commission for their review prior to acting on the requested Demolition and Design Review.

NOAH HOUSH
PLANNING & COMMUNITY IMPROVEMENT DIRECTOR
City of St. Helena | Planning & Community Improvement Department
1480 Main Street | St. Helena, CA 94574
Direct: (707) 968-2659 | NHoush@cityofsthelelena.org |
<http://cityofsthelelena.org/planning>

*Please be aware that City Hall is now closed from noon-1:00 pm for lunch.

-----Original Message-----

From: Katalin Kádár Lynn [<mailto:katalin100@gmail.com>]
Sent: Monday, June 03, 2019 8:03 PM
To: Noah Housh
Subject: Commentary PL 19-001 Demolition Permit 1443 Stockton Street

Dear Noah,

Douglas and I are writing you as the near neighbors of 1443 Stockton Street. We received the notice regarding the application of its owners to demolish the present residential structure and replace it with a home more than twice the size of the present residence.

This part of Stockton Street consists mostly of small lots with appropriately scaled small homes. Tearing down a nice stucco home of 1016 feet that is perfectly in scale with most of the residences adjacent and across the street and replacing it with a two story home of 2205 square feet that fills the entire lot seems out of keeping with the nature of the neighborhood. We oppose the demolition and oppose the design of a home of two stories reaching a height of 25' feet. The two homes on either side of 1443 Stockton are bungalows as are the two homes across the street, including our home. This entire block of Stockton Street from Madrona to Adams consists primarily of small, single story homes.

We request that the planning commission ask that this design, due to its scale both in

height and square footage be rejected and the owners of 1443 Stockton be asked to reduce their plans to a design more appropriately suited to the neighborhood. We bought our home because the personality of this part of Stockton Street was one of small homes and was family friendly, we don't want to see that change.

Sincerely,

Katalin

Katalin Kádár Lynn PhD & Douglas Gregory Lynn
1440 Stockton Street

Xinia Gamero

From: Aaron Hecock
Sent: Monday, June 17, 2019 8:09 AM
To: Xinia Gamero
Cc: Chris Gustin
Subject: FW: PL 19-001 1443 Stockton Demoliton & Design Review

FYI.



AARON HECOCK, AICP
INTERIM PLANNING AND BUILDING DIRECTOR
 City of St. Helena | Planning & Community Improvement Department
 1480 Main Street | St. Helena, CA 94574
 Direct: (707) 968-2659 | ahecock@cityofsthelena.org | <http://cityofsthelena.org/planning>

From: Carolyn Kelperis [mailto:ckelperis@hotmail.com]
Sent: Sunday, June 16, 2019 4:08 PM
To: Aaron Hecock <ahecock@cityofsthelena.org>
Cc: Autumn Anderson <AAnderson@cityofsthelena.org>; Bobbi Monnette <BMonnette@cityofsthelena.org>; Daniel Hale <DHale@cityofsthelena.org>; John Ponte <JPonte@cityofsthelena.org>; Lester Hardy <LHardy@cityofsthelena.org>
Subject: PL 19-001 1443 Stockton Demoliton & Design Review

Dear Aaron and Members of the Planning Commission,

As I stated in my response to the original notice for the June 4th hearing, I am the owner of record of APN 009-305-023 which consists of 1421 Stockton Street and 1612 Adams Street. These two homes were constructed in c.1955 by my in-laws, the late George and Hattie Kelperis. They have remained within the same family ownership ever since.

I have reviewed the documents distributed for the rescheduled hearing on June 18, 2019.

While the architectural plans include scale drawings of the proposed replacement home, there is no architectural image (to scale) that depicts this two story dwelling placed between the existing homes on either side (1441 and 1445 Stockton Street). . .or conceptual images from the side and backyards of 1441 and 1445 to show what those residents will be looking at if the two story home is approved and constructed.

Design review must determine if the proposed structure ". . .***is compatible with adjacent development, features a siting, scale, massing and architectural style that is generally consistent with the predominant development patterns, and that does not otherwise detract or negatively affect the established character of the surrounding neighborhood.***"

The packet documents indicate that "***The immediate neighborhood consists of modest, one-story and two-story homes, most dating to the mid to late twentieth century.***"

I would also add that Stockton Street between Spring and Madrona is such a narrow street that parking is only allowed on one side of the street.

Although the setbacks and FAR of the proposed dwelling are conforming, in my opinion, the size, scale and massing do not retain the character of existing residences and will cast extreme privacy issues with its adjacent neighbors.

One has only to view the two story homes that were permitted to be constructed at the end of Stockton closest to Spring Street, to see the result of such massing in relation to modest, single story homes.

I believe a two story home on this parcel would be incompatible with the immediate neighborhood.

Thank you for your consideration.

Sincerely,
Carolyn Kelperis
1615 Main Street
St. Helena, CA 94574

STOCKTON STREET SURVEY BETWEEN SPRING AND MADRONA

HOMES FACING STOCKTON STREET BTW SPRING & TANTER				HOMES FACING STOCKTON BETWEEN ADAMS & MADRONA			
ADDRESS	SINGLE STORY	TWO STORY	COMMENTS	ADDRESS	SINGLE STORY	TWO STORY	COMMENTS
1209	X			1421	X		
1213		X		1430	X		VAULTED CEILING
1219		X		1434	X		
1227	X			1440	X		
1230		X		1441	X		
1240	X			1443	X		
1243		X	UPPER ATTIC & FULL BASEMENT	1445	X		
1248	X			1450	X		
1256	X			1457	X		
1257	X			1467	X		
TANTER ST. INTERSECTS HERE				PINE ST. INTERSECTS EVEN# ADDRESSES			
1305	X			1504		Partial 2nd X →	SMALL DORMER BD W/ BA
1318	X			1505		X →	FINISHED ATTIC FOR STORAGE
1321	X			1511	X		
1328		X		1512	X		
1331		X		1515	X		
1334		X	1 BD 2ND DWELLING ABOVE GARAGE	1516	X		
1348		X		1525	X		
1362		X	BUILDING IN REAR IS TWO STORY	1530		X	
SIDE OF PROPERTIES FACE STOCKTON				SIDE OF PROPERTIES FACE STOCKTON			
1556 SPRING		X	GARAGE ACCESS ON STOCKTON	1552 ADAMS	X		GARAGE ACCESS ON STOCKTON
1556 TANTER		X		1600 ADAMS	X		GARAGE ACCESS ON STOCKTON
1611 ADAMS		X	GARAGE ACCESS ON STOCKTON	1565 PINE	X		
				1611 MADRONA		X	GARAGE ACCESS ON STOCKTON
TOTALS	9	10		TOTALS	18	4	

6/18/2019 Carolyn Kelperis by Walk & Observation + Zillow.com and

SH PL 18-026 1504 Stockton St. Response to April 24th PI Dept Letter - MacNeil Residence Remodel.pdf

-----Original Message-----

From: andrew Beckstoffer [<mailto:beckstoffer@gmail.com>]

Sent: Monday, November 04, 2019 11:51 AM

To: Aaron Hecock <ahecock@cityofsthenana.org>

Cc: Carolyn Kelperis <ckelperis@hotmail.com>; Kati Lynn <Katalin100@gmail.com>

Subject: Re: 1443 Stockton St.

Dear Commissioner Aaron Hecock

As an immediate neighbor at 1445 Stockton St., I am writing to once again express my concern for the remodel at 1443 which will come before the planning commission on Tuesday night. Unfortunately, we are unable to attend the meeting, but are very concerned about the size of this project and the effect it will have on our neighborhood. We invested in the charm of St. Helena in the hopes that it would always retain the history and beauty of the "old little cottage" feeling which is so pleasing and what makes St. Helena so appealing and attractive to those who look for this town charm and neighborhood feeling.

I hope you will consider these thoughts about preserving the small town feeling of St. Helena by not allowing inappropriate, new housing to fill the small lots and invade the privacy of neighbors in these small cottage homes. Thank You, Betty Beckstoffer, 1445 Stockton St.

From: "Carolyn Kelperis" <ckelperis@hotmail.com>
To: "Aaron Hecock" <ahecock@cityofsthelena.org>
Cc: "Lester Hardy" <LHardy@cityofsthelena.org>, "John Ponte" <JPonte@cityofsthelena.org>, "Daniel Hale" <DHale@cityofsthelena.org>, "Autumn Anderson" <AAnderson@cityofsthelena.org>, "Bobbi Monettee" <matildabologne@yahoo.com>
Subject: PL 19-001 1443 Stockton Street

Dear Aaron and Members of the Planning Commission,

I've been reviewing the documents for the 1443 Stockton project that is scheduled for the continued hearing tonight. (The image numbers noted in my text below and my attachments to this message, refer to the PDF pages if one prints from the packet.)

In rereading the documents included in the packet for the PL 19-001 item, I note that the Parcel map of the attachment to the agenda highlights other two story homes in the "neighborhood". Page 13 depicts other two story homes, none of which are on the narrow portion of Stockton Street between Spring and Madrona.

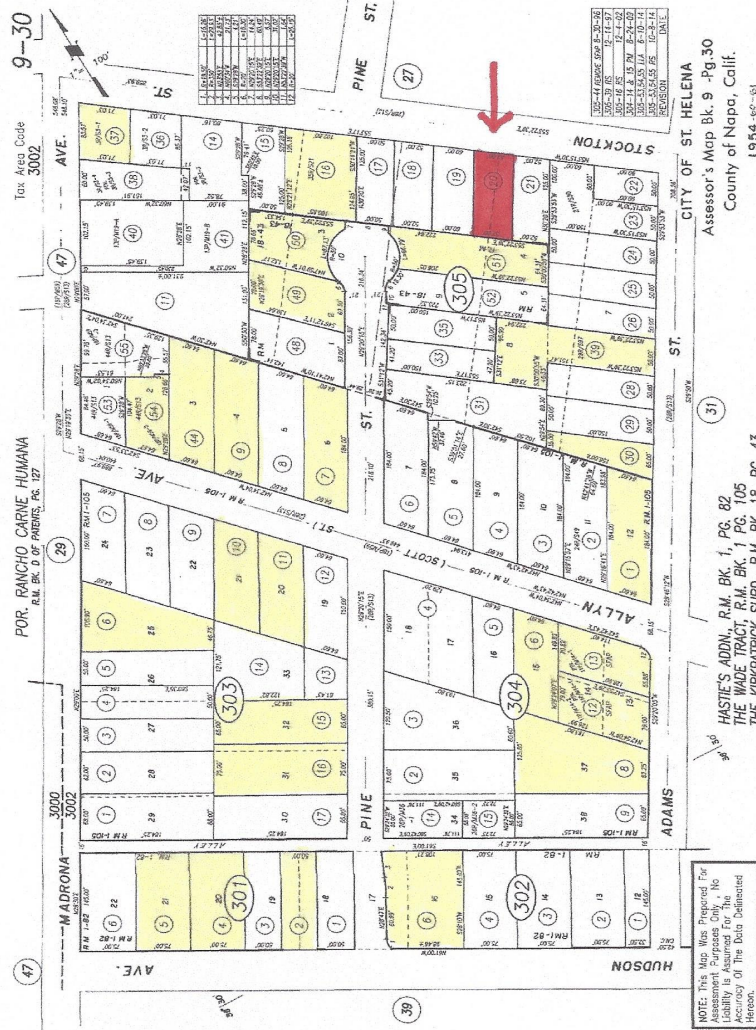
In my opinion, the ***impacted neighborhood*** is the narrow portion of Stockton Street between Adams and Madrona--in particular, Adams to Pine Streets. The parcel map depicted on Page 12 conveniently ignores the homes fronting on the opposite side of Stockton Street.

I've created an additional parcel map from the GIS.napa.ca.gov website that includes the homes on the even numbered side of Stockton Street. As Kati Lynn (1440 Stockton) noted in her recent letter, " *There is NO other two story home on Stockton Street between Adams and Pine.*"

I believe that if this project is approved it will change the character of this narrow street and set a precedent for future demolitions and remodels. I don't want to see this neighborhood replicate the portion of Stockton Street between Spring and Tainter.

Sincerely,
Carolyn Kelperis
1615 Main Street
St. Helena, CA 94574
(Owner 1421 Stockton-1612 Adams Streets)

Parcel Map of Area



Key

Highlighted = 2 story house

Red = Subject Property

1443 Stockton Street - Vitro

Fig 12

New Construction Projects in the Neighborhood



1443 Stockton – Proposed



1401 Allyn Ave. – In Progress



1645 Vineyard Ave – Completed 2018



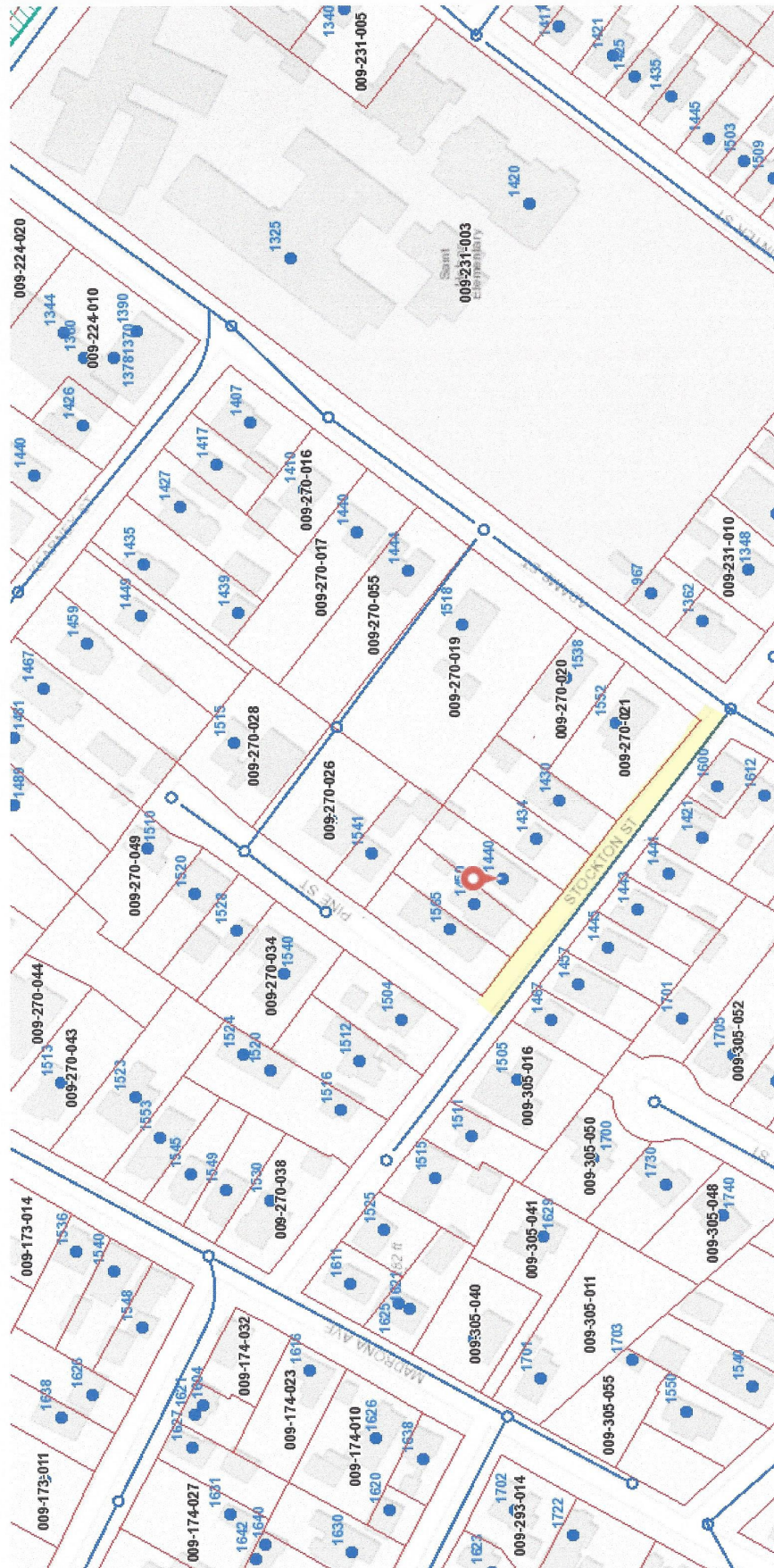
1242 Allyn Ave. – Completed 2018



1620 Scott Street – completed 2016



1842 Pine Street – Completed 2015



St. Helena California Parcel Map
 Stockton Street Adams - Pine
 1440 Stockton
 (Lynn residence **red pointer**)

From: Katalin Kádár Lynn <katalin100@gmail.com>
Sent: Monday, November 4, 2019 2:19 PM
To: Aaron Hecock <ahecock@cityofsthelena.org>
Cc: Betty Beckstoffer <beckstoffer@gmail.com>; andrew Beckstoffer <beckstoffer@gmail.com>; Carolyn Kelperis <ckelperis@hotmail.com>; Connie Wilson <clw1956@comcast.net>; Doug Lynn <hedgie17@gmail.com>
Subject: November 5 Planning Commission Meeting

Dear Commissioner Hecock,

Below you will find our letter to the planning commission for tomorrow's meeting. We are sorry to not be able to attend the meeting but both Doug and I are out of state.

We would like to express our disappointment that the Staff Report recommends approval of the plans submitted for demolition and construction of a new residence at 1443 Stockton.

In reading through the report it seems that the following issues seem not to have been considered.

1. Stockton is a very narrow street with parking only on one side. (unlike the streets of the other new homes in the illustrations offered in the Vito Plan) Any major new construction on a small lot will mean that on street parking will be seriously impacted as will street access. Commercial, construction vehicles will impede the flow of traffic on Stockton as there is no way for two way traffic to proceed if construction vehicles are involved.

2. In the Design Review Point C. 4 It states that *the project is consistent and compatible with the surrounding properties and neighborhood.*

There is NO other two story home on Stockton Street between Adams and Pine. The plan is for construction of a two story home.

3. In the Design review C. 6. It states that the *proposed home will blend in with the existing and future construction.* That may be true in the future, but it certainly is not at the present. And while the elevation drawings show the property partially hidden by trees, it is still obviously out of scale with the rest of the our portion of Stockton Street.

Katalin Kádár Lynn

Dear Planning Commissioners:

While there may not be architectural significance in the present structure at 1443 Stockton, the present home is in scale with the neighborhood. There are no two story homes on Stockton Street between Adams and Pine. The proposed home is two story and out of scale - at 2433 square feet -more than two times the size of the present home. The elevations submitted by the owners show their house hidden by vegetation but regardless the two story home will not be consistent with the other homes adjacent to it. 1441 Stockton is 1036 square feet while 1445 Stockton is a home with 1292 square feet. All are on small lots 1441 is 6279 sq feet, 1443 is 6500 and 1445 is 7405 respectively. A home of 2433 square feet will loom over the neighboring cottages.

The next door neighbors will encounter privacy issues having a large two story home next to their two cottages and noise issues with the pool equipment next to the house to the north and the A/C Pad on the south. The house behind 1443 that is literally on the property line will also have loss of privacy and noise issues.

We, the near neighbors will also be affected by the construction traffic on a street that is so narrow that we are allowed only one side of the street parking. Nothing can be done to mitigate the traffic and safety issues that will arise as a result of this construction being approved.

We are deeply disappointed that the Staff Report recommends approval of this plan as it is clear that concerns of near neighbors as well as next door neighbors are not being addressed.

As you can read in Carolyn Kelperis and Andy and Betty Beckstoffer's letters, we the present owners of homes nearby do not want the character of our neighborhood and it's family friendly charm to forever be altered by approval of this plan. We respectfully request that the planning commission not approve the plans for 1443 Stockton as they have been submitted.

*Sincerely
Katalin*

*Katalin Kádár Lynn PhD & Douglas G. Lynn
1440 Stockton Street*

-----Original Message-----

From: Connie Wilson <clw1956@comcast.net>
Sent: Monday, November 4, 2019 2:15 PM
To: Aaron Hecock <ahecock@cityofsthelena.org>
Subject: 1443 Stockton Street

Dear Planning Commissioners,

I am unable to attend the PC meeting on November 5, but I wish to reiterate my opposition to the demolition and new construction submitted for review at 1443 Stockton Street.

This plan is too large for the surrounding neighborhood at two stories and the large footprint.

I hope that you consider keeping the remaining untouched neighborhoods with the style of the original architectures.

Thank you.

Connie Wilson
1658 Scott Street
St. Helena, CA 94574

Douglas G. Lynn
Katalin Kádár Lynn PhD
1440 Stockton Street
Saint Helena, CA 94574

January 23, 2020

To: St. Helena City Council
Re: Appeal of Demolition Denial at 1443 Stockton St.
Agenda Item: Public Hearings Section 9.1 – Tuesday, January 28, 2020

Dear Council Members,

Our home is located at 1440 Stockton Street in the Stockton, Pine Street neighborhood and across the street from 1443 Stockton the home in question.

The Planning Commission, after full public hearings and testimony, at which the near neighbors who are most affected by any decision related to the 1443 Stockton Street application had an opportunity to voice their objections to the proposed demolition of the property and the plans submitted by the owners of the property, made a decision by a 4-1 vote to deny the project.

We ask that the Planning Commission decision stand.

We moved from heavily trafficked Madrona Avenue where we lived for nearly twenty years to Stockton Street between Adams and Pine because of its charm, the scale of its homes, and the neighborhood feeling that we never had in our previous location. We don't want to see that spoiled by a home that is disproportionate in scale to those adjacent and nearby. Replacing a 1036 square foot bungalow with a 2433 square foot two story home on an extremely narrow lot located on the narrowest street in Saint Helena will alter the character of the neighborhood forever.

We would simply like to say that we stand with our neighbors and fellow owners in the neighborhood in objecting to the plans as submitted for 1443 Stockton Street and ask that the denial remain in place.

Sincerely,

Kati & Doug Lynn

Jerry & Michele Hyde

Box 55, St. Helena, CA 94574

(707) Hm. 963-0983

jerry@jerryhyde.com

January 23, 2020

ATTENTION: St. Helena City Council

SUBJECT: Appeal of Demolition Denial at 1443 Stockton

AGENDA ITEM: Public Hearings Section 9.1

Dear Council Members:

We are part of the Stockton Street, Pine Street neighborhood; our property is contiguous with seven properties on those two streets.

The Planning Commission held hearings and took testimony from all concerned parties and voted 4-1 in favor of denial of this project. We would like to make the following brief points in favor of sustaining the Planning Commission's decision.

- Unless the Council decides to relitigate the discussion and take new testimony again from all concerned parties, and unless the applicant has new material, input and/or design to present to the Council, then the Planning Commission's decision should stand.
- The applicant stated that a reduced scale of design wouldn't "pencil out" for their investment. This argument must be rejected as the City's role is not to ensure that real estate investments provide a healthy return for investors.
- Planning Commissioners comments were frank and uncomplimentary of the project's scale and design as the visual record of the meeting will show. The proposed two-story design is huge when taking into account the narrowness of the lot and all nearby lots. It is on the narrowest street in town, and is in the immediate neighborhood made up entirely of one-story homes.
- Contrary to the applicant's implication that they are of local origin, they have not been a resident of St. Helena nor have they attended our schools. This is purely an investment play.
- Although not a legal argument, it's important to point out that this project demolishes a perfectly good single family dwelling which has provided housing since it was built. If approved, this project effectively takes one more housing unit out of our inventory.

We urge you to sustain the Planning Commission's denial of this project as presented.

Sincerely,

Jerry & Michele

Jerry & Michele Hyde
St. Helena



Report to the City Council
Regular City Council - 28 Jan 2020

Agenda Section: OLD BUSINESS

**Subject: Downtown Streetscape Construction Project Update,
Construction Phasing, and Funding Plan**

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

Prepared By: Preya Nixon, Asst. to the City Manager

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

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

BKF (engineering firm) and Gates and Associates (landscape architect) were selected by the City to assist with the Downtown Streetscape Plan and Main Street Sidewalk Improvement Project, Project No. R18-81. The City has received a \$1.2 million OBAG II construction grant to offset project costs. Design costs have been born by the City of St. Helena.

This project is consistent with City Council Goal 1: "Improve and Maintain Safe and Reliable City Infrastructure with a Commitment to Environmental Stewardship and Public Health." and 2019 Workplan Item F: "Initiate public engagement process and complete design of Downtown Streetscape Project." Completion of this project will enhance downtown public infrastructure, the pedestrian experience, and foster economic vitality through improved placemaking.

On March 12, 2019, City Council was provided an initial presentation by the consultant team on the community outreach kickoff for the Downtown Streetscape planning process. On June 4, 2019, Gates and Associates provided an updated presentation to the Planning Commission. After numerous public outreach meetings with stakeholders and the community, the design team reviewed concept designs with the City Council on June 11, 2019. Based on feedback from the City Council, the team progressed to detailed design and refined cost estimates for the comprehensive Streetscape Plan and

sidewalk improvements. This engineering and cost estimation work is now nearing completion.

Feedback from the business community has consistently emphasized the importance of:

- Minimizing project duration
- Ensuring business access during construction
- Avoiding construction during the high pedestrian season
- Providing temporary parking/signage
- Reducing mobilization time

CIP R18-81 is utilizing multiple funding sources including One Bay Area Grant II program, Gas Tax, SB1 Funds, Measure T Funds, and General Funds.

DISCUSSION

The purpose of this report is to provide an update on the Downtown Streetscape project costs, construction timeline, funding strategy, and business continuity plan.

Project Costs

While the streetscape design plan plans improvements to downtown sidewalks, ADA ramps, bulbouts, sidestreets and alleys, due to timing limitations with the OBAG II grant and available funding, it is necessary to prioritize the project into three distinct phases with the core Main Street sidewalk replacement project advancing in Phase I.

- Phase I. The Engineer's Estimate of Phase I Main Street sidewalk improvements, ADA ramps, and tree replacement totals \$3.6 million. A portion of this cost will be offset with the \$1.2 million OBAG II construction grant, and the remainder funded by the City.
- Phase II. Phase II improvements associated with Main Street bulbouts at four locations is estimated at \$3.1 million.
- Phase III. Phase III improvements (Railroad Avenue, Oak Avenue, sidestreets, and alleyways) estimated at an additional \$8.4 million.

Construction Timeline

The following construction schedule has been developed to:

- Ensure the City remains in compliance with the grant deadlines
- Avoids unnecessary project delays
- Has adequate financial resources to advance work, and
- Minimizes business impacts.

Tree Removal

- October 2020, solicit bids for tree removal which is anticipated to be less than \$200,000
- November 2020, City Council award contract for tree removal
- January 2021, begin tree removal and complete by February 2021

Sidewalk Construction

- August 2020, City staff will request approval of plans and specifications and request approval to bid by City Council and Caltrans. Note: Caltrans authorization for construction can take up to four months
- October 2020, Advertise for bids for Main Street construction
- December 2020, Award bid at City Council meeting and issue the notice to proceed
- April 2021, City anticipates construction to begin with expected completion by July 2021*

*All construction work is weather permitting.

Construction Schedule

To expedite construction, staff is recommending that the bid documents require night work, anticipate a seven day workweek, with construction occurring on both sides of the street. To minimize business impact and to work as efficiently as possible, staff and the consultant recommend dividing the construction into three sub-phases on Main Street (see presentation):

Sidewalk improvement sequence per sub-phase:

Action	Days
Layout and Barricades for Staging	2 days
Clearing and sawcut	5 days
Trenching and Installing Utilities	5 days
Soil Preparation	4 days
Carpentry for Formwork	8 days
Pouring concrete	4 days
Cleanup and Asphalt Patching	2 days
Total anticipated working days per schedule:	30 days

For each sub-phase on Main Street, approximately 35 parking spots will be impacted to provide contractors additional space during construction. However, the City will develop an alternative parking plan to offset lost parking. By working in sub-phases, parking remains available in the other two sub-phases.

Tree removal

All trees will be removed in early January 2021 in order to avoid environmental impacts of bird nesting season which is February to August. Removal of the trees eliminates the source of the sidewalk problems, allows work crews to accelerate their work (vs. working around existing trees/roots), and allows for the installation of tree wells to prevent root conflicts with utilities, sidewalk, and pavement). The tree work can begin prior to Caltrans authorization of construction funds so long as the City is not requesting grant reimbursement for that portion of work.

Business Continuity Plan

As noted above, staff has consistency received feedback from business community to:

- Minimize project duration
- Ensure business access during construction
- Avoid construction during the high pedestrian season
- Provide temporary parking/signage
- Reduce mobilization time

In addition to construction strategies to mitigate project impacts, City staff has developed a preliminary Business Continuity Plan to promote downtown commerce during the project.

- “Let’s Go Out to Shop & Eat!” Campaign
- Façade Improvement Program
- Evaluation of Small Business License Waiver Program
- Enhancing Parking & Signage
- Expansion of Ticket Forgiveness Program
- Convene Retail Merchants Working Group to coordinate planning of the shop local campaign and identify other solutions that mitigate impacts

To ensure consistent and accessible communication during construction, the City will appoint a single point of contact.

Downtown businesses were invited to a Streetscape Update workshop on January 13, 2020 at the Cameo Theatre to learn more about project timelines, construction plans, and the City's planned Business Continuity Plan.

On January 15, 2020, staff provided a similar presentation to the Active Transportation and Sustainability Committee (ATSC). The Committee received the presentation and provided the following feedback:

"To consider green concrete options for the concrete work, and to address safety and traffic calming by having bulbouts. If bulbouts cannot happen immediately, consider the option of parklets until the bulbouts can be added and utilize a design competition to create the parklets. The project should also ensure that the trees can receive adequate nutrients to grow. To see a more detailed list of feedback from the ATSC, please see the attached document titled "Feedback from the ATSC on Downtown Streetscape".

[The City currently does not have a parklet policy or standards, and would need to create one prior to any installation of a parklet.]

On January 21, 2020, staff met with the Beautification Foundation to discuss the project. The Foundation provided support overall of the project, but would follow-up, in writing, with regard to considerations for tree removal, tree selection, and location of trees.

Funding Plan

Prior to refined design and cost estimates, the adopted budget identified an estimated total project cost of \$2,045,000. Actual expenses through June 30, 2019 were \$148,724. Table 1 provides a summary of the initial estimated funding sources for CIP R18-81. Attachment 2 provides more detail on the Adopted budget.

Table 1

FUNDING SOURCE	DESIGN	CONSTRUCTION
101 - General Fund	164,500	
101 - General Fund - MOE Measure T/SB1	150,000	
225-229 - Gas Tax Fimds	134,000	
230 - RMRA/SB1 Fund	108,000	
240 - Measure T Fund	250,000	
241 - Measure T Class 1 Trails	32,500	
741 - Grant OBAG		1,206,000
TOTAL	\$839,000	\$1,206,000

As noted, the City has available funding of \$1.2 million from the OBAG II grant. In order to remain in compliance with the grant, a request to authorize funds for construction must be submitted to Caltrans by November 2, 2020. Because construction on the sidewalks will require mobilization and staging in the Caltrans right of way (ROW), the City must first obtain an approved encroachment permit from Caltrans prior to the request for construction funds. Construction cannot begin until these permits have been approved. Below is the current cost estimate for Phase 1.

ITEM	COST
Phase I Improvements: Sidewalk, ADA Ramps, and Tree Improvements	3,000,000
Contingency (10%)	300,000
Construction Management	300,000
TOTAL ESTIMATE CONSTRUCTION	\$3,600,000

To fund the \$2.4 million difference, staff is recommending utilizing a portion of the Measure T funds anticipated in FYs 2020-21 and 2021-22 as well as utilizing the positive General Fund net position to provide a loan to fill the remaining gap in project funding which will be repaid from Measure T revenues received in future years. Measure T is a county-wide half cent sales tax implemented on July 1, 2018, and can be used for the maintenance and reconstruction of streets including sidewalks.

The City received \$961,000 in Measure T funds during FY 2018-20 and the City has estimated \$1.2 million in revenues for the current fiscal year. Based on year-to-date actual for FY 2019-20, staff estimates revenues will be an estimated \$1 million. It is anticipated that the City will receive similar amounts for FYs 2020-21 and 2021-22.

The current unrestricted net position of the General Fund as of June 30, 2019, is \$7,921,589, or 53%. Staff recommends use of \$500,000 of Measure T funds in FYs 2020-21 and 2021-22 be designated for CIP R18-81 and a loan of \$1.4 million from General Fund unrestricted net position be utilized to cover the remaining unfunded costs. This would leave a 43% reserve in the General Fund based on FY 2019-20 estimated expenses. While the term of the loan would be at the City's discretion and could be repaid over several years, staff is recommending City Council consideration of a \$1.4 million General Fund loan over two fiscal years (\$700,000 per year) repaid by Measure T funds of \$280,000 annually for five years following the completion of the project. This CIP Project is on the City's current five-year project list approved by NVTA, which makes this type of funding strategy allowable.

FISCAL IMPACT

There is no financial impact for receiving this report; however, staff will update the CIP project budget for Fiscal Year 2020-21 to reflect feedback provided by City Council on the recommended expenditure plan and plan of finance for CIP R18-81. Additional fiscal impacts will be brought to City Council based on the discussion and direction from City Council in regards to the Business Continuity Plan.

RECOMMENDED ACTION

Receive, review and discuss report, approve plan related to project funding, and provide direction to the City Manager related to preliminary Business Continuity Plan.

ATTACHMENTS

[Attachment 1 - Feedback from the ATSC on Downtown Streetscape](#)

[Attachment 2 - CIP R18-81 Downtown Sidewalk Improvements](#)
[1 page cost estimate for Downtown Sidewalk Improvements](#)
[Downtown Streetscape Plan Update Powerpoint Presentation](#)

Comments from ATSC at meeting on January 15, 2020

Re: Downtown Streetscape Plan Presentation

Members present: Pam Smithers, Jeff Farmer, Maddie Chandler, Tom Vence, Erin Dempsey

Committee does not endorse a crosswalk in the middle of highway 29 between Model Bakery and the Cameo, due to traffic impacts, related safety and pollution effects due to stalled traffic, also Committee felt this would make traffic flow even worse on Main Street.

Committee discussed the traffic calming measures identified on the St. Helena Pedestrian Plan. Traffic calming measures identified in the 2016 Pedestrian Plan for this Project (Project SH-2 see page 27) were bulb-outs and enhanced crosswalks. Existing crosswalks are dangerous without modification, especially the crosswalk at Spring Street originating from the east side at St. Helena Cyclery. Besides safety, bulb-outs help traffic flow more efficiently, and thus reduce air pollution as pedestrians have a shorter distance to walk in order to cross the street. Discussion of Caltrans approval process being lengthy for highway encroachment such as bulbouts and application has not been made to CalTrans at this time. Staff explained grant deadlines preclude including bulbouts in Phase I of the project. Question was posed as to whether grant terms require these traffic calming measures, and the answer was no, grant terms do not require these measures.

Committee would like a discussion of parklets for Phase I. Parklets are another traffic calming measure and pedestrian benefit but also help merchants by providing outside seating space especially for cafes and restaurants. One Committee member has been involved in parklet competitions. This would be a fun way to involve the public.

Committee would like consideration of green concrete for the concrete sidewalks. Marin County recently adopted an ordinance requiring green concrete for all Marin County projects moving forward.

Committee would like reassurance that if a non permeable surface such as concrete is used for the sidewalks, the trees will still be able to thrive.

Committee would like way-finding signage on Main Street alerting motorists to EV charging stations on Oak Avenue.

Financial Overview: R18-81 Downtown Sidewalk Improvements										
PHASE	Coding			Prior Years	2020-2024 CIP BUDGET					
				Actual Through	Adopted Budget	Projected				
	Fund	Dept	Code	FY 19/20	FY 19/20*	FY 20/21	FY21/22	FY22/23	FY 23/24	Total
Design	741	5010	3110	148,724	487,776					636,500
Environmental/Planning	741	5010	3120							-
Land & Easements	741	5010	3130							-
Legal Services	741	5010	3140	-	2,500					2,500
Construction Management	741	5010	3150		-	50,000	50,000			100,000
Construction Contract	741	5010	3160		-	603,000	603,000			1,206,000
Contingency	741	5010	3170			50,000	50,000			100,000
CIP Overheads	741	5010	3180							-
Total				148,724	490,276	703,000	703,000	-	-	2,045,000

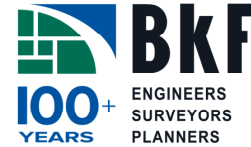
Funding Sources	Actual Through	Adopted Budget	Projected				
	FY 19/20	FY 19/20*	FY 20/21	FY21/22	FY22/23	FY 23/24	Total
101 - General Fund	-	64,500	50,000	50,000			164,500
101 - Measure T/RMRA MOE - General Fund	73,724	76,276					150,000
741 - Grant - OBAG II	-		603,000	603,000			1,206,000
240 - Measure T	75,000	75,000	50,000	50,000			250,000
241 - Measure T Class 1 Trails		32,500					32,500
230 - RMRA/SB1		108,000					108,000
225-229 - Gas Tax		134,000					134,000
Unfunded							
Total	148,724	490,276	703,000	703,000	-	-	2,045,000

* Resolution 2019-81 adopted by City Council after adopted budget increased design cost to \$635,600.

This increase has been included above.



**SAINT HELENA
MAIN STREET STREETSCAPE PROJECT
ENGINEER'S ESTIMATE**



12/31/2019

PHASE I - (SIDEWALK,C&G, ADA RAMPS, TREE IMPROVEMENTS)	\$ 3,000,000
<i>Contingency (10%)</i>	\$ 300,000
<i>Construction Management (10%)</i>	\$ 300,000
<i>Total Estimate</i>	\$ 3,600,000
GRANT FUNDING (OBAG II)	\$ 1,200,000
SHORTFALL	\$ (2,400,000)
PHASE II - MAIN STREET BULBOUTS AND AMENITIES	\$ 2,400,000
<i>Contingency (10%)</i>	\$ 240,000
<i>Design (10%)</i>	\$ 240,000
<i>Construction Management (10%)</i>	\$ 240,000
<i>Total Estimate</i>	\$ 3,120,000
TOTAL PHASE I +PHASE II	\$ 6,720,000
PHASE III- SIDE STREETS AND ALLEYWAYS	\$ 6,000,000
<i>Contingency (20%)</i>	\$ 1,200,000
<i>Design (10%)</i>	\$ 600,000
<i>Construction Management (10%)</i>	\$ 600,000
<i>Total Estimate</i>	\$ 8,400,000
TOTAL PHASE I + PHASE II+ PHASE III	\$ 15,120,000

DOWNTOWN STREETSCAPE PLAN UPDATE



AGENDA



1. project overview
2. phase 1: scope + schedule
3. business continuity plan
4. questions

BUSINESS FEEDBACK



1. minimize project duration
2. ensure business access
3. avoid high season
4. provide temporary parking/signage
5. reduce mobilization

PROJECT OVERVIEW



COMMUNITY ENGAGEMENT SUMMARY



- steering committee
- stakeholder interviews
- business community
- main st. pop up
- farmers market pop up
- online surveys



DOWNTOWN STREETSCAPE PLAN



- ➔ enhance pedestrian experience
- ➔ expand the downtown core
- ➔ create sense of place through art, historic, and agrarian references

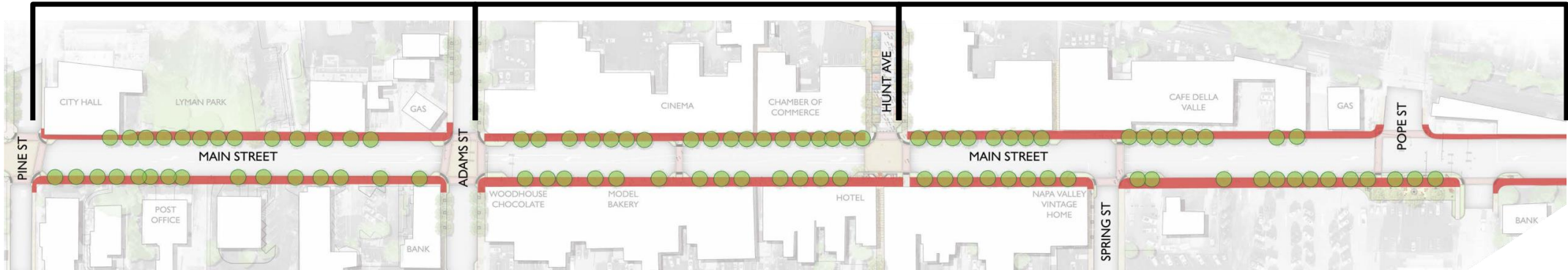
PHASE 1 SCOPE



SUB PHASE 1C

SUB PHASE 1B

SUB PHASE 1A



➔ LEVERAGE GRANT FUNDING

- Replace all Sidewalk (Paver Damage)
- Replace Curb & Gutter (Tree Damage)
- Provide Accessible Access
- Install New Trees
- Provide Electrical and Utility Services

➔ PROVIDE AMENITIES

- Bike Racks
- Seating
- Wayfinding Signage

PHASE 1 SCHEDULE AND SEQUENCING



EXPEDITE CONSTRUCTION

- night Work
- anticipate 7 Day Workweek
- subphasing to Minimize Disturbance



SIDEWALK IMPROVEMENTS SEQUENCE PER SUBPHASE

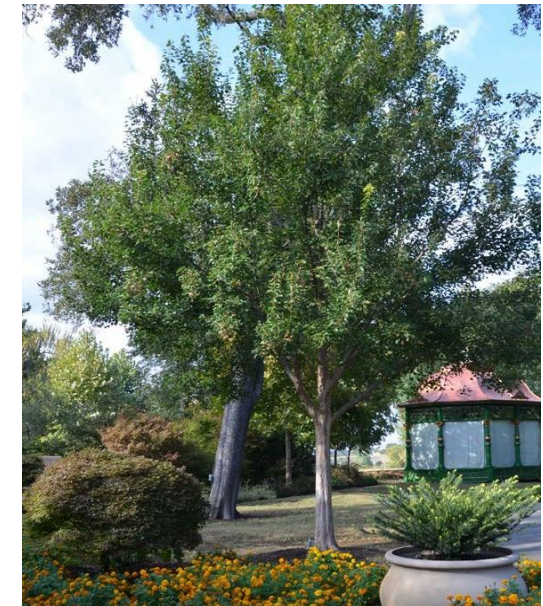
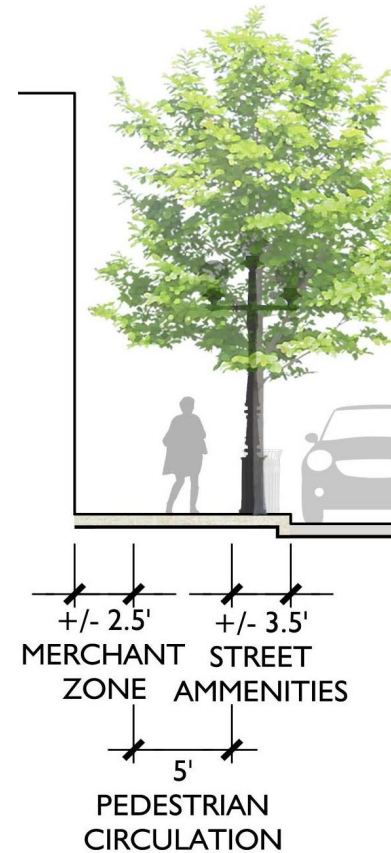
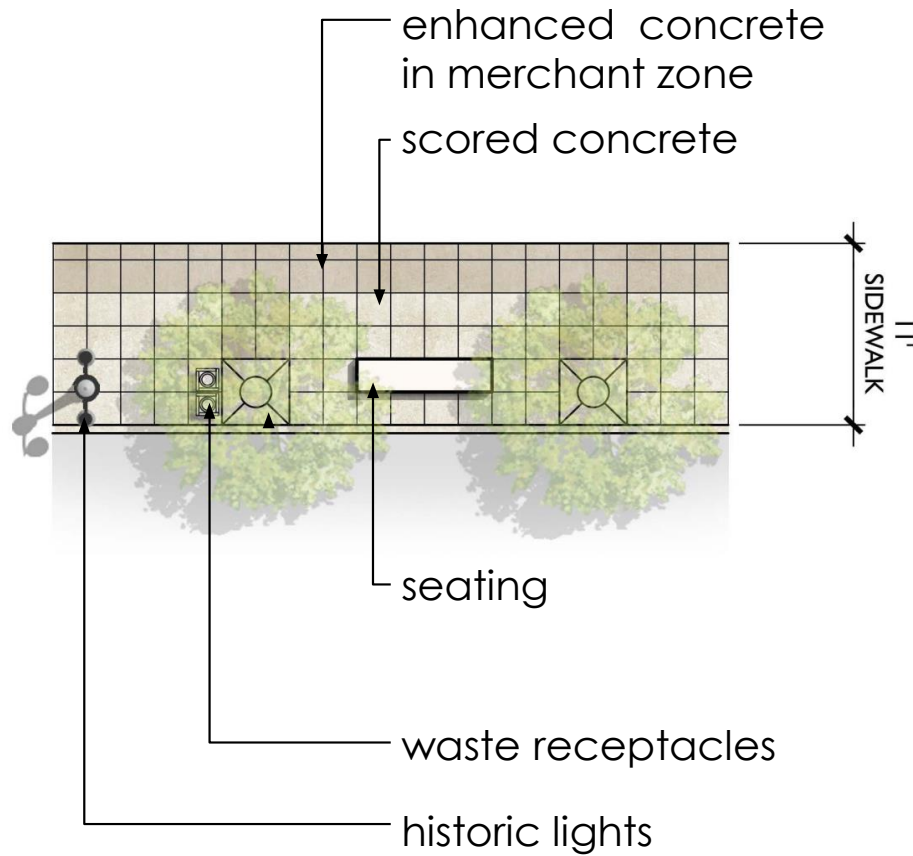
1. layout and Barricades for Staging	2 days
2. clearing and Sawcut	5 days
3. trenching and Installing Utilities	5 days
4. soil Preparation	4 days
5. carpentry for Formwork	8 days
6. pouring Concrete	4 days
7. cleanup and Asphalt Patching	2 days

Total Anticipated Working Days per Subphase 30 days



EXISTING TREES COME OUT EARLY JANUARY 2021

PHASE 1 TREES



Acer buergerianum
Trident Maple

TREES: BEFORE



TREES: AFTER (shown at 7 years old)



ST. HELENA BUSINESS CONTINUITY PLAN



- “Let’s Go Out to Shop & Eat!” Campaign
- Façade Improvement Program
- Enhancing Parking & Signage
- Expansion of Ticket Forgiveness Program
- Evaluation of Small Business License Waiver Program
- Convene Retail Merchants Working Group

QUESTIONS

NEXT STEPS



SIGN UP

for retail merchants group in
the lobby

DOWNTOWN STREETSCAPE PLAN UPDATE



AGENDA



1. project overview
2. phase 1: scope + schedule
3. business continuity plan
4. questions

BUSINESS FEEDBACK



1. minimize project duration
2. ensure business access
3. avoid high season
4. provide temporary parking/signage
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PROJECT OVERVIEW



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- stakeholder interviews
- business community
- main st. pop up
- farmers market pop up
- online surveys

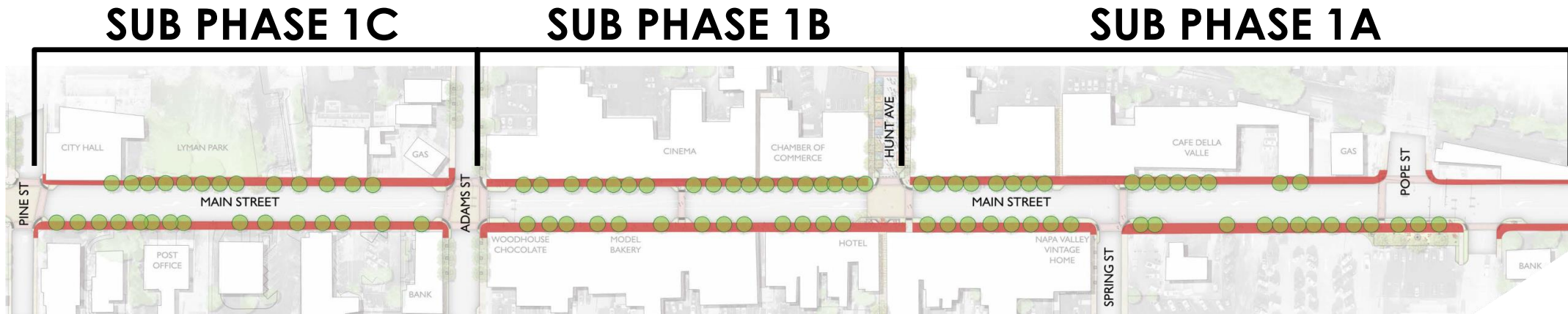


DOWNTOWN STREETSCAPE PLAN



- ➔ enhance pedestrian experience
- ➔ expand the downtown core
- ➔ create sense of place through art, historic, and agrarian references

PHASE 1 SCOPE



➔ LEVERAGE GRANT FUNDING

- Replace all Sidewalk (Paver Damage)
- Replace Curb & Gutter (Tree Damage)
- Provide Accessible Access
- Install New Trees
- Provide Electrical and Utility Services

➔ PROVIDE AMENITIES

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- Wayfinding Signage

PHASE 1 SCHEDULE AND SEQUENCING



EXPEDITE CONSTRUCTION

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- anticipate 7 Day Workweek
- subphasing to Minimize Disturbance



SIDEWALK IMPROVEMENTS SEQUENCE PER SUBPHASE

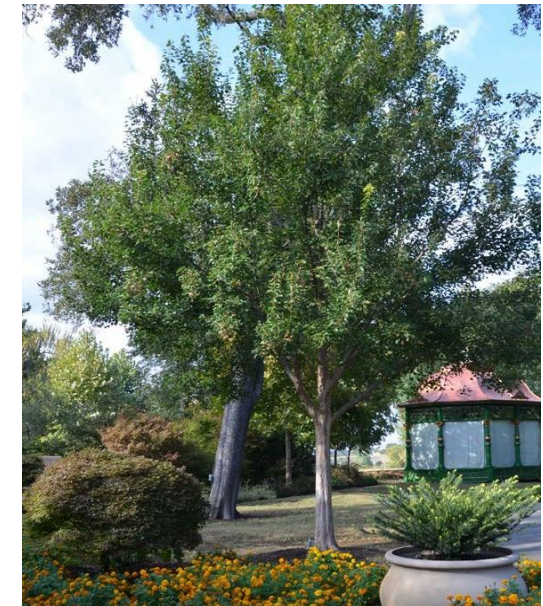
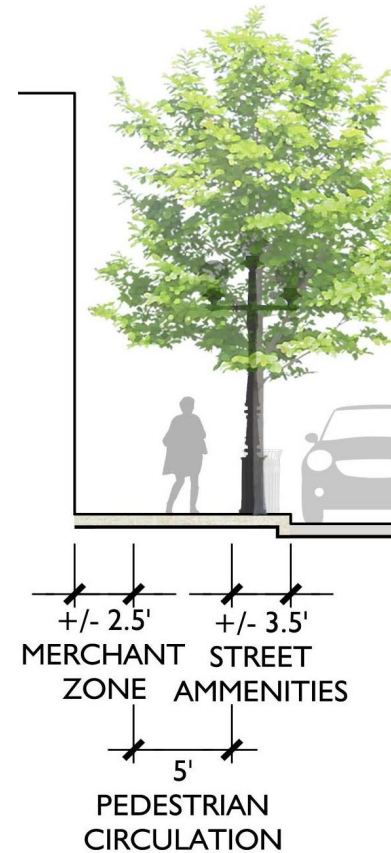
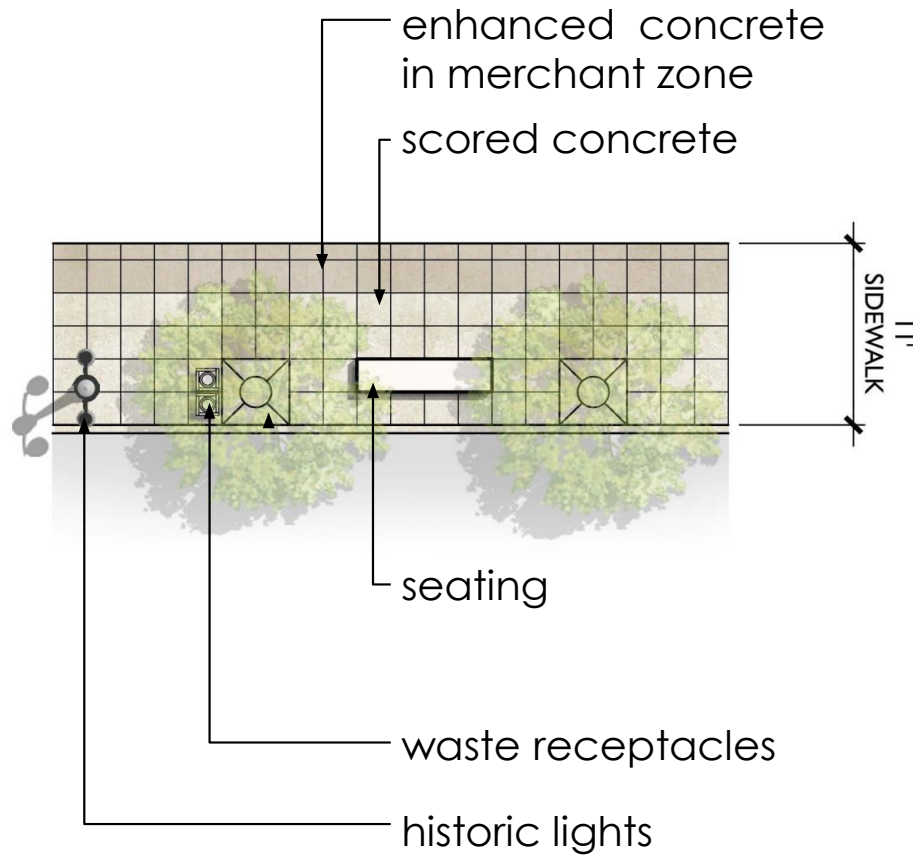
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7. cleanup and Asphalt Patching	2 days

Total Anticipated Working Days per Subphase 30 days



EXISTING TREES COME OUT EARLY JANUARY 2021

PHASE 1 TREES



Acer buergerianum
Trident Maple

TREES: BEFORE



TREES: AFTER (shown at 7 years old)



ST. HELENA BUSINESS CONTINUITY PLAN



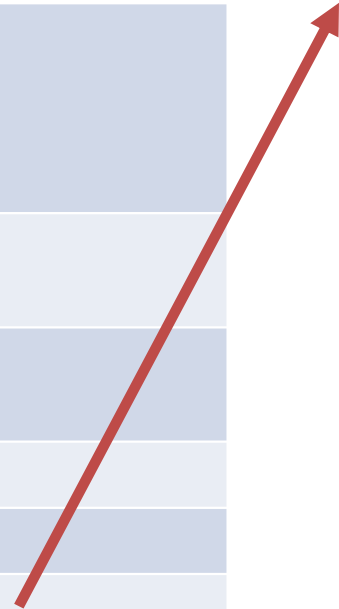
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- Façade Improvement Program
- Enhancing Parking & Signage
- Expansion of Ticket Forgiveness Program
- Evaluation of Small Business License Waiver Program
- Convene Retail Merchants Working Group

Funding Plan-Phase 1



Phase 1 Cost	
Item	Cost
Phase 1 (Sidewalk, Curb/Gutter, ADA Ramps, Tree Improvements)	\$3,000,000
Construction Management	\$300,000
Construction Contingency-10%	\$300,000
Total Estimate	\$3,600,000
Grant Funding (OBAG II)	\$1,200,000
Shortfall	(\$2,400,000)

Solution to Shortfall of \$2,400,000	
Amount	Fund
\$500,000	Measure T FY2020-21
\$500,000	Measure T FY 2021-22
\$1,400,000	Loan from General Fund unrestricted net position, leaving a 43% reserves in General Fund based on FY 2019-20 estimated expenses.
Broken down into 2 payments of \$700,000 (one payment per fiscal year)	Repaid by \$280,000 over five years from Measure T.



QUESTIONS

NEXT STEPS



SIGN UP

for retail merchants group in
the lobby



Report to the City Council
Regular City Council - 28 Jan 2020

Agenda Section: NEW BUSINESS

Subject: Consideration and proposed approval of a resolution appointing applicants to the Financing Civic Infrastructure Task Force

CEQA Determination: Not a CEQA project

Prepared By: Cindy Tzafopoulos, City Clerk

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

At the December 10, 2019 regular City Council meeting, the City Council adopted resolution 2019-137 (Attachment 1) creating the Financing Civic Infrastructure Task Force.

The Task Force shall have the responsibilities as provided in this section and such other duties as the City Council may from time to time decide:

1. Review the September 17, 2018 City Council Report, which led to prioritization of civic building asset investments in order to limit the number of concurrent projects to a manageable number.
2. Consider the Civic Infrastructure Evaluation Criteria/Principles approved by the City Council.
3. Review Noll & Tam's cost estimates and options presented to the City Council during its November 12, 2019 City Council meeting.
4. Review preliminary Downtown Streetscape cost estimates.
5. Review preliminary Underground Utilities Master Plan estimates associated with Storm Drain infrastructure.
6. Work with City staff via the City Manager to evaluate and update the City's Long Range Financial Forecast (LRFF) to consider timing and scale of various infrastructure investments, revenue options, and financial strategies.

7. Consult with the City Manager and Police Chief to discuss potential alignment and/or synergies related to Police Department needs.
8. Provide a narrative report describing Task Force recommendations to the City Council.

DISCUSSION

The City Council established the Financing Civic Infrastructure Task Force for the purpose to review and analyze the financing options for the possible construction of new or remodeled civic institutions in St. Helena as well as other infrastructure, such as storm drains and downtown streetscape, and to provide recommendations to the City Council.

The City Council adopted resolution 2019-137 which established the membership to consist of five to seven members. The City Council will follow the Council adopted appointment process for the appointment of members to the task force.

The City Council held a Special City Council meeting to interview applicants on Friday, January 17, 2020 at 3:30 pm.

The following is a list of applicants and subject matter experts:

The seven task force applicants are:

1. Philippa Ward
2. Tom McBroom
3. Daniel Hale
4. George David
5. Patrick Kenealy
6. Elaine Honig
7. Richard Walloch

The three subject matter experts are:

1. Glenn Goelz
2. Thomas Allen
3. Dale Grossman

FISCAL IMPACT

There is no fiscal impact.

RECOMMENDED ACTION

Per resolution 2019-16 Council Rules of Procedure appointments shall be made by interview, ballot process and the Mayor shall nominate applicants with the appointments subject to approval by the majority of Council.

Per resolution 2019-137 the membership will consist of five to seven members.

ATTACHMENTS

[Reso 2019-137](#)

[Applicants](#)

[Financing Civic Infrastructure Task Force Appointment Resolution \(1\)](#)

RESOLUTION NO. 2019-137

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ST. HELENA
CREATING THE FINANCING CIVIC INFRASTRUCTURE TASK FORCE**

WHEREAS, the City Council of the City of St. Helena created the St. Helena Assets Planning Engagement Committee (“SHAPE”) on September 26, 2017, to advise the City Council on prioritizing and identifying strategies to address civic needs and opportunities, and the SHAPE Committee produced a report in May 2018 that provided a set of proposed strategies; and

WHEREAS, following receipt of the SHAPE Committee report, the City Council approved a “City of St. Helena Civic Infrastructure Strategy” framework to advance discussions for a new City Hall, improvements to the Library, and a possible community/recreation space; and

WHEREAS, the City Council’s strategy consists of four phases, the second of which involves asset prioritization and analysis and is underway and nearing completion; and

WHEREAS, the City hired Noll & Tam Architects to provide massing sketches and develop preliminary cost estimates for different configurations for the City Council’s consideration; and

WHEREAS, the City Council appreciates and values the work of the SHAPE Committee and wants to further refine the City’s options by focusing in on financing mechanisms, options, and strategies for the construction or remodeling of the City’s civic buildings, as well as other critical infrastructure including storm drains and downtown streetscape; and

WHEREAS, the City Council recognizes that its citizens have extensive knowledge and practical experience in specific subject matters, and believes that its Civic Infrastructure Strategy framework process will be enhanced if the City Council can further tap into this citizen expertise to provide advice and recommendations regarding financing the possible civic improvements; and

WHEREAS, the City Council believes that a task force of interested and engaged residents from a small number of finance-related disciplines would be a helpful means of vetting the financing and financial options; and

WHEREAS, on December 10, 2019, the City Council gave staff direction to begin the recruitment process for selection of the Financing Civic Infrastructure Task Force.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of St. Helena does hereby resolve as follows:

1. CREATION, PURPOSE, AND FUNCTIONS

The Financing Civic Infrastructure Task Force (Task Force) is hereby created. The purpose of the Financing Civic Infrastructure Task Force is to review and analyze the financing options for the possible construction of new or remodeled civic institutions in St. Helena as well as other infrastructure, such as storm drains and downtown streetscape, and to provide recommendations to the City Council.

The Task Force shall have the responsibilities as provided in this section and such other duties as the City Council may from time to time decide:

A. Review the September 17, 2018 City Council Report, which led to prioritization of civic building asset investments in order to limit the number of concurrent projects to a manageable number.

B. Consider the Civic Infrastructure Evaluation Criteria/Principles approved by the City Council.

C. Review Noll & Tam's cost estimates and options presented to the City Council during its November 12, 2019 City Council meeting.

D. Review preliminary Downtown Streetscape cost estimates.

E. Review preliminary Underground Utilities Master Plan estimates associated with Storm Drain infrastructure.

F. Work with City staff via the City Manager to evaluate and update the City's Long Range Financial Forecast (LRFF) to consider timing and scale of various infrastructure investments, revenue options, and financial strategies.

G. Consult with the City Manager and Police Chief to discuss potential alignment and/or synergies related to Police Department needs.

H. Provide a narrative report describing Task Force recommendations to the City Council regarding:

- Evaluation of the City's financial capacity, financing vehicles, and revenue producing potential and options;
- Funding strategy(ies) to ensure cash flow stability and General Fund sustainability related to:
 - Construction and/or renovation of improvements,
 - Prioritization of improvements associated with City Hall, Library, conceptual Community/Recreation facility, downtown streetscape, and storm drain infrastructure,
 - Project and financing phasing timelines,
 - Site selection (if relevant); and

- Approach to architectural design/process (e.g. consideration of environmental elements, maintenance considerations, materials, process associated with design phase).

2. MEMBERSHIP

The Financing Civic Infrastructure Task Force shall consist of five to seven members, to be appointed as follows:

A. The City Council shall follow the Council-adopted appointment process for the appointment of members.

B. The City Council will interview applicants at a Special Meeting, anticipated to be completed by January 2020.

C. The City Council shall appoint members at the special meeting or soon thereafter. A majority of the City Council must approve the Task Force membership. The City Council shall appoint members who have expertise in the following areas: architecture, construction, economics/finance, and real estate, and will endeavor to have each of these disciplines represented on the Task Force.

All efforts shall be made to ensure that the Task Force membership reflects the City's diversity of interests and viewpoints, and care shall be taken to ensure broad-based community representation.

Additionally, applicants should be St. Helena residents although the City Council reserves its right to appoint members who do not reside in the City.

3. TERM OF OFFICE

Members of the Task Force shall serve until its work has been completed and recommendations from the Task Force are made to the City Council, which is expected to occur around April of 2020.

4. TERMINATION OF APPOINTMENT

Any member who has two unexcused absences from Task Force meetings shall have their membership automatically terminated. Members of the Task Force shall serve at the pleasure of the City Council and may be removed from office by a majority vote of the City Council.

5. VACANCIES

Vacancies on the Task Force shall be filled for the unexpired term in the same manner in which regular appointments are otherwise made.

6. OFFICERS

The City Council will appoint a Chairperson and Vice Chairperson. If the City Council does not appoint a Chairperson and/or Vice Chairperson, the Task Force shall nominate a Chairperson and/or Vice Chairperson, which shall be ratified by the City Council. The Chairperson shall call the meetings to order, shall serve as the presiding officer of the Task Force's meetings, and shall perform such other duties as may from time to time be prescribed by the Task Force. The Chairperson shall serve in that position at the pleasure of the City Council.

The Vice Chairperson shall have all of the powers and duties of the Chairperson in the event the Chairperson is absent or unable to act.

The Task Force may create and appoint members to subcommittees, but the City Council expects that such subcommittees would be formed for very specific and limited purposes.

7. MEETINGS

The Task Force shall establish a regular time and shall hold regular meetings at the St. Helena School Board Room, or other suitable meeting location. Special meetings of the Task Force may be called by the Chairperson, or by a quorum of the Task Force. All meetings shall comply with the Ralph M. Brown Act.

8. QUORUM

A quorum of the Task Force shall consist of a majority of the Task Force's membership.

Approved at a Regular Meeting of the St. Helena City Council on December 10, 2019 by the following vote:

Mayor Ellsworth: Yes

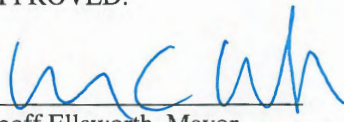
Vice Mayor Dohring: Yes

Council Member Chouteau: Yes

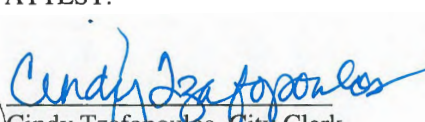
Council Member Knudsen: Yes

Council Member Koberstein: Yes

APPROVED:


Geoff Ellsworth, Mayor

ATTEST:


Cindy Tzafopoulos, City Clerk





CITY HALL, 1480 MAIN STREET
OFFICE OF THE CITY CLERK
ST. HELENA, CA 94574
(707) 968-2742
www.cityofsthelena.org

APPLICATION FOR APPOINTMENT

Note: Your application will be copied for the City Council and made available to the press and public.

Financing Civic Infrastructure Task Force

Application Due by January 7, 2020 at 5:00 p.m.

The expected timeframe for this Task Force is approximately 6 bi-monthly meetings that are expected to last up to 3 hours each (see the conceptual timeline on page three). These meetings are tentatively planned to start at 6:00 p.m. in the Vintage Hall Board Room – Second Floor at 465 Main Street in St. Helena, although alternate meeting dates and times may be set by the Task Force including a weekend(s). A copy of the Resolution 2019-137 describing the Task Force is attached for more information.

Please check a box:

- ☒ I am interested in being a member of this Task Force and expect to be available to attend all meetings.
- ☐ I am interested in volunteering my time as a subject matter expert for this Task Force. This means that I may be called to attend certain meetings, but not expected to attend all meetings.

Name: DANIEL HALE

Home Address: 1616 MADROWA AVE SAINT HELENA CA 94574

Mailing Address: _____

Occupation: ARTIST / DESIGNER

Business Address: _____

Telephone: Home _____ Cell 707-227-4322 Business _____

E-mail: danielhale64@yahoo.com

- Please indicate if above numbers can be made available to the public upon request: Yes or No

Resident of St. Helena? Yes or No Yes, how long have you lived in St. Helena? 19 years
 Current occupation (within last 12 months) ARTIST DESIGN / ARCHITECTURAL DESIGN

Previous Committee/Commission Experience:

PLANNING Commission

Education/Experience: A resume may be attached containing this and any other information that would be helpful in evaluating your application.

Varied experience in design/architectural design/development/real estate/construction

Please explain your reasons for wishing to serve on the Task Force and what financial, real estate, architecture or other related specialties you believe would be valuable:

I believe that for any of these solutions to be successful the entire ecosystem of St Helena needs to be considered. Understanding construction methodology/costs/timelines/project flow should shape solutions.

Please explain how your participation will benefit the Task Force:

I believe the key to these solutions is scale. Appropriate scale that fits the needs of town. How massing of solutions engages and effects context is paramount.

Names, addresses, and phone numbers of three individuals familiar with your background:

Brent Randol
Chris Phelps
Tom Trainer

Signature of Applicant

5 JAN 2020

Date

If you have any questions regarding the appointment procedure, please telephone Preya Nixon, Assistant to the City Manager at (707) 968-2635.

Please return the completed application to:

City of St. Helena
 City Clerk
 1480 Main Street
 St. Helena, CA, 94574

Save the Date! Interviews are tentatively scheduled for January 14, 2020 at 3:00 p.m.



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Name: Elaine Hanig

Home Address: 2140 Stockton St + 440 Crystal Springs Rd, St. Helena

Mailing Address: 440 Crystal Springs Rd, St. 94574

Occupation: Business owner

Business Address: Same

Telephone: Home _____ Cell 707.419.2055 Business _____

E-mail: elaine@studio4forty.com

- Please indicate if above numbers can be made available to the public upon request: Yes or No

Resident of St. Helena? Yes or No Yes, how long have you lived in St. Helena? 9 yrs
 Current occupation (within last 12 months) see attached

Previous Committee/Commission Experience:

see attached + chaired multiple events

Education/Experience: A resume may be attached containing this and any other information that would be helpful in evaluating your application.

see attached

Please explain your reasons for wishing to serve on the Task Force and what financial, real estate, architecture or other related specialties you believe would be valuable:

~~At the time~~ see attached

Please explain how your participation will benefit the Task Force:

see attached

Names, addresses, and phone numbers of three individuals familiar with your background:

see attached

Signature of Applicant /

Date

11/3/2020

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Elaine Honig
1248 Stockton Street
St. Helena, CA 94574
707-479-2055

Elaine is an entrepreneur who thrives on creating brands, building businesses and helping nonprofits thrive. A native Oklahoman with an Economics degree from Tufts University, she started out in the real estate development business then spent 21 years in the wine business helping grow a small family project into a nationally recognized wine brand. In 2005, she developed Wine Women & Shoes, her first fundraising event concept, as a local community fundraiser that exceeded expectations and paved the way for a new business category, licensed fundraising events. With a boundless love and thirst for art and literature, she conceived and launched her next fundraising concept—Farm to Table(aux)—in 2016, and created STUDIO 4Forty, where current and future event fundraising concepts live and grow. To date, STUDIO 4Forty has raised over \$85mil net for their nonprofit partners.

In addition to her business interests, Elaine is actively involved in the Napa Valley community. She's currently on the board of the Napa Communities Firewise Foundation and has served on the boards of The Napa County Land Trust, where she was the President for 2 years, diRosa Center for Contemporary Art, The Napa County Farm Bureau, The Napa County Sierra Club, and the Board of Advocates for Planned Parenthood.

STUDIO 4Forty
Founder & CEO
2008 - Present

Honig Vineyard & Winery
Creative Director
1986 - 2008

Elaine joined Honig when it was a team of 2 people. During her 21 year tenure, she marketed, branded, communicated and sold Honig Wine, growing it from its garage roots to nationally recognized Napa Valley brand.

Diversified Properties
Project Development and Management
1983 - 1987

While in college, Elaine began purchasing multi-unit residential buildings with her father. She scouted, selected and purchased the properties, oversaw the renovations, managed the rentals, converted some of the apartments to condominiums, and managed the successful sales.

The Shorenstein Company
Property Management and Space Planning
1985 – 1986

Elaine Honig
Application for Appointment
City Infrastructure Task Force

1. Explain your reasons for wishing to serve on the Task Force:

I've been interested in city operations for years but have always lived outside town. A year ago, I bought a little cottage that needs a major remodel, which I have started the process of doing and is currently in the planning phase. Representative government works best when people get involved, and there is a lot to do, so I'm stepping up to help where I can add value.

In addition to wine and non-profit fundraising, I have a professional background in real estate, building, and development and have also remodeled 6 homes and built a 7th from the ground up. I have basic knowledge and skills in CAD as well as experience in design, both interior and architectural. I'm a bit of an urban planning geek and love topic.

2. Explain how your participation will benefit the Task Force:

I've served on many boards and committees and have experience in building consensus and steering towards solution. A few of the nonprofits were going through internal challenges, which gave me experience with difficult matters. I'm fair-minded, a good listener, know how to work with and be in a team, have experience in analyzing and synthesizing information, remain curious in conversation, and am focused on the big picture solutions. I also enjoy problem solving and big complex situations and have a positive attitude.

3. Names, addresses and phone numbers of 3 people familiar with background:

- Julie Jenanyan – Friend and St. Helena resident,
- Mike Thompson - Friend and St. Helena resident,
- Christopher Thompson – Chair of Napa County Firewise Foundation.



City of St Helena, City Hall

Received

JAN 07 2020

1480 Main St.
St Helena, CA 94574

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Name: George David

Home Address:
451 Pope Street, Saint Helena, CA 94574

Mailing Address: 451 Pope Street, Saint Helena CA, 94574

Occupation: Retired real estate investment banker – Realty Financial Resources, Inc.

Telephone: Home 707-967-9266 Cell 707-249-2626 Business N/A

E-mail: george@rfrinc.com

- Please indicate if above numbers can be made available to the public upon request: Yes or No YES

Resident of St. Helena? Yes or No Yes, how long have you lived in St. Helena? 24 Years
 Current occupation (within last 12 months) Retired

Previous Committee/Commission Experience: Activist who has been involved in City affairs for 15 years including the General Plan, and efforts to locate and create the improvements under consideration by this Task Force.

Education/Experience: A resume may be attached containing this and any other information that would be helpful in evaluating your application.

Please see attached resume

Please explain your reasons for wishing to serve on the Task Force and what financial, real estate, architecture or other related specialties you believe would be valuable:

See attached resume for skills and experience. I want to share 60 years of real estate and financial knowledge to help create solutions that are responsive, fiscally prudent and achievable, and address the challenges for which this Task Force is being formed. Our family believes that community service is a privilege and can only be repaid by participation in City affairs such as this Task Force.

Please explain how your participation will benefit the Task Force: I have definitive experience in analysis and decision making related to over \$12Billion in real estate transactions through out the US, Mexico, Central America and the Caribbean. While the primary focus of my business activities have been finance; I am thoroughly knowledgeable in all aspects of real estate as a principal, advisor and developer. My leadership style is collaborative, open minded and team oriented. My reward for participation will be helping achieve a long term, secure future for our City by creating an optimal plan for infrastructure repair and replacement and construction or renovation of City buildings proposed or existing. While making our citizens proud.

Names, addresses, and phone numbers of three individuals familiar with your background:

George Caloynidis

Thomas Ruhf

Glenn Goelz

January 7, 2020

Signature of Applicant

Date

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GEORGE DAVID, CRE

Mr. David is acknowledged as one of the foremost senior advisors and executives in the resort industry. His blend of previous career experiences with face to face interplay among many of today's national resort and business leaders give him a leading edge in conceptualization, implementation and financing of multifaceted resort developments. His introduction to the field was made in 1978 by Mr. Harry B. Helmsley, one of America's most successful real estate entrepreneurs and managers, and Mr. David's partner during his tenure as founding Director of Hospitality at Helmsley Spear's Hospitality Division.

As a consultant and financier for over fifty years, Mr. David has served such clients as Merrill Lynch, Marriott Corporation, Hilton Hotels Corp., BBVA Bancomer, Citibank, Disney, Prudential Life Insurance Company, Royal Trust Company, the Related Companies, the Pueblo Bonito Companies and the Governments of the U.S., the Bahamas and Mexico, as an advisor and counselor. His forty years at the helm of The David Resort Group and Realty Financial Resources, Inc. has resulted in a highly professional, results oriented firm capable of optimization in every discipline of recreational resort development, from concept through implementation of each activity.

In 1981, David capitalized on his financial background to launch Realty Financial Resources, Inc. (RFR), a major source of debt and equity financing for the leisure real estate industry. RFR is the major thrust of DRG today as it continues to expand its investor and developer client base to serve their increasing needs. RFR operates with a philosophy that ensures both investors and borrowers will benefit permanently from the relationship building skills with which RFR helps its clients meet and exceed their goals

As an executive, Mr. David served as Chairman & CEO of Americas Resort Group, Inc. (ARG), a venture of BBVA, Hilton Hotels and Conrad Hotels, Hilton's International hotel group. He was responsible for creating the company, negotiating the venture relationships, and providing leadership in every facet of ARG's activities. ARG encompassed 1200 units in three luxury coastal resorts in Mexico. His ARG experience coupled with previous resort ownership and development experience underscores David's practical experience.

Mr. David previously owned David and Associates and other privately held real estate and development firms, engaged in all aspects of development of over 3500 single family housing and apartment units. He also served as a senior executive of Southeast Bank Corp., one of Florida's most established commercial banking groups, overseeing all real estate related operations, and also serving as President of its mortgage banking firm, and as a Director of the Bank's Holding Company.

Mr. David has been very active in industry affairs, serving multiple terms as Vice Chairman of the National Time Share Council's Governing Board, Chairman of the ARDA Education Institute, and three terms as a Director of the American Resort Development Association, and Chairman of NTC's Finance Committee and its Socio economic Study Committees. He has written many published articles and has appeared as a speaker at over ninety conferences throughout the world.

he entitlement process, project visioning (including identifying and attracting key elements such as brand and operator) and project structure and financial modeling, to ensure that a feasible project that can be capitalized is created. Greg has assisted in such a capacity in over two dozen projects and has capitalized in excess of \$1BB of development projects in United States, Mexico and the Caribbean.

REALTY FINANCIAL RESOURCES, INC. ("RFR") is a boutique advisory firm with specific experience in all aspects of hospitality and a niche focus on hospitality finance and development. With five decades of financing and practical experience in a variety of economies, and an entrepreneurial, forward-looking approach to structuring and restructuring projects, RFR's financing activities have included hotels, resorts, private residence clubs, timeshare resorts, master planned resort communities, and related commercial real estate. RFR works throughout the United States, Mexico, Central America, the Caribbean and other select locations in the Americas, for and with major institutions, developers, owners, investors, managers and brands, of all sizes.

RFR is a pioneer consulting firm in the field of recreational real estate. Since its inception in 1981, RFR has acted as a Financial Advisor and Investment Banker involved exclusively in securing all forms of debt and equity for the leisure real estate industry. RFR has arranged over 350 capital transactions totaling in excess of \$12 Billion. Active relations are maintained with extensive capital sources including hedge funds, investment and commercial banks, pension funds, thrift institutions and commercial credit companies.

A most important element in the success of RFR has been the expertise of a prior affiliate, The David Resort Group. DRG provided a broad range of advisory services to over 500 clients engaged in the leisure real estate sector. DRG is an acknowledged industry leader and its CEO, George David, is a past Vice Chairman and founding member of the American Resort Development Association (ARDA/NTC). He initiated the formation of the NTC Finance Committee and chaired it for several years. He led the formation of ARDA's Education Institute and served as Chairman. Mr. David is a member of the prestigious American Society of Real Estate Counselors and is a licensed California Real Estate Broker.

To assure a high standard of performance, RFR underwrites each project before it is offered for funding to one of its sources. RFR's professionals can readily identify and measure the elements required to assure a successful project and related capital returns and profitability. Many of DRG/RFR's clients have been Investors or Lending Institutions that have required project diligence or have called on us to help structure funding for a project, or their entire lending or investment program. Over the years, several of these Lenders and Investors have become sources of funds for RFR, sometimes on an exclusive basis.

RFR understands that to be successful each transaction must work for all involved. It is known for innovative structuring often enhancing project cash flow and maximizing profitability to borrower and Investor. DRG/RFR offers its expertise to its developer clients, Lenders and Investors on a continuing basis to evaluate and monitor performance and

to create lasting relationships through fostering success and excellent communications. Always aware of industry performance, financing trends and competitive differences, RFR works toward creating benefits for developers, Lenders and Investors that will provide satisfaction and profitability to all in the years ahead.

Additionally, RFR often assists developers in identifying and attracting key project components including brands and operators, sales and marketing agents, hospitality developers and project management firms. As a result, RFR maintains strong relationships with many luxury, lifestyle and boutique brands operating in North America.

RFR is a highly experienced, professional firm that creates lasting relationships. It acts as a catalyst and Advisor as we have a deep belief that it is our responsibility to remain actively involved in every transaction throughout its term. This is an added measure of security for all involved. In addition to traditional one-off transactions, RFR has significant experience in securitization, mortgage backed securities, and structured finance transactions. We have a well-grounded understanding of the resources required, innovative structures, and the mechanics and diligence in these undertakings.

Financial transaction size ranges from \$2 million to \$250 million, encompassing single or multiple projects, and portfolios. Products include equity, development and acquisition financing, working capital, bridge loans, warehouse facilities, receivables sale and financing, and capital leases. Our niche is resort or luxury leisure and hospitality real estate of all types. Most of our activity has been focused on ground up investments, but we also have extensive experience in the recapitalization of existing resort assets.

REALTY FINANCIAL RESOURCES, INC. PAST AND PRESENT PROJECT EXPERIENCE (PARTIAL)

- Aman Resort, Costa Baja, Baja Sur, Mexico
- Archer Hotel, Napa CA
- Aspen Valley Ranch, Aspen, CO
- Aspen Club and Resort, Aspen, CO
- Auberge at Sun Valley, Sun Valley, ID.
- Barefoot Beach Club, Grand Cayman Island
- Belvidere, Charleston, SC
- Bermuda Dunes Resort, Bermuda Dunes, CA
- Bishops Lodge, An Auberge Resort, Santa Fe, New Mexico
- Broken Top, Bend, OR
- Cacique, a Steve Case Development, Guanacaste, Costa Rica
- Calistoga Ranch, Calistoga, Napa Valley, CA
- Capella Resort and Residences at Pedregal, Cabo San Lucas, Mexico
- Carlsbad Inn, Carlsbad, CA
- Carlsbad Hotel and Residences, Carlsbad, CA
- Cedar Key Village Hotel and Marina, Cedar Key, FL
- Chileno Bay, Cabo San Lucas, Mexico
- Christie Lodge, Steamboat Springs, CO Phases 1 and 2
- Coral Reef Club, Hilton Head, SC
- Coral Sands, Hilton Head, SC

- Dancing Bear, Aspen, CO
- David Walters Enterprises (Multiple Site) Kuai, HA
- El Banco Hotel and Resort, an Auberge Resort, Punta de Mita, Mexico
- Elkhorn Lodge, Sun Valley, ID
- Epic Resorts, Various (7) Nationwide
- Esperanza, an Auberge Resort, Cabo San Lucas, Mexico
- Fairmont Heritage Club at Ghiairelli Square, San Francisco, CA
- Fairmont Seaside Hotel and Residences, Seaside, CA
- First Cabin Club, Lake Havasu, AZ
- Franz Klammer Lodge, Phases 1&2, Telluride, CO
- Four Seasons Resort, Los Barillas, Mexico
- Four Seasons Resort, Calistoga, Napa Valley, CA
- Golden Beach Resort, Freeport, Grand Bahama Island
- Grace Bay Club, Turks and Caicos Islands
- Grand Aspen Hyatt, Aspen, CO
- Grand Pacific Resorts, Various (6), CA
- Hearthstone at Spring Mountain Ranch, McCall, ID
- Hotel Costa Azul, Los Cabo, Mexico
- Hyatt Main Street Station, Breckinridge, CO
- Las Alcobas, A Luxury Collection Hotel, St. Helena, Napa Valley, CA
- J. W. Marriott Residential Hotel at Marbella, Loreto, BCS, Mexico
- Jumby Bay, Longs Island, Antigua
- Kahalu'u, Kona, Hawaii
- Kings Creek, Williamsburg, VA
- Kirkwood Village Residences, Kirkwood, CA
- Las Cabezas, Punta de Mita, Mexico
- La Capilla, Los Bariles, BCS, Mexico
- Las Tiendas de Palmilla, Cabo San Lucas, Mexico
- Las Ventanas al Paraiso, Cabos San Lucas, Mexico
- Les Saisons Private Residence Club, Ketchum, ID
- Lighthouse Point Marriott Suites, Grand Bahama Island, Bahamas
- Mountainside at Whistler, Canada
- Nawi Island Resort and Hotel, Suva Suva, Fiji
- NorthStar at Tahoe, NorthStar, CA
- Pacific Monarch Resorts, Palm Springs, CA
- Palmilla Oasis – HMB, Cabo San Lucas, Mexico
- Paraiso del Mar, La Paz, BCS, Mexico
- Punta Garrobo Hotel, Related Group, Zihuantanejo, Mexico
- Quivira, A Master Planned community, Cabo San Lucas, BCS, Mexico
- Rancho Valencia, Rancho Santa Fe, CA
- Ritz Plaza, South Beach, FL
- Ritz Residences and Club, San Francisco, CA
- Rosewood Celeste, Bahia des Banderas, PV, Mexico
- Rosewood Hotel and Residences, San Miguel d'Allende, Mexico
- Seven Canyons, Sedona, AZ
- Shock Hill, Breckinridge, CO
- Sky Lodge, Park City, UT
- Sorrel River Ranch, Moab, UT

- Southshore Residences, Puerto Vallarta, Mexico
- St. Regis Monarch Beach Resort and Spa, Dana Point, CA
- Sun Dance, Sundance, Utah
- Tallus, Mammoth Lakes, CA
- Taunova Beach Resort, (Auberge) Viti Levu, Fiji
- Teton Mtn. Private Residences, Teton Village, WY
- The Austria Haus, Vail, CO
- The Club at Big Bear Village, Big Bear, CA
- The Meadows at Del Mar, Del Mar, CA
- The Napa Gateway Project, (Meritage) Napa, CA
- The Owners Club's, CCA – four locations
- The Phillips Club (Millennium Partners), NY, NY
- The Pond Bay Club, St. Johns, VI
- The Regent Club at the Canyons, The Canyons, UT
- The Residence Club at Tucker's Point, Tuckers Point, Bermuda
- The River Club, Telluride, CO
- The Snowmass Club, Snowmass, CO
- The Telluride Club, Telluride, CO
- The Timbers, Snowmass, CO
- The Cape, a Thompson Hotel, Cabo San Lucas, Mexico
- Tonopalo, Lake Tahoe, CA
- Trails End, Deer Valley, UT
- Valdoro, Breckenridge, CO
- Via de Luna, Pensacola Beach, FL
- Villas Serena, Puerto Los Cabos, Mexico
- Villas del Oro at Palmilla, Cabo San Lucas, Mexico
- Warm Springs Club, Sun Valley, ID
- Westin Regina Cancun, Cancun, Mexico
- Westin Regina, Puerto Vallarta, Mexico
- Westin Regina, Cabo San Lucas, Mexico
- Wyndham Grand Vacation Club, Sonoma, CA
- Wyndham Grand Vacation Club, Carmel Valley, CA
- Wyndham Grand Vacation Club, Lake Tahoe, CA
- Windsor Vacation Club, Las Vegas, NV

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Name: PATRICK KENEALY

Home Address: 2995 SPRING STREET, SAINT HELENA, 94574

Mailing Address: SAME

Occupation: VENTURE CAPITALIST

Business Address: _____

Telephone: Home 415-420-2881 Cell _____ Business 31

E-mail: pkenealy

- Please indicate if above numbers can be made available to the public upon request: Yes or No

HOME ONLY

Resident of St. Helena? Yes or No Yes, how long have you lived in St. Helena? _____
 Current occupation (within last 12 months) _____

SUMMERED HERE 8 YEARS, LIVED HERE 8 YEARS

Previous Committee/Commission Experience:

NUMEROUS NON -
MORE THAN A DOZEN CORPORATE BOARDS, PROFIT BOARDS &
COMMITTEES

Education/Experience: A resume may be attached containing this and any other information that would be helpful in evaluating your application.

BA, ECONOMICS, HARVARD
30 YEARS AT GLOBAL MEDIA COMPANY, IDG, LAST 4 AS
CEO. 20 YEARS VENTURE CAPITAL EXPERIENCE AT
IDG VENTURES, RIDGE VENTURES

Please explain your reasons for wishing to serve on the Task Force and what financial, real estate, architecture or other related specialties you believe would be valuable:

HAVE RUN BUSINESS UNITS IN THE TENS & HUNDREDS
OF MILLIONS IN REVENUE AND HOLDING COMPANY WITH
MULT-BILLION DOLLAR MARKET CAP, PLUS SERVED ON
MORE THAN A DOZEN START UP BOARDS. DEEP FORECASTING

Please explain how your participation will benefit the Task Force: BUDGETING AND
AND IT EXPERIENCE.

HAVE BUILT, MANAGED AND APPROVED CAPITAL BUDGETS
OF ALL SIZES, INCLUDING PURCHASE, SALE AND
RENTAL OF BUILDINGS AND OFFICE SPACE

Names, addresses, and phone numbers of three individuals familiar with your background:

NEAL MOUNENS, SAINI
PASCAL LEVINSON, N
LORRA STONE, RIDGE

S

1/4/2020
 Date

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Name: Philippa Ward

Home Address: _____

Mailing Address: _____

Occupation: Real Estate Broker

Business Address: _____

Telephone: Home _____ Cell _____ Business _____

E-mail: _____

- Please indicate if above numbers can be made available to the public upon request: Yes or No

Resident of St. Helena? Yes or No Yes, how long have you lived in St. Helena? grew up here
 Current occupation (within last 12 months) and gone from 2008-June 2019
Real Estate Broker had a home till 2013

Previous Committee/Commission Experience:

President of Commercial Brokerage groups, many Charitable boards

Education/Experience: A resume may be attached containing this and any other information that would be helpful in evaluating your application.

Back at UCSB

CCIM candidate

licensed RE Broker in 3 states

Please explain your reasons for wishing to serve on the Task Force and what financial, real estate, architecture or other related specialties you believe would be valuable:

I have finance and real estate experience over
19 years. Also have worked on development projects

Please explain how your participation will benefit the Task Force:

I have real life and developer point of view as well
as budgeting for projects.

Names, addresses, and phone numbers of three individuals familiar with your background:

William Densberger

Linda Reiff

Chuck Sawdau 1-4

Signature of Applicant

Date

12/20/19

If you have any questions regarding the appointment procedure, please telephone Preya Nixon, Assistant to the City Manager at (707) 968-2635.

Please return the completed application to:

City of St. Helena

City Clerk

1480 Main Street

St. Helena, CA, 94574

Save the Date! Interviews are tentatively scheduled for January 14, 2020 at 3:00 p.m.



RECEIVED

DEC 31 2019

CITY CLERK'S OFFICE
CITY OF ST. HELENA

CITY HALL, 1480 MAIN STREET
OFFICE OF THE CITY CLERK
ST. HELENA, CA 94574
(707) 968-2742
www.sthelenacalifornia.org

APPLICATION FOR APPOINTMENT

Note: Your application will be copied for the City Council and made available to the press and public.

Civic Infrastructure Task Force

Application Due by January 7, 2020 at 5:00 p.m.

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Please check a box:

- ☒ I am interested in being a member of this Task Force and expect to be available to attend all meetings.
- ☐ I am interested in volunteering my time as a subject matter expert for this Task Force. This means that I may be called to attend certain meetings, but not expected to attend all meetings.

Name: Richard Walloch

Home Address: _____

Mailing Address: As above

Occupation: Retired - Last Assignment was Project Consulting for Proctor & Gamble

Business Address: N/A

Telephone: Home _____ Cell 925-818-9971 Business _____

E-mail: rdwalloch@gmail.com

- Please indicate if above numbers can be made available to the public upon request: Yes or No Cell & email only

Resident of St. Helena? Yes or No Yes, how long have you lived in St. Helena? 2 years
Current occupation (within last 12 months) Part time consulting on

Capital Projects for Proctor & Gamble

Previous Committee/Commission Experience: None in Saint Helena. I was
a member of The Front Street Enhancement Committee for the town
of Avila Beach, CA

Education/Experience: A resume may be attached containing this and any other information
that would be helpful in evaluating your application.

See resume attached

Please explain your reasons for wishing to serve on the Task Force and what financial, real
estate, architecture or other related specialties you believe would be valuable:

I am in helping to develop Saint Helena's path to rehabilitation or
replacement of City Building & Utility Infrastructure. My area of
expertise is in Construction Planning & cost estimation.

Please explain how your participation will benefit the Task Force:

The Task Force will be reviewing & commenting on Architectural/Engineering
Scopes of Work & Cost Estimates. I have over 20 years of experience in
Project Cost Control & Project Schedule Development

Names, addresses, and phone numbers of three individuals familiar with your background:

Bob Frase

Gary Fisher

Geoff Ellsworth

12/31/2019

Date

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Nixon, Assistant to the City Manager at (707) 968-2635.

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Resume

Name: Richard Walloch

Qualifications: -BSME Washington State University 1969, Pullman, Washington
-Registered Professional Engineer in Mechanical Engineering, State of California #M 16487

Summary: Richard is a Management Consultant and Project Director with extensive experience in Project Development and Project Management. Rich has a proven record of successful assignments and projects with Unocal and Chevron, including the Project Management Institute Project of the Year runner up award for the North Pailin Project and two Unocal Chairman's Awards for outstanding achievement on the Avila Beach and Gunung Salak Projects.

Experience:

5/2018 to Present Retired

8/2017 to 4/2018 Project Manager at Anvil Corporation, evaluating projects for Procter and Gamble, Sacramento.

4/2011 to 7/2017 Principal- Walloch Consulting LLC- Evaluation of Project Management systems/performance for the Oil and Gas and Chemicals Industries

4/2006 to 3/2011 Projects Director- Chevron Project Resources Company. Management of all Major Capital Projects for the Downstream refineries, chemical plants and Joint Ventures worldwide.

11/04 to 4/2006 Project Manager for the A&B Gas Development Project for Unocal/Chevron Netherlands, The Hague. Design and Construction of a 125 MMSCFD gas processing platform in the Dutch Sector of the North Sea.

8/02 to 11/04 Project Manager for the West Seno 2 Oil and Gas Processing Facility. This Project was for the Installation of a Tension leg Platform offshore Balikpapan, Indonesia. The initial phase of the Project was for Detailed Engineering in Houston, TX. I was transferred to Jakarta, Indonesia for the Procurement and bidding phase. The project was suspended when Phase 1 production did not meet forecast.

9/00 to 7/02 Engineering Manager- North Pailin Project. The Project constructed an 8 pile jacketed, 200 MMSCFD gas processing platform in the Gulf of Thailand. I was assigned to this project during the Engineering phase (Perth, Western Australia) and transferred to Batam, Indonesia for the Fabrication phase and Offshore in the Gulf of Thailand for installation and startup.

- 12/97 to 9/00 Project Manager- Avila Beach Remediation Project, Avila Beach, CA. Managed the demolition, remediation and reconstruction of the town of Avila Beach, CA, where oil leakage had caused contamination of the town and beach. Responsibilities included Project Management, Public relations, and environmental permitting.
- 6/95 to 12/97 Construction Manager- Salak Geothermal Project. Managed the construction of a 195 MW Geothermal Power Plant in the Rain Forest of Indonesia. Received the Unocal Chairman's award for outstanding achievement. The project has operated at over 98% on-stream time since it's startup.

1980-1995 Projects with Unocal San Francisco Refinery

- 6/93 to 6/95 Project Manager- Reformulated Fuels Project. A 100 MM\$ revamp of the refinery to produce CARB Reformulated Gasoline. Added a new hydrogen plant, Isomerization unit. additional tankage and revised gasoline blending plus numerous minor refinery modifications.
- 6/87 to 6/93 Maintenance Superintendent, responsible for a 20 MM\$ annual maintenance budget. The department had 200 full time employees and turnaround staffing in excess of 1000.
- 1/84 to 6/87 Project Manager for 3 large Refinery Projects which installed a new crude unit, Isomerization Unit and Cogeneration Plant.
- 9/82 to 12/83 Superintendent of Personnel
- 11/80 to 9/82 Project Manager- Unocal San Francisco Refinery

Project with Hallanger Engineers, Orinda, CA

- 9/77 to 11/80 Project Manager for the 50 Crude Unit revamp at Tosco's Avon refinery. Increased the Capacity of the Crude Unit from 65,000 to 100,000 BPD. Installed Crude Desalting Units at both 50 Crude Unit and Unit 33.

Initial Assignments with Unocal

- 6/69 to 8/77 Various Engineering and maintenance assignments at Unocal's refineries in San Francisco and Los Angeles.

Contact Information

rdwalloch@gmail.com
925 818 9971 (cell)



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Name: Tom McBroom

Home Address: _____

Mailing Address: SAME

Occupation: RETIRED (BANKING)

Business Address: N/A

Telephone: Home _____

E-mail: TCMCBROOM@SBCGLOBAL.NET

- Please indicate if above numbers can be made available to the public upon request: Yes or No

EMAIL (ONLY) OKAY

Resident of St. Helena? Yes or No Yes, how long have you lived in St. Helena? 1 1/2
 Current occupation (within last 12 months) RETIRED. NAPA VALLEY COMMUNITY

FOUNDATION, FRIENDS OF THE CAMEO, HABITAT FOR HUMANITY

Previous Committee/Commission Experience:

SEE ATTACHED

Education/Experience: A resume may be attached containing this and any other information that would be helpful in evaluating your application.

SEE ATTACHED

Please explain your reasons for wishing to serve on the Task Force and what financial, real estate, architecture or other related specialties you believe would be valuable:

MY BACKGROUND IN PROPOSING, BUDGETING, EVALUATING, AND APPROVING FACILITY RELATED CAPITAL PROJECTS SEEMS TO LINE UP WELL WITH THIS COMMITTEE'S TASK.

Please explain how your participation will benefit the Task Force:

I HAVE SPENT MY ENTIRE CAREER PRIORITIZING AND ANALYZING CAPITAL PROJECTS, MANPOWER PLANS, AND EXPENSE BUDGETS. I GUESS IT COMES DOWN TO EXPERIENCE. THERE ISN'T TOO MUCH I HAVEN'T SEEN.

Names, addresses, and

Cathy Buck, Camille
IBRANCE MULLIGAN,
PAUL ROBERTS, NAPA

Signature of Applicant

Date

1/7/2020

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Thomas C. McBroom
Application for Appointment (Attachment)
Civic Infrastructure Task Force
City of St. Helena

Previous Committee/Commission Experience:

Napa County Civil Grand Jury (July 1, 2015-June 30, 2016). Secretary, Editorial Committee, Juror.

Evaluated and reported on several aspects of Napa County operations, including facility management, financial health, and performance measurement.

Napa Valley Community Foundation (July 2018 – Present). Board Member, Finance Committee member.

Mobilize resources, inspire giving, build knowledge, and provide leadership on vital community issues, including disaster relief, education, and housing.

Friends of the Cameo (2017-Present). Board Member, Treasurer.

Provide funding to enable the Cameo Cinema to provide a robust schedule of community programming. Monthly expense and capital analysis and reporting. Advise and fund capital projects such as HVAC upgrades, infrastructure support for new digital projection equipment, and repair and remodel activity.

Habitat for Humanity East Bay (1990-2019). Volunteer carpenter, board member, board treasurer.

Review and approve long range development plan, including revenue forecasts, project costs and schedules, site acquisition, and government relations. Review and monitor project status

Education/Experience:

Bucknell University, Lewisburg, PA

B. S. Civil Engineering (1969)

B. A. mathematics (1969)

Krannert Graduate School of Business, Purdue University, West Lafayette, IN

M. S. Industrial Administration (1973) – An intensive eleven-month business management program designed for math, science, and engineering undergraduates. Heavy emphasis on financial analysis

Work Experience:

World Savings, Golden West Financial, Oakland, CA (1983-2007).

Executive Vice President - responsible for annual budgeting and expense performance, security, compliance, customer service, legal, site acquisition for branch and headquarters facilities, and facilities construction and maintenance for multi-state 400+ branch network.

Budget Committee Member - Reviewed and approved all capital spending requests for facilities and equipment

Xerox Corporation, Rochester, NY, Los Angeles, CA (1973-1983)

Regional Controller, Business Products Division – Responsible for budgeting and monitoring manpower and expense performance for sales, service, and administrative functions for all West Coast BPD branch offices.

Financial Analyst – Responsible for budgeting and monitoring financial performance, including manpower, expense, and capital equipment for the company's warehousing and copy machine refurbishing operations

U. S. Navy (1969-1972)

Line officer in destroyers. Central and Western Pacific, Viet Nam. Communications Officer and Electronic Materials Officer. Qualified as Officer of the Deck and Command Duty Officer



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Civic Infrastructure Task Force

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Please check a box:

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- ☒ I am interested in volunteering my time as a subject matter expert for this Task Force. This means that I may be called to attend certain meetings, but not expected to attend all meetings.

Name: Dale Grossman

Home Address: Saint Helena

Mailing Address: Same

Occupation: Retired

Business Address: _____

Telephone: Home _____ Cell _____ Business _____

E-mail: _____

- Please indicate if above numbers can be made available to the public upon request: Yes or No

Resident of St. Helena? Yes or No Yes, how long have you lived in St. Helena? 6 years
 Current occupation (within last 12 months) _____

Retired

Previous Committee/Commission Experience:

None

Education/Experience: A resume may be attached containing this and any other information that would be helpful in evaluating your application.

See attached

Please explain your reasons for wishing to serve on the Task Force and what financial, real estate, architecture or other related specialties you believe would be valuable:

Broad based experience in finance, real estate and financial elements of construction management

Please explain how your participation will benefit the Task Force:

I can provide leadership and direction on financial matters while working within a team framework. It is my intent to provide expertise in financial related matters, and stay out of the way as non-financial matters are discussed and decided.

Names, addresses, and phone numbers of three individuals familiar with your background:

Geoff Ellsworth

Paul Dohring

Pat Dell

 Signature of Applicant

12-24-19
 Date

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DALE GROSSMAN

Summary

Diverse financial experience in real estate debt and equity due diligence in all major U.S. markets. Proven track record in optimizing investment returns through creative problem solving.

Experience

Self Employed Real Estate Investment Consultant

2012 – Present

Perform due diligence to support lending decisions on real estate projects in northern California. Property types / assignments include:

- **Apartments:**
 - San Jose, CA - \$8,500,000 loan on a 90-unit garden apartment complex.
 - Salinas, CA - \$12,900,000 loan on a 170-units garden apartment complex.
- **Office:**
 - Sunnyvale, CA - \$245,000,000 loan on a Class A office building.
 - Hayward, CA - \$25,000,000 loan on a flex/office facility
- **Hotel:**
 - Sonoma, CA - \$31,000,000 loan on a five diamond resort.
- **Retail**
 - Redwood City, CA - \$21,500,000 loan on a power center.
 - Salinas, CA - \$78,700,000 loan on the inline space at a four anchor regional mall.

METROPOLITAN BANK GROUP, Chicago, Illinois

2010 – 2011

Director of Commercial Risk Management

Duties include developing and implementing platform to manage commercial risk exposure for a mid-sized community bank holding company operating under an FDIC Consent Order.

- Reduced non-performing assets by 10% by improving loan delinquency.
- Implemented ALLL management program that reduced costs (by reducing over-impairments).
- Reduced rate of increase of new non-accruing loans and improved customer coverage on delinquent loans through enhancements in the management of Loan Administration Department.

CIENA CAPITAL, Chicago, Illinois

2008 - 2008

Executive Vice President and Managing Director

Senior executive in developing a start up, small balance, multifamily lending platform for a GSE execution. Responsibilities included; hiring staff, managing GSE due diligence process, negotiating contract with GSE.

LASALLE BANK, Chicago, Illinois

2000 - 2008

Managing Director and Chief Credit Officer – Real Estate Capital Markets

Provided credit management for three different real estate capital markets platforms. Annual securitized volume between \$9 - \$12 billion.

- Directed all elements of credit policy for a leading CMBS issuer. This included setting credit guidelines, warehouse management, loan inventory, interfacing with senior bank management.
- Served as lead contact in working with rating agencies and investors (b-piece buyers and roadshow investors) to optimize profitability and execution of securitizations.

COHEN FINANCIAL, Chicago, Illinois 1999 – 2000

Director of Conduit Underwriting

Directed CMBS underwriting for a national mortgage banker (nine offices, \$500 million annual volume).

- Managed all aspects of due diligence and underwriting for firm's private label program. Served as chief underwriting / due diligence liaison between company and CMBS lenders.

CAPITAL COMPANY OF AMERICA/CREDITVEST, Chicago, Illinois 1996 - 1999

Assistant Vice President

Conducted field underwriting for Commercial Mortgage Backed Securities real estate lending.

- Conducted site inspections and underwriting on over 100 commercial properties (\$700 million of loans). Responsibilities included borrower relations, market analysis, cashflow analysis/projections and property condition assessments. Property types included office, retail, industrial, multi-family and hotels.
- Supported negotiation of loan terms in a matrix-management structure. Interfaced with loan originators, third party consultants, outside brokers, legal department and internal credit department.

NOVAK CONSTRUCTION COMPANY, Chicago, Illinois 1995 - 1996

Director of Finance

Managed financial analysis, budgeting and job costing for a mid-sized construction company

NORTHEAST ILLINOIS REGIONAL COMMUTER RAILROAD, Chicago, Illinois 1993 - 1995

Project Financial Controller

HOMART DEVELOPMENT COMPANY, Chicago, Illinois 1988 - 1993

Portfolio Financial Manager

Financial Manager for a \$1 billion portfolio of office and retail properties. Duties included financial control of renovation and development properties.

LAVENTHOL & HORWATH San Francisco, California 1985 - 1988

Consultant

MANVILLE CORPORATION, Denver, Colorado 1983 - 1985

Manager – Financial Analysis

DINERS CLUB, Denver, Colorado 1982 - 1983

Senior Planning Analyst

AMERICAN EXPRESS COMPANY, New York, NY 1981 - 1982

Senior Planning Analyst

PRUDENTIAL INSURANCE COMPANY, Newark, NJ 1976 - 1981

Security Analyst

EDUCATION

M.B.A. – Finance	Fairleigh Dickinson University	1979
B.S. – Economics/Finance	American University	1976
Post-Graduate Studies – Finance	New York University	1980

OTHER

Founding Board Member

Gregory J. Spevok Award of Excellence at New York University's Graduate Business School



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Please check a box:

☐ I am interested in being a member of this Task Force and expect to be available to attend all meetings.

☒ I am interested in volunteering my time as a subject matter expert for this Task Force. This means that I may be called to attend certain meetings, but not expected to attend all meetings.

As I currently work down in the Bay Area during the week, but am retiring in January 2020, I will only be available part-time January-April 2020.

Name: Glean Goetz

Home Address:

Saint Helena, CA 94574

Mailing Address: Same as above

Occupation: Consulting Chief Financial Officer (CFO)

Business Address: Retiring January 2020

Telephone: Home _____ Cell _____ Business _____

E-mail: _____

➤ Please indicate if above numbers can be made available to the public upon request: Yes or No

Resident of St. Helena? Yes or No Yes, how long have you lived in St. Helena? 15 years
 Current occupation (within last 12 months) Consulting CFO

Kranz & Associates, Menlo Park, CA

Previous Committee/Commission Experience:

None

Education/Experience: A resume may be attached containing this and any other information that would be helpful in evaluating your application.

See attached resume.

Please explain your reasons for wishing to serve on the Task Force and what financial, real estate, architecture or other related specialties you believe would be valuable:

I believe that my extensive accounting and financial experience could be of benefit to the Task Force. I am a long-time resident and very passionate about making Saint Helena a better place to live and visit.

Please explain how your participation will benefit the Task Force:

My experience includes extensive financial planning with both large public companies and small privately-held start-ups. I believe this experience could be of benefit to the task force in accomplishing its objectives.

Names, addresses, and phone numbers of three individuals familiar with your background:

Vickie Bradshaw -

George David -

Elizabeth Goetz -

 Signature of Applicant

12/30/19
 Date

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GLENN B. GOELZ

I

SENIOR FINANCIAL EXECUTIVE with broad experience in dynamic, fast-paced, global software and technology companies, ranging in size from small venture-backed start-ups to publicly-traded companies with over \$1B in revenue. A strong understanding of SAAS business models, metrics and operations, focused on driving top-line growth and valuation, strategic and financial planning, international finance, turnarounds, and mergers and acquisitions. A results-oriented leader possessing a breadth of technical and operational experience which enables partnering with other members of the executive team, and an established reputation for building and leading world-class teams that effectively drive results across the organization.

PROFESSIONAL BACKGROUND

KRANZ AND ASSOCIATES, LLC, Menlo Park, CA **2009 - Present**
A small boutique financial consulting firm providing interim financial consulting services to small venture-backed companies.

Chief Financial Officer Consultant

Business partner to the CEO and a key member of the management team:

- Act as the part-time or interim CFO for venture-backed companies across a spectrum of clients, including SAAS companies in the big data customer intelligence, data integration, healthcare and automotive sectors.
- Lead financial planning activities with the executive team and develop multi-year plans to drive top-line growth, valuation and improved profitability.
- Assist in equity and debt fund raising activities.
- Prepare for and present at Board Meetings.
- Oversee all aspects of financial operations and cash management.

CAST IRON SYSTEMS, Mountain View, CA **2006 - 2008**
Venture backed start-up providing application integration appliances and services to the mid-market.

Chief Financial Officer

Business advisor to the CEO and a key member of the management team:

- Participated in the development of a new strategic plan focused on the SAAS data-integration market, and leveraging a subscription-based business model.
- Developed a three year business plan to achieve profitability and positive cash flow, which was instrumental in securing a \$16M round of equity funding.
- Responsible for all financial operations and financial planning.

INFORMATICA, Redwood City, CA **2004 -2006**
Leading worldwide provider of enterprise data integration software and services, with revenues of \$260 million.

Vice President of Finance

As a key member of the management team, responsible for all worldwide financial operations and planning.

GLENN B. GOELZ

- Instituted financial metrics across the organization that helped drive improved financial accountability, revenue growth, profitability and shareholder value.
- Strengthened the worldwide finance team, business processes and internal controls to achieve Sarbanes-Oxley compliance, and more effectively partner with the management team.
- Introduced an annual strategic planning process that aligned corporate objectives with the financial plan and employee compensation across the company.
- Presented at analyst conferences and other investor relations events.

BUSINESS OBJECTS, San Jose, CA

2000 - 2004

Leading worldwide provider of business intelligence and analytics software, with annual revenues of \$1billion.

Vice President of Finance, Americas

As a key member of the executive management team, responsible for all aspects of financial operations and planning within this \$550M division, including all information technology, legal and facilities activities.

- Drove growth and profitability for division from \$100M to \$550M, including the post-acquisition integration with Crystal Decisions and their financial organization and systems.
- Provided financial support for successful penetration of Latin American market, including conducting due diligence of potential acquisitions and establishing a successful direct sales presence.
- Worked with the Professional Services group in developing a successful business model, driving performance metrics and management, resulting in both increased growth and profitability.
- Managed worldwide financial systems design and implementation, including conversion to PeopleSoft ERP.
- Developed and implemented quarterly customer satisfaction survey, significantly improving service levels to field organizations over a two-year period.

NETTAXI.COM, Campbell, CA

1999-2000

A publicly-traded company developing online commerce-enabled communities with \$3 million in revenue.

Vice President of Finance/Chief Financial Officer

Responsible for all financial, legal and administrative responsibilities including investor relations.

- Raised \$24M in equity funding via private placement.
- Completed S-1 registration process with SEC achieving full reporting status.
- Consolidated manufacturing operations in Far East.

ADDITIONAL EXPERIENCE

Two year expatriate assignment in the United Kingdom as European Controller for Ungermann-Bass

Previous experience includes positions with Ernst & Young, HAJOCA Corporation, WILTRON, Silicon Graphics, Ungermann-Bass/Tandem Computers, Auspex Systems, Logitech, Simply Interactive and Pictra.

EDUCATION

Bachelor of Science, Accounting, Lehigh University, Bethlehem, PA, 1979
Certified Public Accountant (Inactive), 1982



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APPLICATION FOR APPOINTMENT

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Financing Civic Infrastructure Task Force

Application Due by January 7, 2020 at 5:00 p.m.

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Name: Thomas W. Allen

Home Address: _____

Mailing Address: " " " "

Occupation: Mgt Consultant

Business Address: _____

Telephone: Home Cell Business

E-mail: ✓

- Please indicate if above numbers can be made available to the public upon request: Yes or No

Resident of St. Helena? Yes or No Yes, how long have you lived in St. Helena? 15 years
 Current occupation (within last 12 months) _____

Mgt consultant

Previous Committee/Commission Experience:

Education/Experience: A resume may be attached containing this and any other information that would be helpful in evaluating your application.

See attached

Please explain your reasons for wishing to serve on the Task Force and what financial, real estate, architecture or other related specialties you believe would be valuable:

Concerned re: long term financial health of the city and vitality of downtown. I have significant financial experience: CPA, MBA in Finance from Stanford GSB, former CFO of major SF law firm.

Please explain how your participation will benefit the Task Force:

Help analyze & revise LRFF.

Names, addresses, and phone numbers of three individuals familiar with your background:

Stacey Bressler, 1
Rodney Friedrich
Eric Sklar, 1

Signature of Applicant

Date

1-6-20

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Thomas W. Allen



Thomas W. Allen serves Bay Area organizations in the role of Interim Chief Financial Officer or consultant in financial management process improvement and management reporting.

Mr. Allen is a Principal of Bay Area Consulting Group LLC (BACG), a management consulting firm that focuses on middle market clients in the Bay Area. He has provided Interim Chief Financial Officer, financial management and information technology planning services to biotechnology, manufacturing & distribution, telecommunications, financial services, professional service firms and other companies and non-profit organizations.

From 1998-2001, Mr. Allen extended an Interim CFO assignment to serve full time as Chief Financial Officer of Brobeck, Phleger & Harrison LLP, a \$600 million national law firm headquartered in San Francisco. Mr. Allen successfully managed a Firm-wide project to replace the Firm's general ledger, accounts payable, and billing and collections systems. As CFO, Mr. Allen was responsible for all accounting, financial planning and budgeting, renegotiation of long term and working capital credit facilities, equipment leasing, partnership accounting, and billing and collections, supervising a staff of 60 accounting personnel in San Francisco and 40 in the Firm's 8 other offices.

While with BACG and its predecessor firm, Mr. Allen has focused on the strategic use of information technology to achieve financial and business objectives, with a special emphasis on management information reporting in the executive decision-making process. He has conducted many IT "direction-setting" projects -- typically conducted for the client's CFO -- that include financial management process improvement, strategic systems planning, system requirements definition, software evaluation and selection, recovery of runaway IT projects, and the like. He has consulted for a variety of companies, including:

- Serving as CFO for Catenas Inc., an international network-based professional services firm funded by a Danish venture capital firm;
- Conducting a profit and process improvement project for Higgins Procurement, Inc.;
- Performance of a series of projects for Bio-Rad Laboratories related to improving the use of IT to support business processes, including the restructuring of a manufacturing systems selection project;
- The selection of a new financial management system for Lucasfilm, Ltd.;
- The development of strategic systems plans for Octel Corporation, Harder+Company, the Trust for Public Land, East Bay Regional Park District, and Northern California Presbyterian Homes;
- A variety of business process improvement projects for VLSI Technology,
- Reengineering of the equipment fulfillment process for CellularOne (later AT&T Wireless); and
- A series of other projects for Charles Schwab & Co., Homestake Mining, Amdahl Corporation, AirTouch, National Semiconductor, Failure Analysis Associates, Raynet Corporation and other commercial clients.

Prior to founding BACG's predecessor firm in 1989, Mr. Allen was a management consulting partner with KPMG Peat Marwick, where he consulted for major clients over a 14 year period. He managed a wide variety of projects for commercial clients and public sector organizations.

Mr. Allen served for two years as a U.S. Navy officer in the Vietnam War, including two combat deployments. He holds a BA from the University of Pennsylvania and an MBA from the Stanford University Graduate School of Business. He is a CPA and a Trustee Emeritus of the San Francisco Ballet Association.

CITY OF ST. HELENA

RESOLUTION NO. 2020-

Appointing Member to the Financing Civic Infrastructure Task Force

RECITALS

- A. At the December 10, 2019, regular City Council meeting, the City Council adopted resolution 2019-137 creating the Financing Civic Infrastructure Task Force.
- B. The purpose of the Financing Civic Infrastructure Task Force is to review and analyze the financing options for the possible construction of new or remodeled civic institutions in St. Helena as well as other infrastructure, such as storm drains and downtown streetscape, and to provide recommendations to the City Council.
- C. Applications to the Financing Civic Infrastructure Task Force have been received from eight community members and three applications from subject matter experts.
- D. Per City Council Rules of Procedure appointments shall be made by interview, ballot process and the Mayor shall nominate applicants with the appointments subject to approval by the majority of Council.

RESOLUTION

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

1. Financing Civic Infrastructure Task Force

- a. _____ are appointed to the Financing Civic Infrastructure Task Force. Approved at a Regular Meeting of the St. Helena City Council on January 28, 2020, by the following vote:

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

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzaopoulos, City Clerk

Cindy Tzaopoulos

From: Anna Chouteau
Sent: Monday, January 27, 2020 4:49 PM
To: Cindy Tzaopoulos
Cc: Mark Prestwich
Subject: Financial Task Force Comment

Hi Cindy,

Since I can't attend the council meeting tomorrow night I wanted to make two brief comments on two agenda items.

1. Agenda item 11.1 on the Financing Civic Infrastructure Task Force. I believe it is a more manageable process with five members rather than seven. With five, the group can be more efficient and productive working together and hopefully provide us with a clear consensus.

2. Agenda item 11.4

I support Measure K for all the following reasons:

- The creation of open space is an opportunity in the development of a region which offers ongoing health benefits and higher quality of life.
- There are recreational benefits and economic benefits. All my favorite places to live and visit have access to fantastic open space
- Green space helps define the boundaries and identities of local communities and it also provides higher air quality and other environmental services like processing pollutants for cleaner drinking water.
- Open space supports diversity of plants and animals, offers habitat protection and opportunities for carbon sequestration.
- Communities with adequate open space are healthier and more resilient. We live in one of the most beautiful places in the world and the more of us who can get out and enjoy it, the healthier and happier we will be.

Anna

Anna Chouteau

St. Helena City Councilmember
1480 Main Street
St. Helena, Ca 94574
C: 707-968-1865
www.cityofsthelena.org



Report to the City Council
Regular City Council - 28 Jan 2020

Agenda Section: NEW BUSINESS

Subject: City Council consideration of a resolution authorizing the City to become a member of a subregional entity to administer the Regional Housing Needs Allocation (RHNA) process for the 2022-2030 cycle;

CEQA Determination: Approval of resolution not a “project” as defined in Section 15378(a) of State CEQA Guidelines. Even if determined to be a “project” subject to CEQA, action is exempt under the common sense exemption set forth in Section 15061(b)(3).

Prepared By: Aaron Hecock, Senior Planner

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

In 1969, the state mandated that all California cities, towns and counties must plan for the housing needs of residents regardless of income. This state mandate is called the Housing Element and Regional Housing Needs Allocation (RHNA). As part of RHNA, the California Department of Housing and Community Development (HCD), determines the total number of new homes the Bay Area needs to build, and how affordable those homes need to be, in order to meet the housing needs of people at all income levels.

The Association of Bay Area Governments (ABAG), working with the Housing Methodology Committee (elected officials, local staff and stakeholders, who develop a methodology to distribute to each local government a fair share of the total number of housing units by income the Bay Area needs to add), then distributes a share of the region's housing need to each city, town and county in the region. Once a local government has received its final RHNA from ABAG, it must revise the Housing Element of its General Plan and update zoning ordinances to accommodate its portion of the region's housing need. Communities are also required to report their progress to HCD annually.

DISCUSSION

As part of the RHNA process, local jurisdictions have the opportunity to form a subregion to conduct an allocation process that parallels, but is separate from, the regional process. A summary of the subregional process is attached to this report.

Once each subregion receives its share of the total housing need by income, it must meet the same statutory requirements and follow the same steps as the regional allocation process.

Every subregion must develop its own methodology, issue draft allocations to member jurisdictions, conduct the revision and appeal processes, and issue final allocations.

If the City elects not to enter the subregional entity, the municipality would be bound by whatever RHNA allocation ABAG prescribes. It should be noted that the City can elect to withdraw from the subregional entity at a later date if it so chooses to do so by providing written notice to ABAG.

The County of Napa is taking the lead in drafting the Request for Proposals (RFP) for a consultant to assist with this process. Each jurisdiction that decides to participate shall appoint two elected officials to the Napa Subregional Housing Allocation Committee (NSHAC). The first meeting is tentatively set for the second week of February.

FISCAL IMPACT

The subregional entity would hire a consultant to prepare and manage the housing allocation methodology at an estimated cost of \$50,000, evenly divided among the subregional participants (the cost would be \$10,000 to \$12,500 for each jurisdiction depending on how many jurisdictions participate). A budget adjustment for this item will be recommended at the FY 2019-20 Mid-year budget review.

RECOMMENDED ACTION

Discuss and consider joining the subregional entity and either approve or deny the attached resolution; and, if joining the subregional entity, designate two City Council representatives.

ATTACHMENTS

[RHNA Subregion Process Overview](#)

[Subregional Entity Formation Resolution](#)

Summary of Steps for Completing the RHNA Process

This is a summary of the steps a delegate subregion created under Government Code Section 65584.03 is required to take in order to complete the RHNA process, as outlined in Government Code Section 65584.04. It is not intended to be legal advice. Each subregion should rely on the advice of its own legal counsel to interpret the requirements of RHNA law.

The table below outlines specific dates when the ABAG and subregion RHNA processes intersect. These dates are also noted in the summary of steps below. For many of the steps, the subregion has discretion to decide on the specific date by which they will be completed, as long as the timing is consistent with what is required by law. This is a draft schedule based on the best available information as of Fall 2019; dates are subject to change.

1. Develop methodology (the statute is written so this occurs prior to knowing the need determination) [65584.04]
2. Receive total need number
 - Draft from ABAG to subregions in May 2020, final in July 2020
 - Public hearing on draft subregion share of total need in June 2020
3. Release proposed methodology for public comment; conduct public hearing on proposed methodology [65584.04(d)]
 - Subregion determines timing for this
 - Subregion must explain in writing how the statutory factors were incorporated into the methodology and how it furthers the RHNA objectives [65584.04(f)]
 - Make changes to proposed methodology based on public comment, as needed [65584.04(h)]
4. Publish draft methodology and send to HCD [65584.04(h)]
 - A jurisdiction cannot opt out of a subregion after the draft methodology is sent to HCD
 - No later than December 2020, but realistically needs to be earlier because of timing required for subsequent steps
5. HCD 60-day review period [65584.04(i)]
 - Starts once HCD receives draft methodology
6. Adopt final methodology after revising the draft method based on HCD feedback or making findings as to why the subregion believes the draft methodology furthers the RHNA objectives without incorporating HCD comments [65584.04(i)] and provide notice to jurisdictions and HCD [65584.04(k)]
 - HCD has 90 days to review the adopted methodology and provide comment [65584.04(l)]
7. Release draft allocations to jurisdictions and HCD [65584.05(a)]
 - The allocation shall include the underlying data and the methodology on which it is based and a statement as to how it furthers the RHNA objectives
8. Conduct appeals process and issue final allocation
 - Jurisdictions/HCD have 45 days to file an appeal [65584.05(b)]
 - Jurisdictions/HCD must be notified and have 45 days to comment on appeals [65584.05(c)]
 - Subregion provides notice to all jurisdictions and conducts public hearing on appeals no later than 30 days after close of comment period on appeals [65584.05(d)]
 - No later than 45 days after public hearing, subregion takes action on appeals and issues proposed final allocation plan [65584.05(e)]
 - Complete by March 2021 so subregion's proposed final allocation plan can be incorporated into ABAG Final RHNA Plan
9. ABAG adopts final allocation, including public hearing – July 2021
 - Within 45 days after issuing the region's proposed final allocation [65584.05(g)]

Subregion Intersections with ABAG RHNA Process

Deadline for subregions to form	February 2020
ABAG releases Draft Subregion Share of total housing need	May 2020
ABAG conducts public hearing on Draft Subregion Shares	June 2020
ABAG assigns Subregion Shares	July 2020
Statutory deadline for subregion to submit Draft Methodology to HCD	December 2020
Deadline for jurisdictions to opt out of subregion	Before Draft methodologies sent to HCD
Deadline for subregions to submit Final Allocations to ABAG	March 2021

October 7, 2019

CITY OF ST. HELENA

RESOLUTION NO. 2020-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ST. HELENA AUTHORIZING THE CITY OF ST. HELENA TO BECOME A MEMBER OF THE NAPA SUBREGION HOUSING ALLOCATION COMMITTEE (NSHAC) TO ADMINISTER THE REGIONAL HOUSING NEEDS ALLOCATION PROCESS FOR THE NAPA SUBREGION 2022-2030 HOUSING ELEMENT UPDATE

RECITALS

A. The Association of Bay Area Governments (ABAG) is required by State law to administer the Regional Housing Needs Allocation (RHNA) process in the Bay Area;

B. ABAG has begun preliminary work on developing the process with the objective of completing the program in July of 2021;

C. State law allows ABAG to delegate the authority to allocate the housing need within a subregion to a “subregional entity” that consists of any combination of geographically contiguous local governments within ABAG;

D. The representatives of jurisdictions within Napa County have undertaken the task of forming a subregional entity; and

E. The City of St. Helena desires to join the Napa subregion and become a member of the Napa Subregion Housing Allocation Committee (NSHAC) on the terms described below.

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED that the St. Helena City Council approves the formation of the Napa Subregion Housing Allocation Committee. The City Manager shall ensure that a copy of this resolution is delivered to ABAG and is authorized and directed to execute and deliver all necessary documentation necessary to facilitate the formation of the Napa Subregion Housing Allocation Committee in a manner consistent with this resolution and state law.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City of St. Helena acknowledges and agrees that:

1. The Napa Subregion Housing Allocation Committee will adopt rules for decision making and will transmit a copy of the adopted rules to ABAG once subregion members have passed resolutions adopting them.

2. The Napa Subregion Housing Allocation Committee will identify an authorized representative to act on behalf of the subregional entity and serve as contact with ABAG.

Approved at a Regular Meeting of the St. Helena City Council on January 28, 2020 by the following vote:

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

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzafopoulos, City Clerk



Report to the City Council
Regular City Council - 28 Jan 2020

Agenda Section: NEW BUSINESS

Subject: Discussion and Direction Regarding Flavored Tobacco and E-Cigarette Products

CEQA Determination: Not a CEQA project

Prepared By: Preya Nixon, Asst. to the City Manager

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

At the November 26, 2019 City Council Meeting, Mayor Geoff Ellsworth and Council Member Mary Koberstein reported they met with the UpValley Family Centers to learn more about the impacts vaping has on public health and on children's safety. During the City Council meeting, the Council directed staff to bring information and ideas to a future meeting to discuss possible policy options to address this issue.

The City Council has taken the following prior legislative action regarding tobacco use:

At the September 9, 2008 City Council meeting, the Council approved Ordinance Number 2008-03, adding Chapter 9.06 to Title 9 (attached), which prohibits

- Smoking Inside All Public Buildings,
- Smoking Within 20 Feet Of Public Buildings,
- Smoking At All Sports Facilities And Sports Spectator Areas,
- Smoking At Playground Structure Located Within City Parks.

At the April 24, 2012 City Council meeting, the City Council approved Ordinance Number 2012-4 which amended Chapter 9.06 "Smoking Regulations" to prohibit smoking in municipal parks.

At the July 24, 2018 City Council meeting, the City Council approved Ordinance Number 2018- 4, amending Chapter 9.06, Title 9; Public Peace And Welfare, of the St. Helena Municipal Code, to include the use of electronic smoking devices and electronic cigarettes to the City's smoking regulations.

Background and Health Impacts on Flavored Tobacco

Flavored tobacco is defined as any tobacco product that contains a constituent that imparts a characterizing flavor. There are over 1,500 tobacco flavors on the market, many of which have names that are attractive to youth including “bubblegum” and “unicorn pop”. Flavored products are often referred to as ‘starter’ products for youth who begin using tobacco through vaping devices. This product manipulation has significant public health implications as it can lead to years of addiction. Flavored tobacco comes in the form of liquid that when heated, form an aerosol that emits toxic chemicals known to cause cancer, birth defects, and other reproductive harm (Source 1).

According to a recent study by the California Department of Public Health Tobacco Control Program, one in eight California high school students currently use any tobacco product, with the most used product among all students being electronic smoking devices (10.9 percent). Of those that currently use tobacco, an overwhelming majority use electronic smoking devices (84.3 percent). In addition, 86.4 percent of youth tobacco users reported using flavored tobacco products. (Source 1).

Currently in the U.S., cigarettes are prohibited from containing flavors other than menthol; however, other tobacco products such as e-cigarettes and hookah tobacco are exempt from this regulation. In 2016, the State of California raised the minimum legal sales age for tobacco products to 21. Tobacco and vape shops have the lowest compliance with this law, with one out of three tobacco and vape shops selling to underage minors. (Source 2).

Consistency with the General Plan

The City of St. Helena’s General Plan Update 2040 in the Public Health, Safety and Noise Section (Section 9) encourages mitigating the public health and safety risks caused by tobacco smoke as it poses a particular threat to sensitive populations such as children. Additionally, PS1.H under the implementation actions specifically states “continue to implement an ordinance to restrict exposure to environmental tobacco smoke in new and existing multi-dwelling units, public events, and outdoor areas such as parks and playgrounds.”

Consistency with the Council’s Workplan

Council Workplan Goal 5 is to “Support Thriving Families and Enhance the Safety, Well-Being and Healthy Development of Our Youth”. Addressing youth concerns around vaping is a way to enhance participation of youth and families in St. Helena.

DISCUSSION

The State of California has not passed a ban on flavored tobacco and/or vaping products. However, in early January 2020, Senate Bill 793 (Senator Durazo, Principal coauthor) was introduced that would prohibit flavored products including menthol flavored cigarettes and flavored tobacco products.

Many California cities have their own restrictions on banning the sale of flavored tobacco products, including menthol cigarettes, vaping products, establishing proximity requirements, and requiring a special license to sell tobacco products.

Staff researched cities with adopted policies on vaping and prepared a summary table below to document the various policy actions each have taken with respect to tobacco:

Type of Action/Legislation	Prohibits Sale of Flavored Tobacco Products	Prohibits the sale of e-Cigarettes	Prohibits the sale of Cigarettes with Menthol Flavor	Imposes Proximity requirements for new tobacco retailers near schools, playgrounds and libraries	Requires a tobacco retailer license	Prohibits sale of tobacco products in pharmacies	Prohibits smoking in public parks	Prohibits use of E-Cigarettes and Electronic Smoking Devices to smoking regulations
City								
Berkeley	X			X 600 feet of any school		X (no new license shall be issued to pharmacies)	X	X
Corte Madera	X				X	X	X	X
El Cerrito	X			X	X		X	X
Larkspur	X					X	X	X
Novato	X						X	X
Palo Alto	X			X	X		X	X
Sacramento	X			X	X		X	X
San Anselmo	X					X	X	X
San Carlos	X					X	X	X
San Rafael	X				X		X	X (doesn't specifically state e-cigarettes but references any tobacco product).
St. Helena							X (Adopted on 4/12/2012)	X (Adopted on 7/24/2018)
Visalia	X	X	X	X (has not determined exact distance)				X

Tobacco Licensing Programs

Some cities have enacted a tobacco retailer licensing program that allows for the sale of tobacco products upon successfully enrolling in the program.

Components of a program like this may include the following:

- Requiring retailers to obtain a valid license to act as a tobacco retailer by filling out an application.
- Pay applicable license fee.
- Reapply on a yearly basis within one month of expiration.
- Program administrator has the ability to deny, revoke or suspend application.
- An appeal and hearing process.

The City currently does not have a tobacco retailer licensing program; however, tobacco stores (such as a cigar shop) are required to obtain a conditional use permit. As there are no tobacco stores presently in the City, there are no use permits on file. However, staff contacted St. Helena convenience stores and gas stations, and three businesses reported they sell flavored tobacco products within City limits.

In reviewing policies adopted by other agencies, it was noted extensive public outreach, including workshops, were often held to assist governing bodies in developing policies that best fit the needs of the local community. Additionally, in some cases, cities within the same county worked together to establish a singular policy for consistency, which was suggested by Councilmembers Koberstein and Chouteau.

Stakeholder Outreach

Staff reached out to numerous community stakeholder groups: UpValley Family Centers (UpValley Partnership for Youth), American Lung Association, Adventist Health, Catalyst Coalition and Tobacco Free Napa. These organizations have a vested interest in the public health and safety of the St. Helena community, specifically concerns regarding youth demographics and tobacco consumption. Feedback and concerns included the following:

- Vaping and tobacco products as public health threat for youth; specifically, flavored tobacco as a 'starter' product that can lead to years of addiction.
- The accessibility of vaping products for youth.
- Youth within the St. Helena community see this as a serious public health threat.
- Banning flavored tobacco is an effective prevention method, and prevention should be the main focus.
- In addition to the pulmonary concerns, the chemicals and nicotine in flavored tobacco impact brain development in youth. As brain development stops at age 25, enticing flavored tobacco products are highly addictive and can affect the brain development.

To provide a balanced view, staff also reached out to stakeholders representing the tobacco industry. The intent behind the conversation was to ask them what strategies they were implementing to reduce youth vaping. Staff reached out to JUUL, but did not receive a response. Staff spoke to the CEO of the American Petroleum & Convenience Store Association who stated that convenience stores see themselves as a first line of defense when it comes to prevention, and will work with local municipalities and law enforcement to comply with any new regulations.

It should be noted that since convenience stores are often viewed as a 'one stop shop', once flavored tobacco has been banned, some stores experience a drop in revenue. For single store operators, the impact was reported as significant. The CEO noted that it is critical for agencies to communicate and be cognizant of timing when implementing a new policy. For most agencies, a successful implementation allowed time for stores to re-strategize their inventory approach.

Policy Options

Staff is seeking direction from the City Council on potential ordinance revisions as identified below or other ideas:

1. Prohibit the sale of flavored tobacco products.
2. Institute a tobacco retailer licensing program.
3. Prohibit the sale of tobacco products in pharmacies.
4. Institute proximity requirements for stores that sell tobacco products.
5. Prohibit the sale of cigarettes and e-cigarettes that include menthol.

Should direction be provided to advance any policy option(s), staff will work with the City Attorney to prepare an ordinance for consideration by the City Council. Staff is also seeking feedback on any additional Council desired community or stakeholder outreach.

Sources:

1. (1) Vuong TD, Zhang X, Roeseler A. California Tobacco Facts and Figures 2019. Sacramento, CA: California Department of Public Health; May 2019.
2. (2) Young Adult Tobacco Purchase Survey, 2018. Sacramento, CA: California Department of Public Health; October 2018).

FISCAL IMPACT

Not applicable.

RECOMMENDED ACTION

Provide direction to staff on any additional outreach and/or policy direction regarding flavored tobacco and e-cigarette products.

ATTACHMENTS

[CATobaccoFactsandFigures2019](#)

[Sample- City of San Carlos Staff Report on Flavored Tobacco](#)

[SHMC Chapter 9.06 - Smoking Regulations](#)

CALIFORNIA TOBACCO FACTS AND FIGURES 2019

California Department of Public Health
California Tobacco Control Program

Inquiries may be directed to:

Xueying Zhang, MD, MPH, MS
Chief, Surveillance Unit
California Department of Public Health
CDIC/Tobacco Control Program
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Suggested citation: Vuong TD, Zhang X, Roeseler A. California Tobacco Facts and Figures 2019. Sacramento, CA: California Department of Public Health; May 2019.

Any analyses, interpretations, or conclusions reached from the data are credited to the authors and not the data provider. Several data sources are used in this document. Each data source is based on a different survey or surveillance tool, and therefore readers may see slightly different rates throughout this report. However, the rate differences are not statistically significant and represent the most accurate and complete picture of California to the best of our knowledge.

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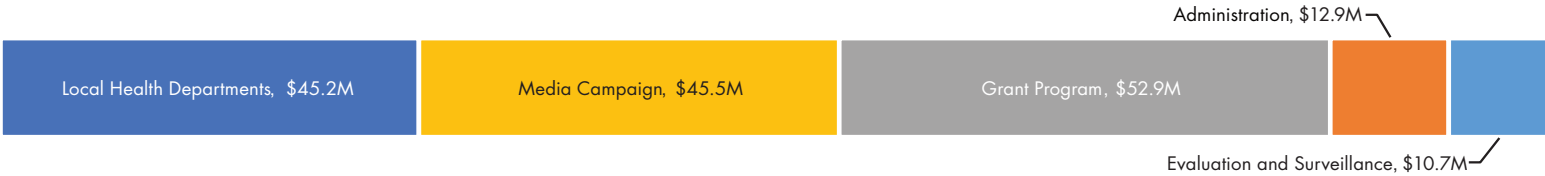
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INTRODUCTION

The California Department of Public Health (CDPH), California Tobacco Control Program (CTCP) was established in 1989 after California voters passed the *Tobacco Tax and Health Protection Act of 1988* (Proposition 99). Since then, California voters renewed their support in the fight against tobacco use by passing the *California Healthcare, Research and Prevention Tobacco Tax Act of 2016* (Proposition 56).

With a projected \$2.1 billion in California tobacco tax revenue to be collected in fiscal year (FY) 2018-19,¹ CDPH/CTCP was appropriated \$37.7 million from Proposition 99 and \$129.5 million from Proposition 56 by the Legislature and the Governor for health education for fiscal year 2018-19 (Figure 1).

Figure 1. Allocation of health education funding to the California Department of Public Health, FY 2018-19



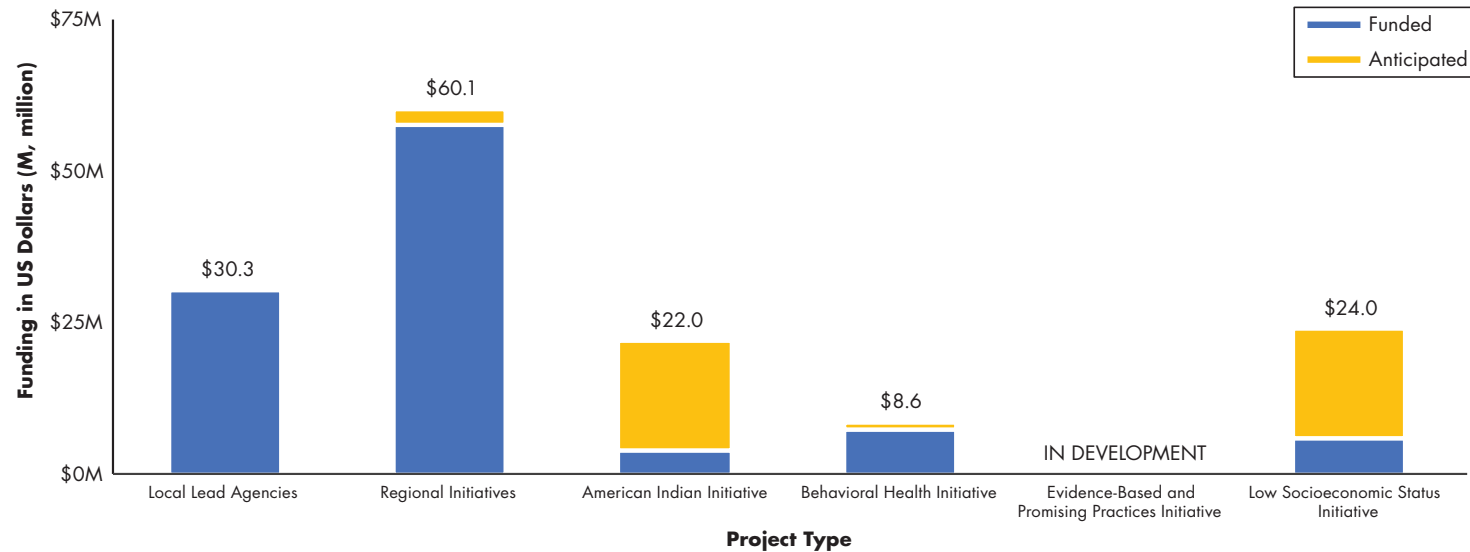
Source: California Department of Public Health, California Tobacco Control Branch; Sacramento, CA: California Department of Public Health; August 2018.

CDPH/CTCP receives guidance from the Tobacco Education and Research Oversight Committee (TEROC), a legislatively-mandated advisory committee charged with overseeing Proposition 99 and Proposition 56 revenues for tobacco control, tobacco use prevention, and tobacco-related research. TEROC established three goals for California’s tobacco control efforts:

- (1) Reduce all tobacco use to no more than 10 percent in adults and 8 percent in high-school age youth by December 2020;
- (2) Accelerate the reduction in tobacco use rates and eliminate tobacco-related disparities among priority population; and
- (3) Eliminate the structural, political, and social determinants that sustain the tobacco epidemic in California.²

To achieve these goals, CDPH/CTCP seeks to create a climate in which tobacco becomes less desirable, less acceptable, and less accessible. In 2017, CDPH/CTCP launched an initiative to accelerate declines in tobacco-related disparities through extensive engagement of priority population groups in tobacco control efforts. To date, CDPH/CTCP has funded over \$100 million in grants and contracts towards this initiative, which includes a minimum 15 percent of the funds allocated to local health departments for comprehensive tobacco control efforts (Figure 2).³

Figure 2. Total project funding for the Initiative to Reduce Tobacco-Related Disparities, FY 2017-18 to FY 2020-21



Note: Project funding is as of April 12, 2019 and may change if the Budget Act of the current year and/or any subsequent years covered by each individual grants or contracts agreement does not appropriate sufficient funding for the program. Source: California Department of Public Health, California Tobacco Control Program; Sacramento, CA: California Department of Public Health; March 2019.

This publication serves as a quick reference and snapshot of the current state of tobacco control in California. With the changing landscape of tobacco use in California, a tremendous amount of work remains to be done in order to achieve TEROC's goals of reducing adult tobacco use to no more than 10 percent and teen use to 8 percent by 2020.

April Roeseler

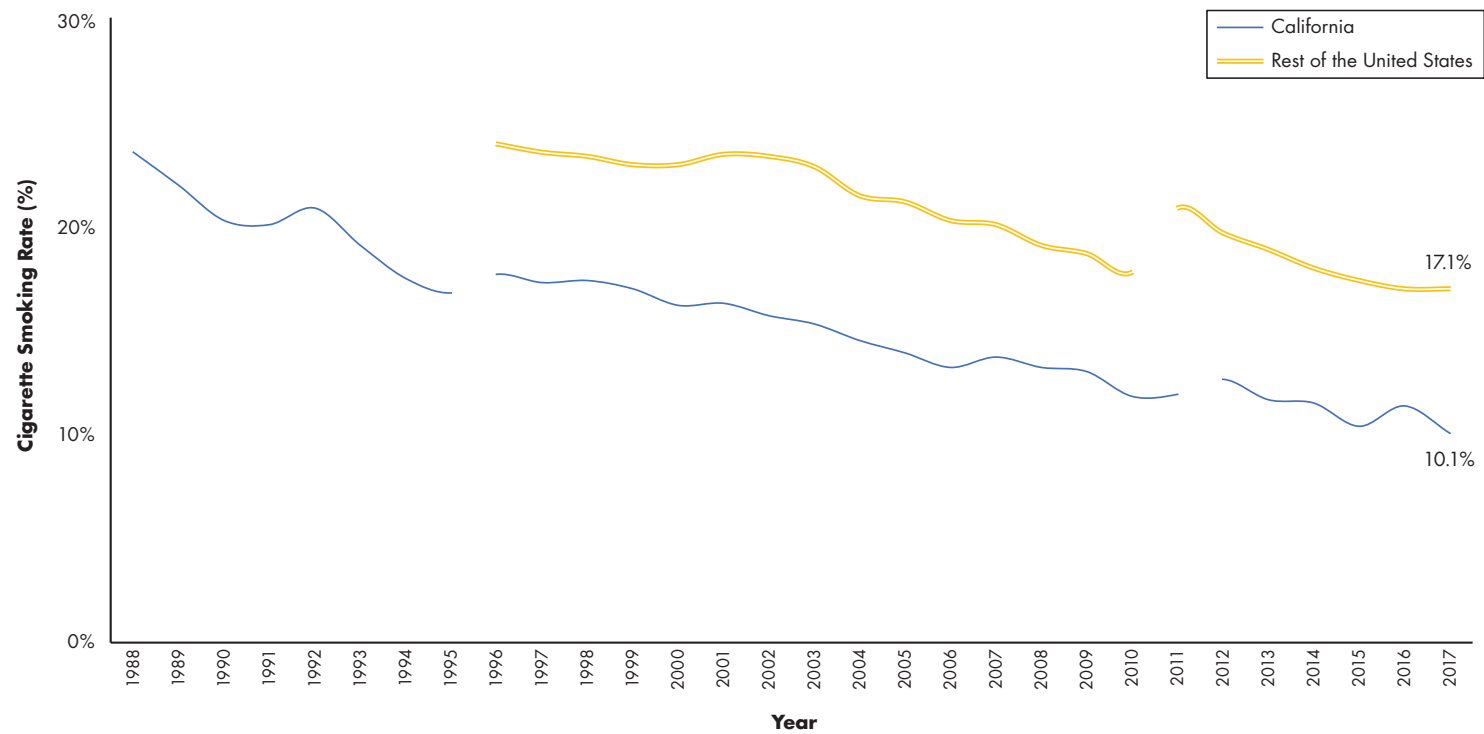
April Roeseler, Tobacco Control Branch Chief
California Department of Public Health

ADULT TOBACCO USE

ADULT CIGARETTE USE

Fewer adults are smoking cigarettes than ever before.^{4,5} The adult cigarette smoking rate in California declined by 57.4 percent between 1988 and 2017 (Figure 3),⁴ with a current rate of 10.1 percent or about 2.8 million adults.

Figure 3. Cigarette smoking rate among California adults, 1988 to 2017

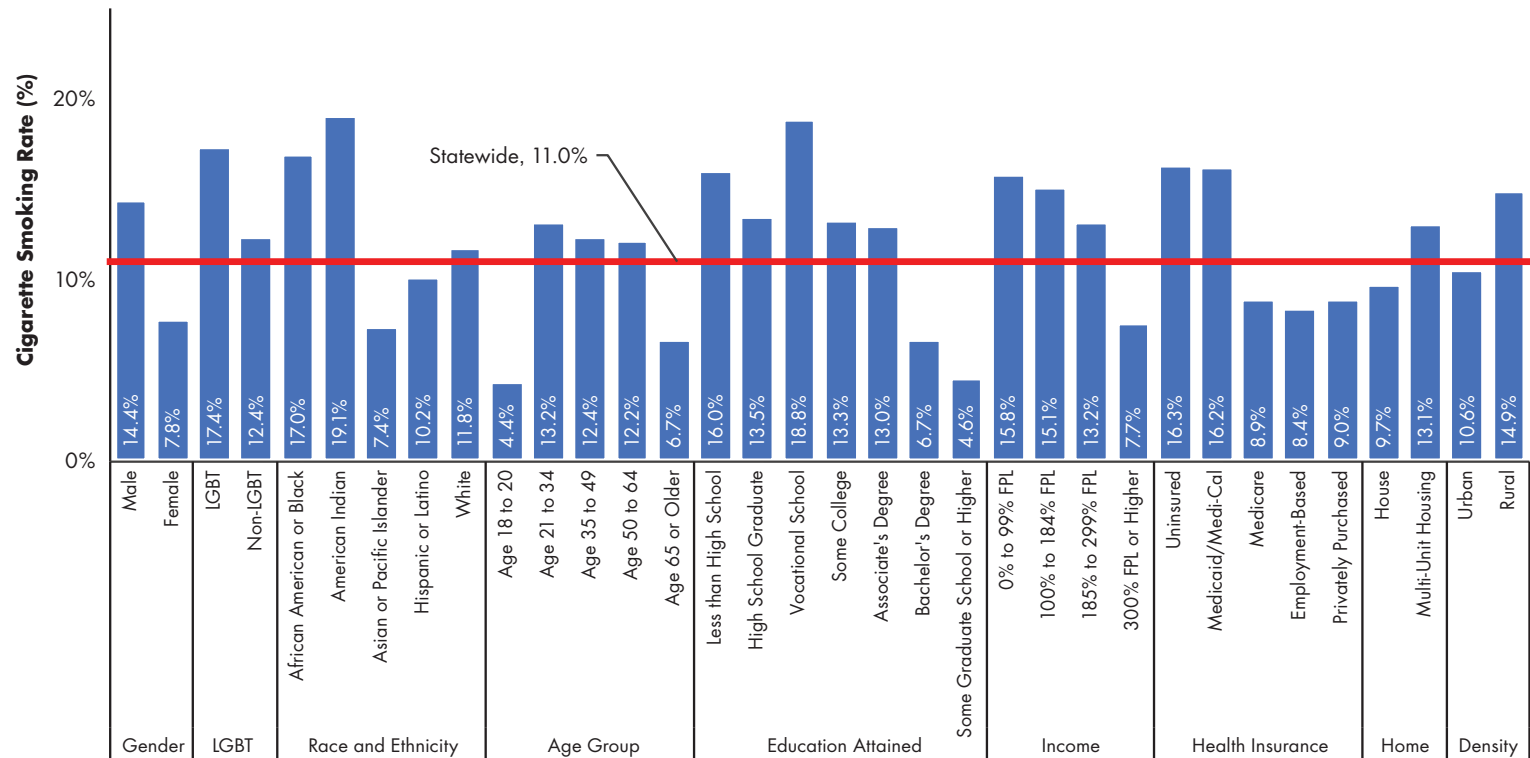


Note: Restricted to respondents aged 18 or older. Cigarette use is based on self-reported current use. A break in the trend line is shown for California data between 1995 and 1996 and between 2011 and 2012 due to methodological change. A break in the trend line is shown for the Rest of the United States data between 2010 and 2011 due to methodological change. Source: (1) Behavioral Risk Factor Surveillance System, 1988 to 2017. Sacramento, CA: California Department of Public Health; October 2018. (2) Behavioral Risk Factor Surveillance System, 1996 to 2017. Atlanta, GA: Centers for Disease Control and Prevention; October 2018.

ADULT CIGARETTE USE BY DEMOGRAPHICS

Disparities remain for cigarette use among groups defined by gender and sexual orientation, race and ethnicity, age, educational attainment, income, health insurance type, housing type, and community density as depicted in Figure 4.⁶

Figure 4. Cigarette smoking among California adults by demographics, 2016-17

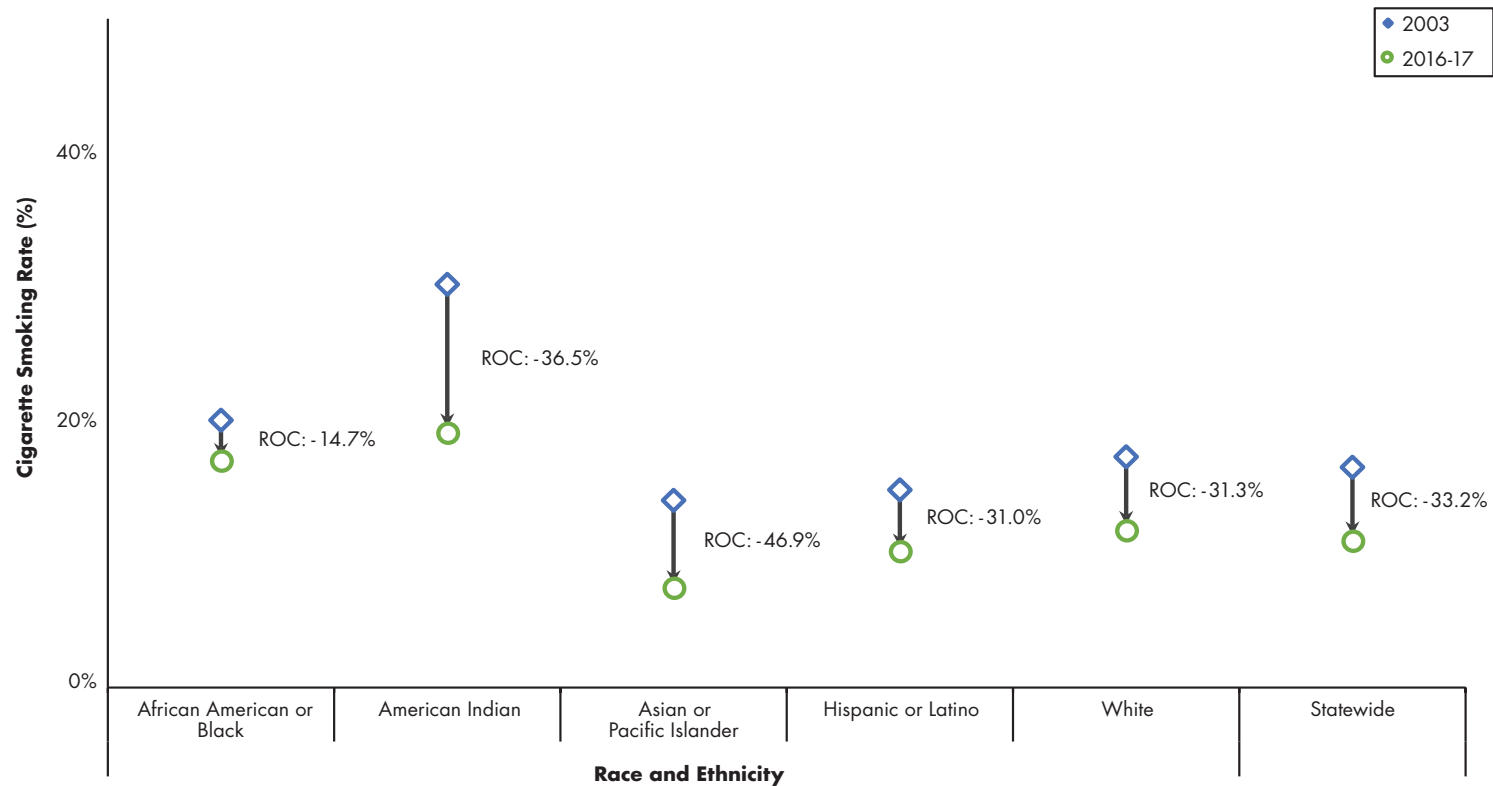


Note: Restricted to respondents aged 18 or older, except for LGBT status which is restricted to respondents aged 18 to 70 (the statewide rate for aged 18 to 70 is 11.8 percent). Cigarette use is based on self-reported current use. The race and ethnicity categories are non-Hispanic or Latino unless otherwise noted. American Indian includes Alaska Native. Asian or Pacific Islander includes Native Hawaiian. LGBT refers to lesbian, gay, bisexual, or transgender. FPL refers to the Federal Poverty Level. Rural is based on definition from the Nielsen Consumer Activation, where the population density is fewer than 1,000 persons per square mile. Source: California Health Interview Survey, 2016-17. Los Angeles, CA: UCLA Center for Health Policy Research; October 2018.

ADULT CIGARETTE USE RATE OF CHANGE BY RACE AND ETHNICITY

African American or Black adults saw a smaller decrease in the reduction of cigarette use over the past fifteen years compared to other groups, reducing their rate by only 14.6 percent from 2003 (Figure 5).^{6,7} American Indian adults saw a greater rate of decrease at 20.6 percent, but overall use rate still remains high.

Figure 5. Rate of change (ROC) in cigarette smoking among California adults by race and ethnicity, 2003 to 2016-17

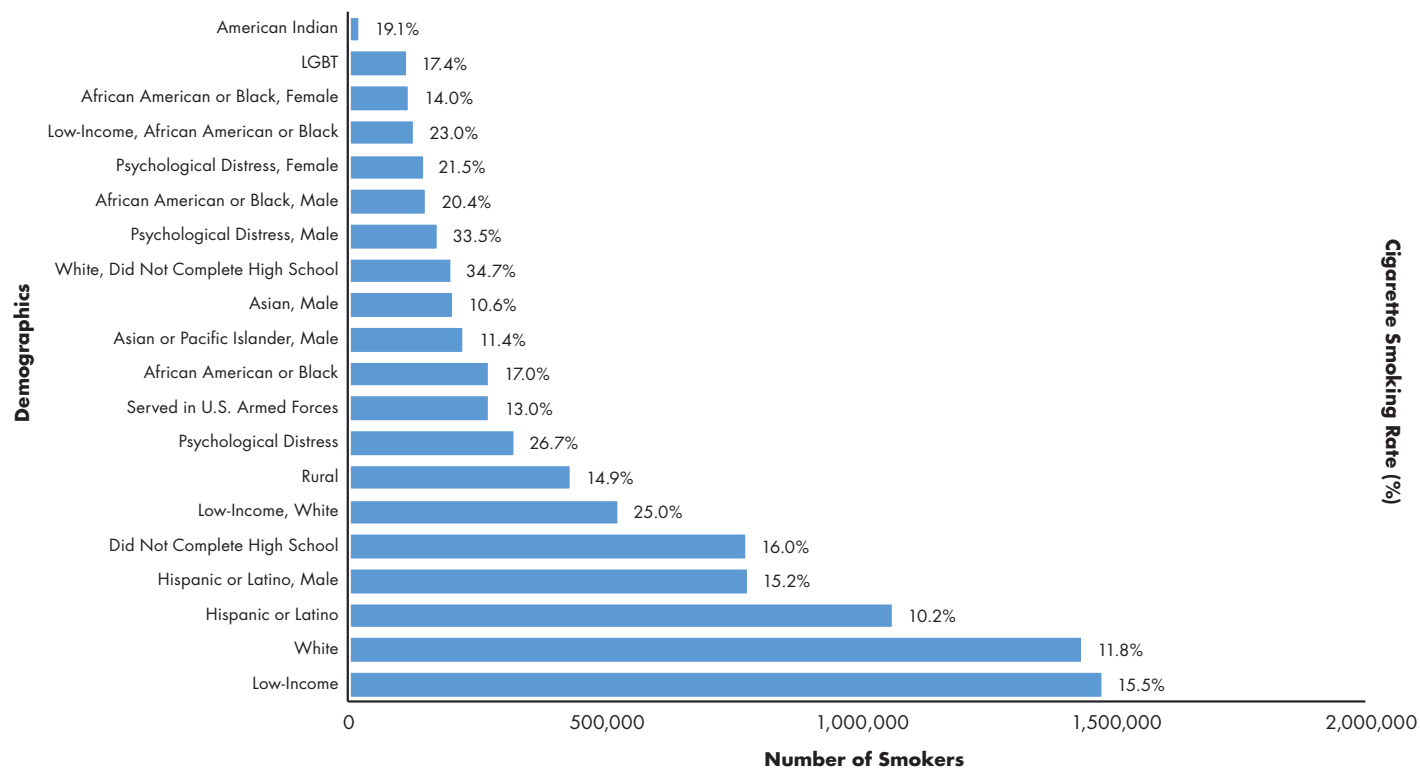


Note: Restricted to respondents aged 18 or older. Cigarette use is based on self-reported current use. The race and ethnicity categories are non-Hispanic or Latino unless otherwise noted. ROC refers to the rate of change between CHIS 2003 and CHIS 2016-17. Source: California Health Interview Survey, 2003 and 2016-17. Los Angeles, CA: UCLA Center for Health Policy Research; October 2018.

NUMBER OF ADULT CIGARETTE SMOKERS BY DEMOGRAPHICS

Cigarette smoking rates vary considerably; however, in considering the burden of smoking by demographic group, it is important to recognize that while the smoking rate may be lower in a group such as Hispanic or Latinos, this group makes up over 1 million of California's adult smoking population (Figure 6).⁶

Figure 6. Number of cigarette smokers among California adults by demographics, 2016-17



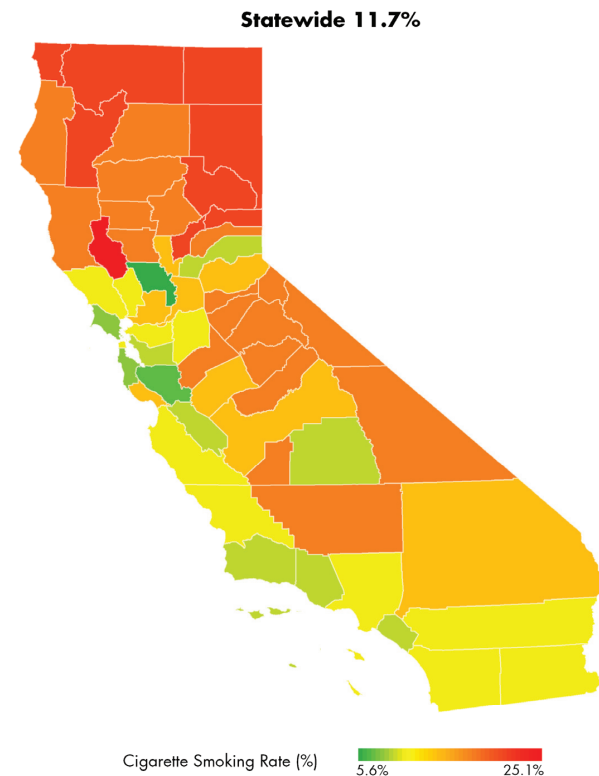
Note: Restricted to respondents aged 18 or older, except for LGBT status which is restricted to respondents aged 18 to 70. Cigarette use is based on self-reported current use. The race and ethnicity categories are non-Hispanic or Latino unless otherwise noted. American Indian includes Alaska Native. Asian or Pacific Islander includes Native Hawaiian. LGBT refers to lesbian, gay, bisexual, or transgender. Low-income is defined as below 185 percent of the Federal Poverty Level. Rural is based on definition from the Nielsen Consumer Activation, where the population density is fewer than 1,000 persons per square mile. Psychological distress is defined as experiencing psychological distress in the past month based on the Kessler 6 scale. Source: California Health Interview Survey, 2016-17. Los Angeles, CA: UCLA Center for Health Policy Research; October 2018.

ADULT CIGARETTE USE BY REGION

There are geographical differences in the cigarette smoking rate in California. Higher rates of smoking are mainly found in rural counties as illustrated in Figure 7.⁸

Figure 7. Cigarette smoking rate among California adults by geographic regions, 2015-17

County	Rate	County	Rate
Alameda	10.0%	Orange	10.5%
Alpine	15.3% (a)	Placer	10.2%
Amador	15.3% (a)	Plumas	20.3% (b)
Butte	17.3%	Riverside	11.8%
Calaveras	15.3% (a)	Sacramento	13.6%
Colusa	19.8% (c)	San Benito	10.6%
Contra Costa	11.8%	San Bernardino	14.4%
Del Norte	20.3% (b)	San Diego	11.1%
El Dorado	14.6%	San Francisco	11.0%
Fresno	14.9%	San Joaquin	11.6%
Glenn	19.8% (c)	San Luis Obispo	11.8%
Humboldt	16.9%	San Mateo	9.3%
Imperial	11.4%	Santa Barbara	9.6% (e)
Inyo	15.3% (a)	Santa Clara	7.8%
Kern	16.1%	Santa Cruz	13.4%
Kings	15.5%	Shasta	19.4%
Lake	25.1%	Sierra	20.3% (b)
Lassen	20.3% (b)	Siskiyou	20.3% (b)
Los Angeles	11.0%	Solano	14.5%
Madera	16.1%	Sonoma	12.3% (d)
Marin	8.7%	Stanislaus	17.1%
Mariposa	15.3% (a)	Sutter	13.9%
Mendocino	15.9%	Tehama	19.8% (c)
Merced	14.7%	Trinity	20.3% (b)
Modoc	20.3% (b)	Tulare	10.4%
Mono	15.3% (a)	Tuolumne	15.3% (a)
Monterey	11.7%	Ventura	9.6% (e)
Napa	12.3% (d)	Yolo	5.6%
Nevada	15.6%	Yuba	22.4%

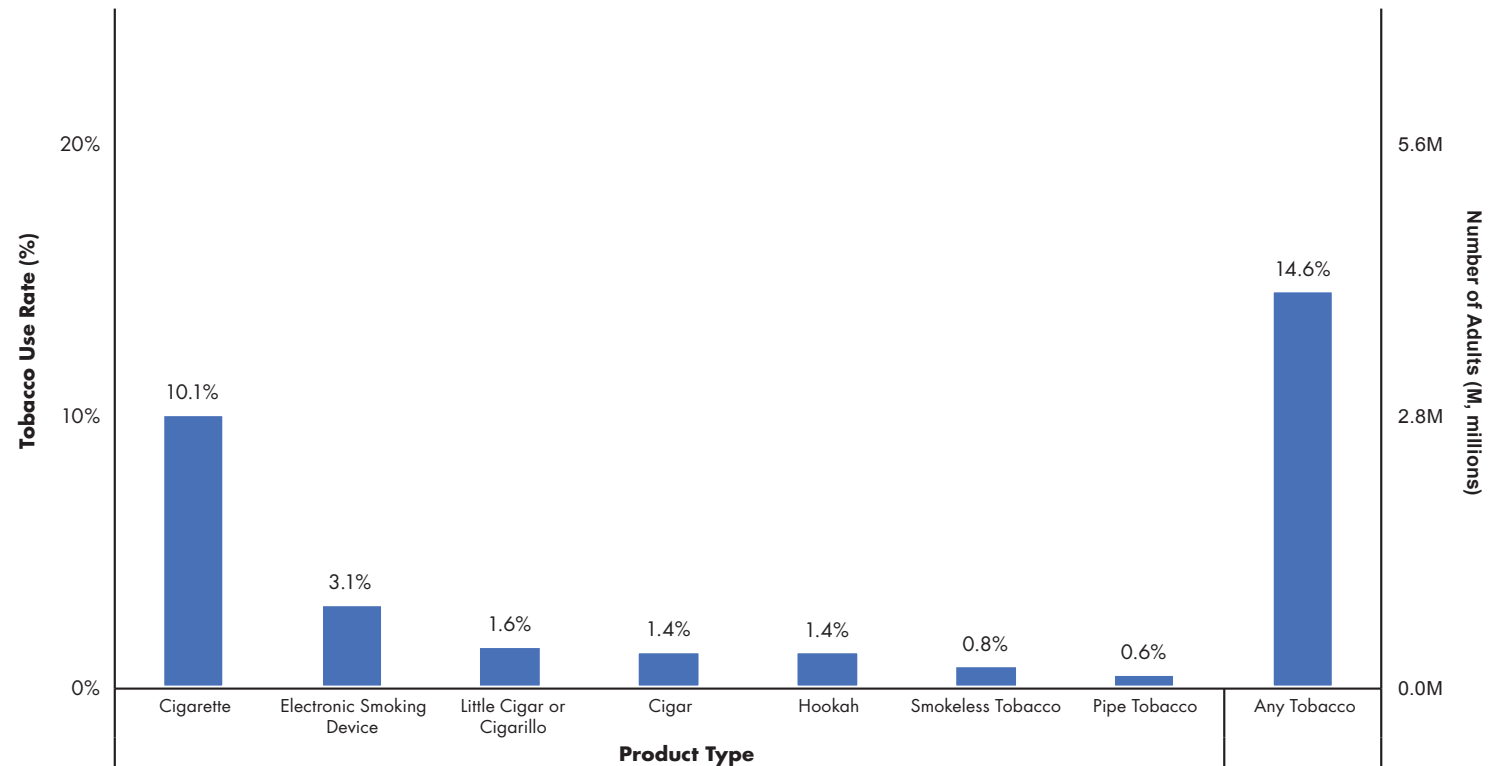


Note: Restricted to respondents aged 18 or older. Cigarette use is based on self-reported current use. Several counties were categorized together to produce stable estimates: (a) Alpine, Amador, Calaveras, Inyo, Mariposa, Mono, Tuolumne; (b) Del Norte, Lassen, Modoc, Plumas, Sierra, Siskiyou, Trinity; (c) Colusa, Glenn, Tehama; (d) Napa, Sonoma; and (e) Santa Barbara, Ventura. Source: California Health Interview Survey, 2015-17. Los Angeles, CA: UCLA Center for Health Policy Research; February 2019.

ADULT TOBACCO USE

Despite the decline in cigarette smoking rate, approximately four million adults in California currently use or had used a tobacco product in the past 30 days (Figure 8).⁹ The number of adult tobacco users in California exceeds the population in 23 states.¹⁰

Figure 8. Tobacco use rate among California adults by product type, 2017

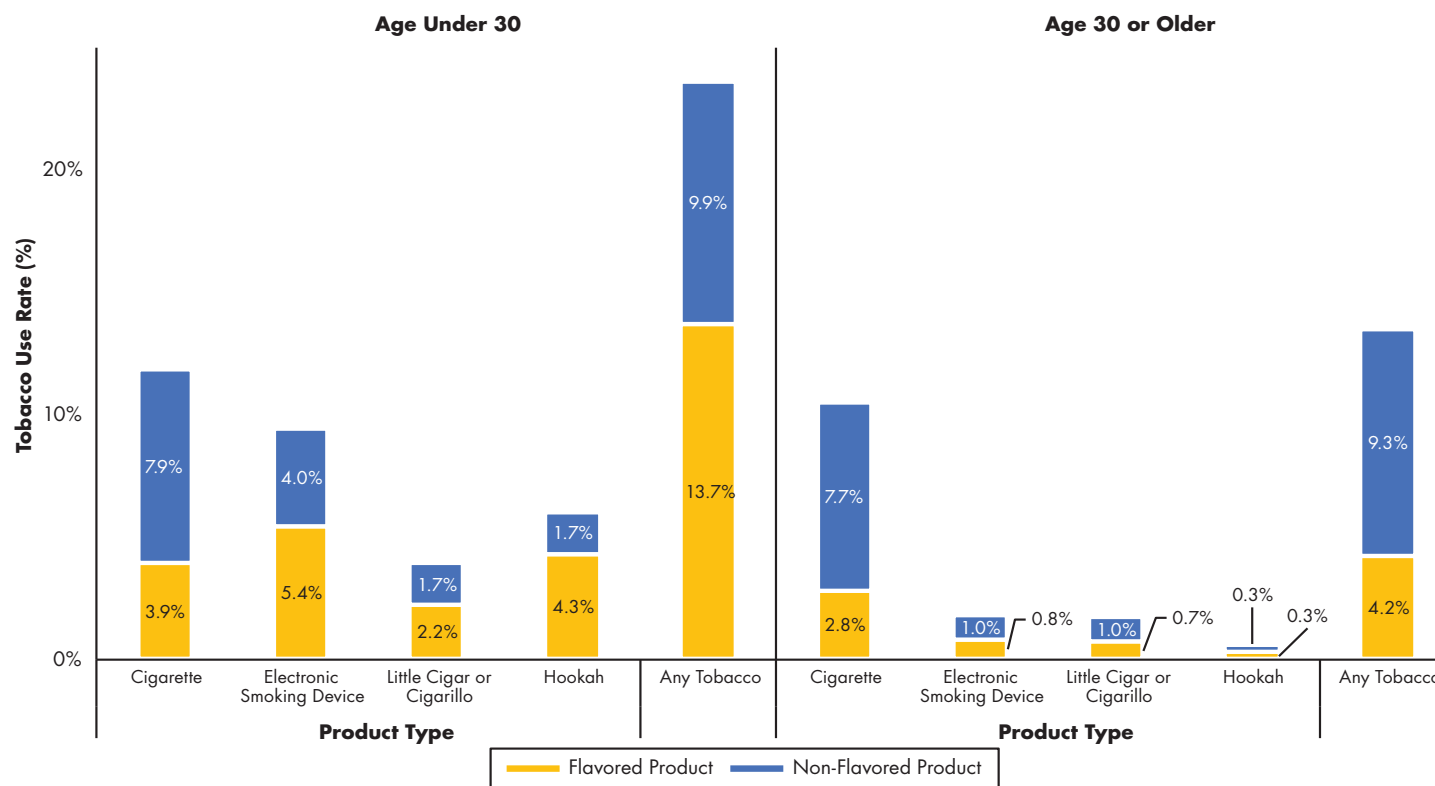


Note: Restricted to respondents aged 18 or older. Cigarette and electronic smoking device use are based on self-reported current use. Cigar, hookah, little cigar or cigarillo, pipe tobacco, or smokeless tobacco use are based on self-reported past 30-day use. Any tobacco use is based on current use of cigarette or electronic smoking device or past 30-day use of cigar, hookah, little cigar or cigarillo, hookah, pipe tobacco, or smokeless tobacco. Source: Behavioral Risk Factor Surveillance System, 2017. Sacramento, CA: California Department of Public Health; October 2018.

YOUNG ADULT TOBACCO USE

Young adults (under age 30) in California use electronic smoking devices (9.4 percent) and hookah (6.0 percent) at a higher rate compared to older adults (Figure 9).¹¹ Furthermore, of young adult tobacco users, 57.7 percent use a flavored tobacco product.

Figure 9. Tobacco use rate among California by age group and product type, 2016-17



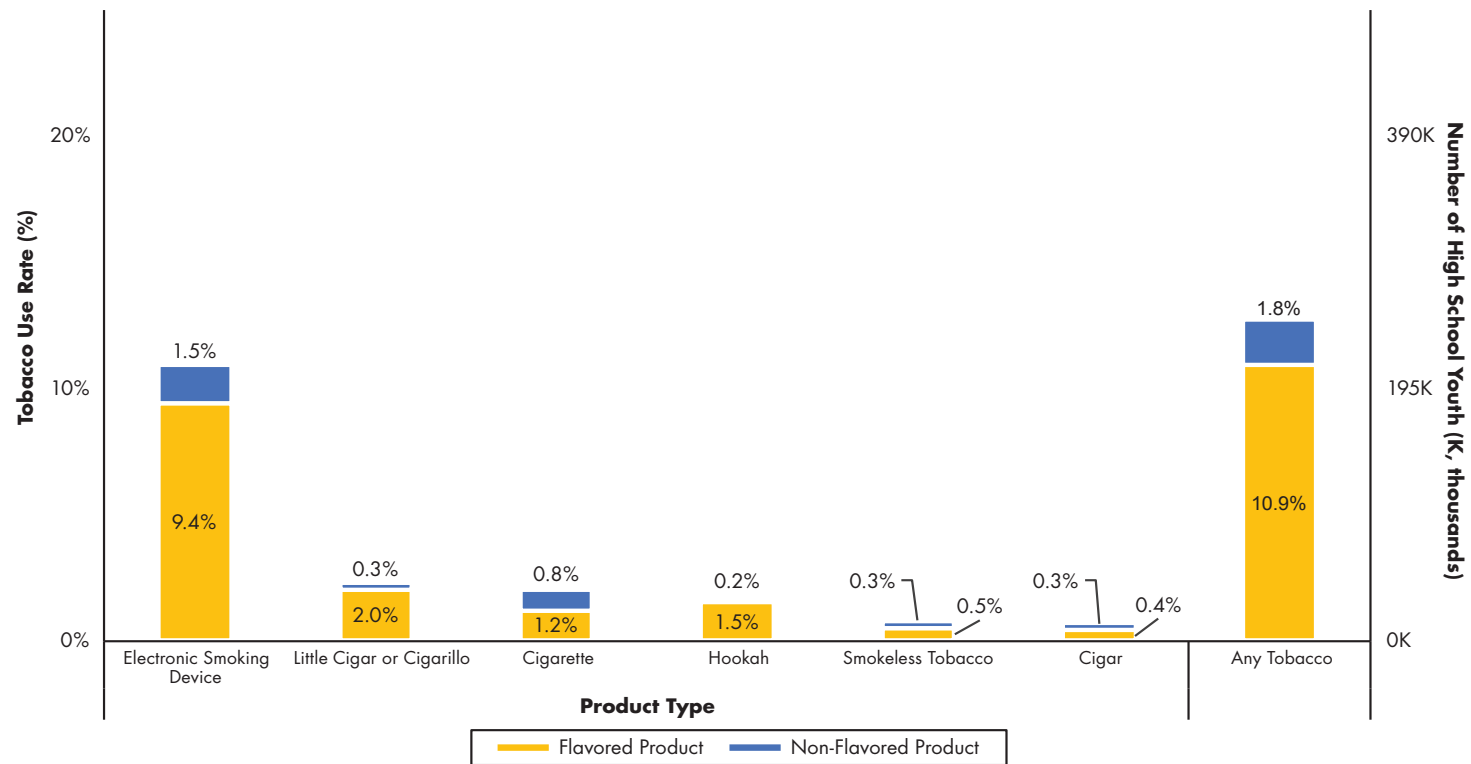
Note: Cigarette and electronic smoking device use are based on self-reported current use. Cigar (not shown), hookah, little cigar or cigarillo, and smokeless tobacco (not shown) use are based on self-reported past 30-day use. Any tobacco use is based on current use of cigarette or electronic smoking device or past 30-day use of cigar, hookah, little cigar or cigarillo, hookah, or smokeless tobacco. Source: Behavioral Risk Factor Surveillance System, 2016-17. Sacramento, CA: California Department of Public Health; October 2018.

YOUTH TOBACCO USE

YOUTH FLAVORED TOBACCO USE

One in eight California high school students currently use any tobacco product,¹² with the most used product among all students being electronic smoking devices (10.9 percent). Of those that currently use tobacco, an overwhelming majority use electronic smoking devices (84.3 percent). In addition, 86.4 percent of youth tobacco users reported using flavored tobacco products (Figure 10).

Figure 10. Tobacco use rate among California youth by product type, 2018



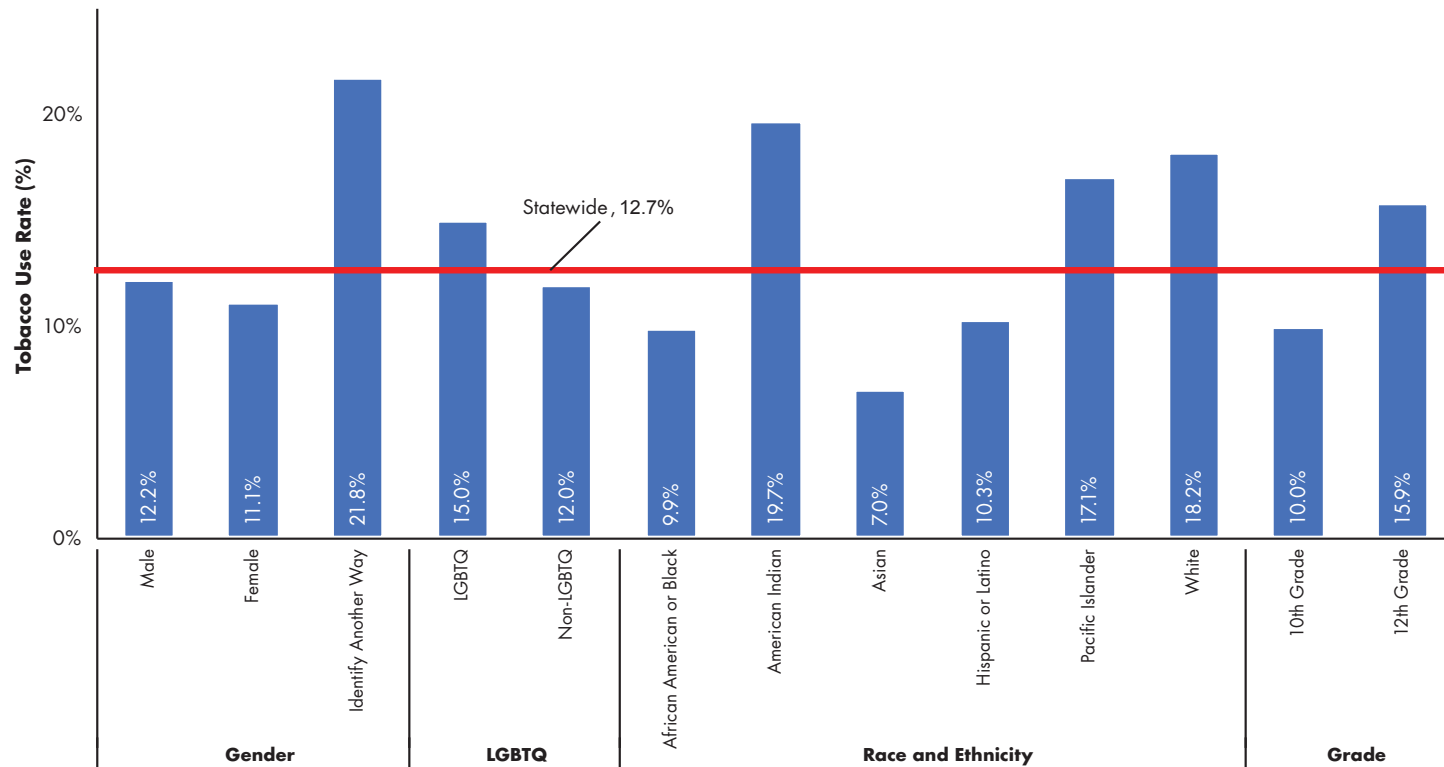
Note: Restricted to respondents in high school. Cigar, cigarette, electronic smoking device, hookah, little cigar or cigarillo, and smokeless tobacco use are based on self-reported past 30-day use. Any tobacco use is based on past 30-day use of cigar, cigarette, electronic smoking device, hookah, little cigar or cigarillo, or smokeless tobacco. Source: California Student Tobacco Survey, 2017-18. San Diego, CA: Center for Research and Intervention in Tobacco Control, University of California, San Diego; April 2019.

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YOUTH TOBACCO USE BY DEMOGRAPHICS

Disparities in tobacco use exists among California high school students, with higher rates found in LGBTQ, American Indian, and Pacific Islander youth (Figure 11).¹²

Figure 11. Tobacco use rate among California youth by demographics, 2018

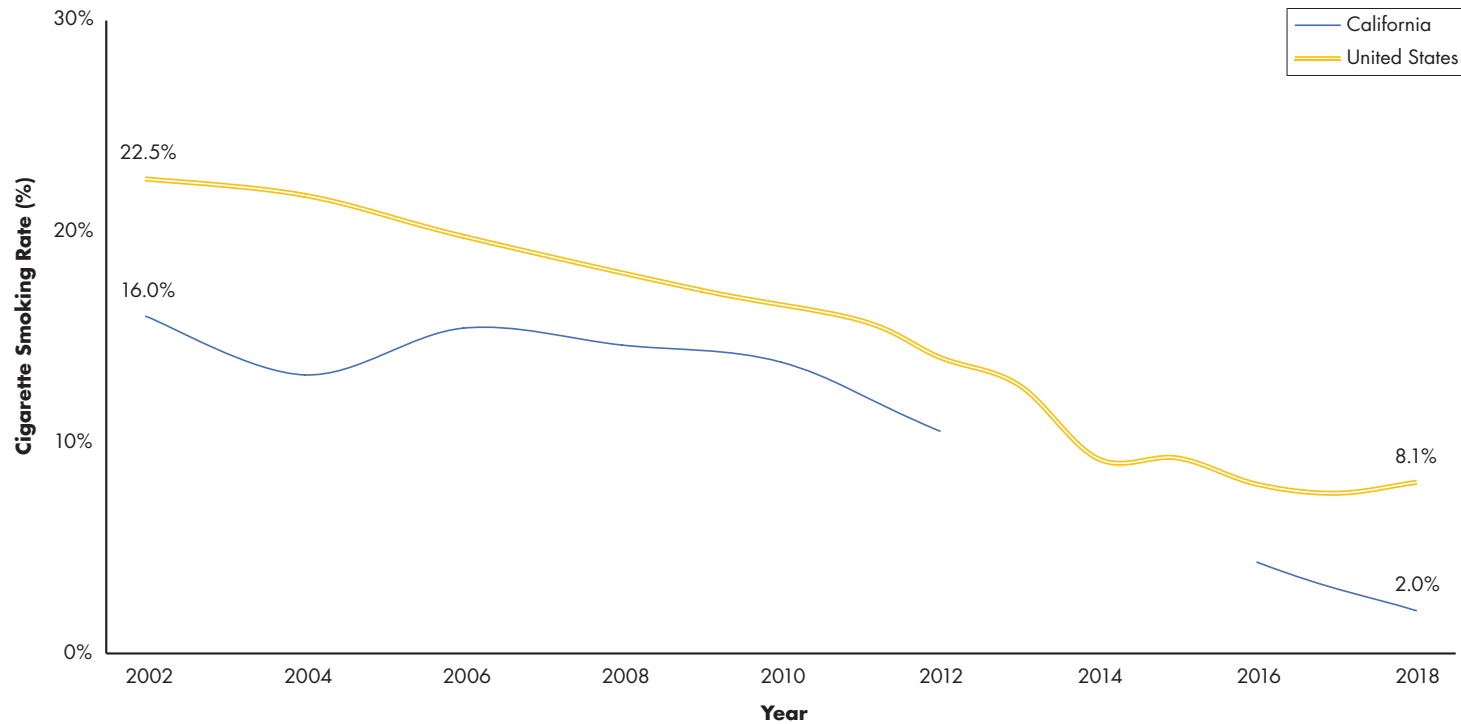


Note: Restricted to respondents in high school. Cigar, cigarette, electronic smoking device, hookah, little cigar or cigarillo, and smokeless tobacco use are based on self-reported past 30-day use. Any tobacco use is based on past 30-day use of cigar, cigarette, electronic smoking device, hookah, little cigar or cigarillo, or smokeless tobacco. The race and ethnicity categories are non-Hispanic or Latino unless otherwise noted. American Indian includes Alaska Native. Pacific Islander includes Native Hawaiian. LGBTQ refers to lesbian, gay, bisexual, transgender, or queer. Caution should be utilized when comparing previous years of the California Student Tobacco Survey due to changes to the race/ethnicity response option. Source: California Student Tobacco Survey, 2017-18. San Diego, CA: Center for Research and Intervention in Tobacco Control, University of California, San Diego; April 2019.

YOUTH CIGARETTE USE

Since 2000, youth cigarette smoking rate in both California and the United States decreased considerably (Figure 12).^{13,14} California reported its lowest high school cigarette smoking rate in 2018 at 2.0 percent.¹²

Figure 12. Cigarette smoking rate among California youths, 2002 to 2018



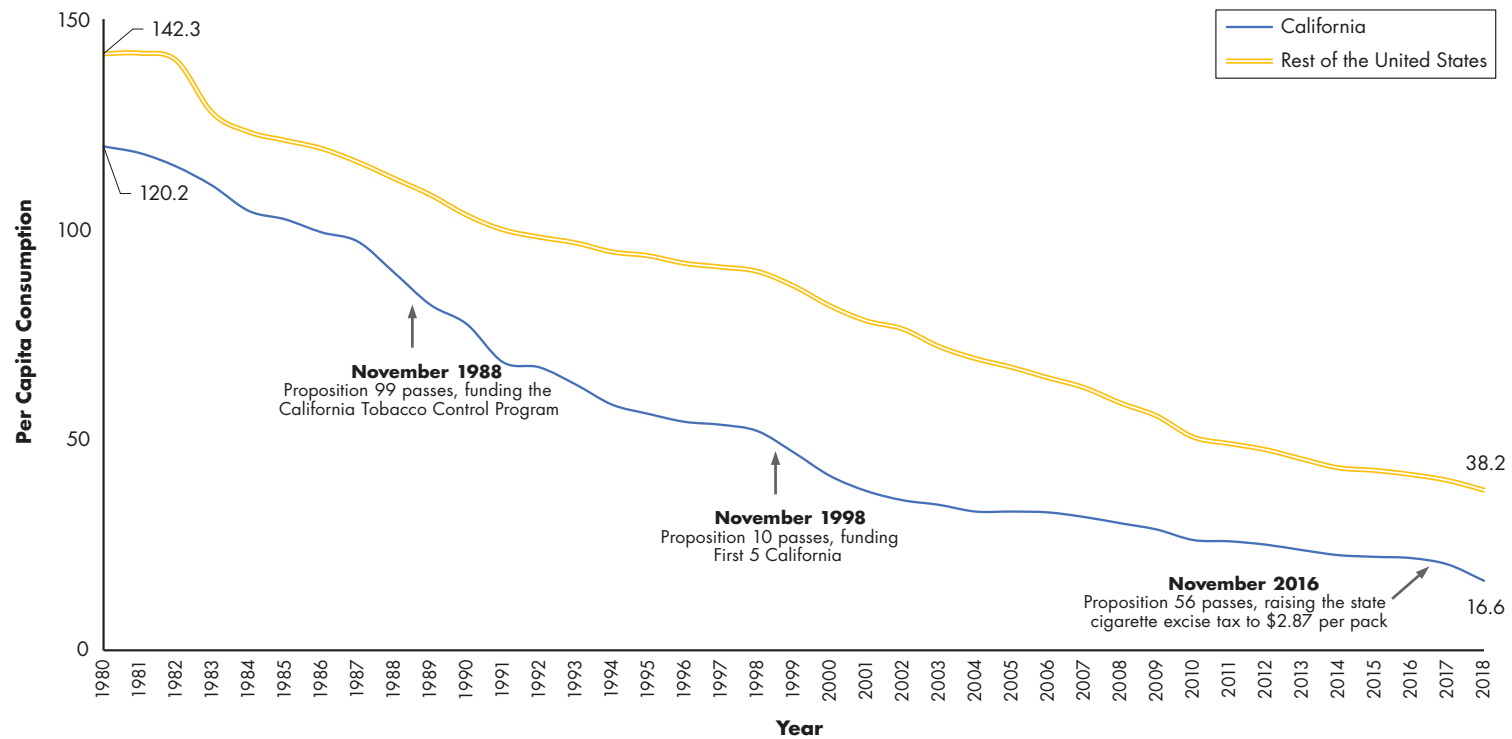
Note: Restricted to respondents in high school. Cigarette use is based on self-reported past 30-day use. A break in the trend line is shown for California data between 2012 and 2016 due to methodological change. Source: (1) California Student Tobacco Survey, 2001-02 to 2011-12. Sacramento, CA: California Department of Public Health; 2013. (2) California Student Tobacco Survey, 2015-16 to 2017-18. San Diego, CA: Center for Research and Intervention in Tobacco Control, University of California, San Diego; April 2019. (3) National Youth Tobacco Survey, 2002 to 2018. Atlanta, GA: U.S. Department of Health and Human Services; February 2019.

TOBACCO CONSUMPTION AND DISTRIBUTION

CIGARETTE CONSUMPTION PER CAPITA

Per capita consumption of cigarettes has declined steadily since the 1980s (Figure 13),¹⁵ with the greatest rate of decline in California occurring in those years subsequent to increases in the cigarette excise tax. The current per capita consumption in California is 56.5 percent lower than the rest of the United States at 16.6 packs in 2018.¹⁵

Figure 13. Per capita cigarette consumption for California and Rest of the United States, 1980 to 2018

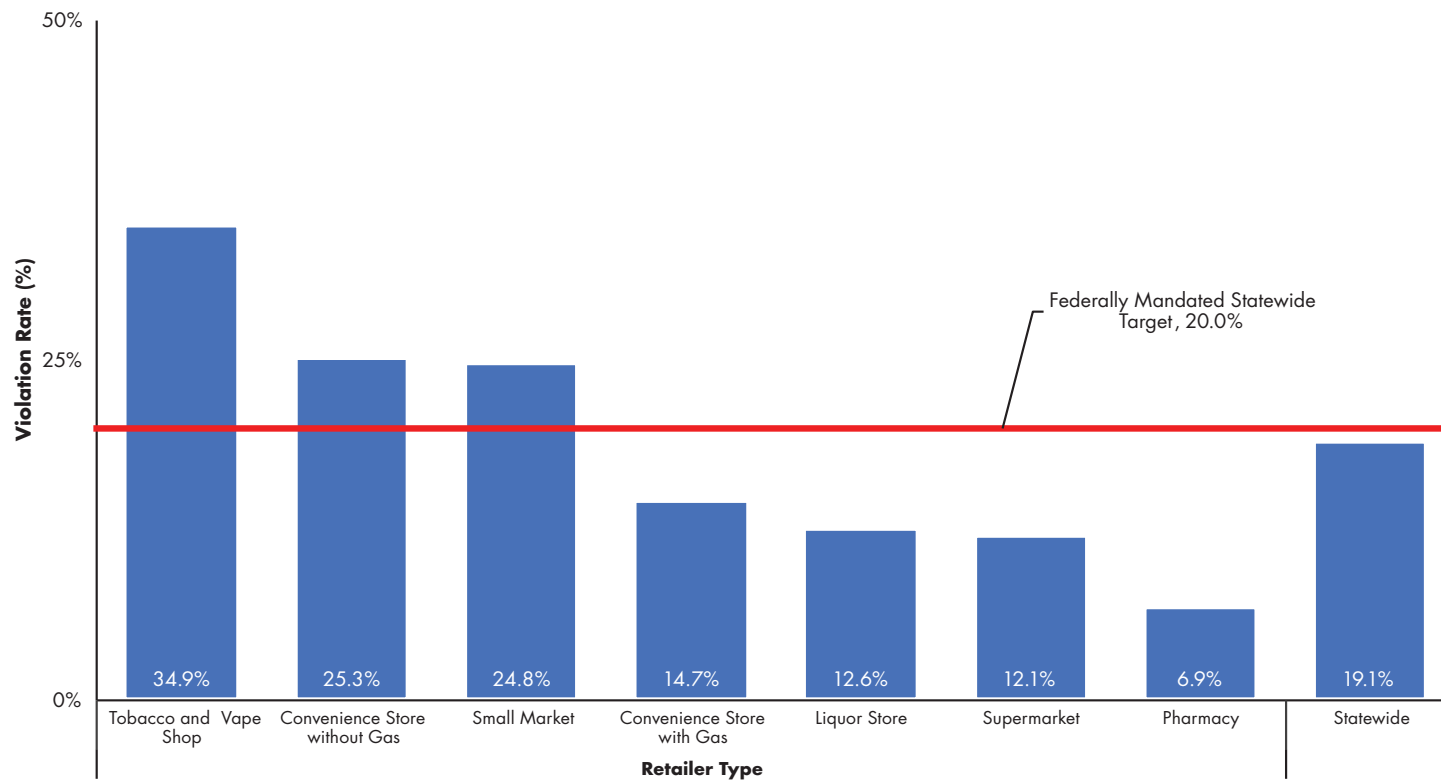


Note: Cigarette consumption is based on tax-paid cigarette sales. Source: Orzechowski and Walker. The Tax Burden on Tobacco: Historical Compilation, Volume 53, 2018. Arlington, VA: Orzechowski and Walker; 2019.

UNDERAGE TOBACCO SALES

In 2016, California raised the minimum legal sales age for tobacco products to 21. Tobacco and vape shops have the lowest compliance with this law,¹⁶ with one out of three tobacco and vape shops selling to underage minors (Figure 14).

Figure 14. Underage sales rate to young adults among licensed tobacco retailers in California by retailer type, 2018



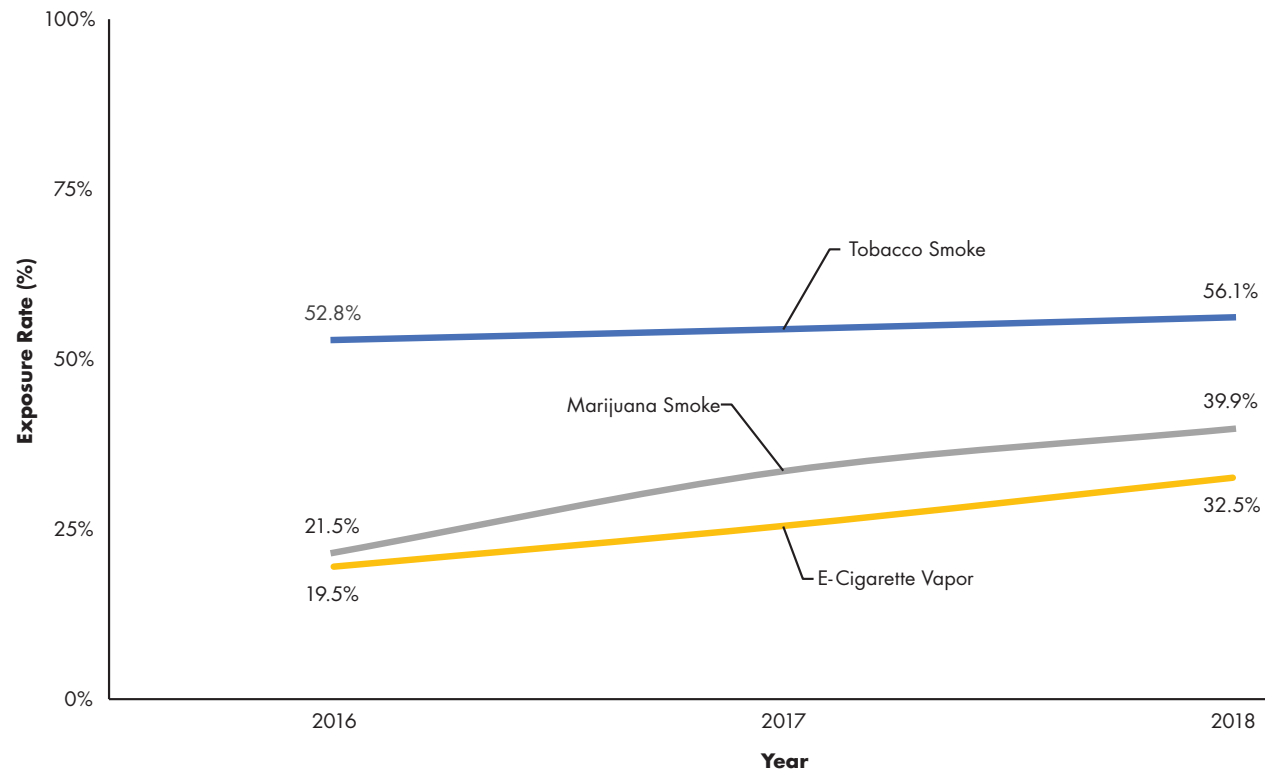
Note: Decoys age 18 and 19 attempted to purchase conventional tobacco (e.g. cigarette, little cigar or cigarillo) and electronic smoking devices or vaping products (e.g. e-liquid, e-cigarette). Source: Young Adult Tobacco Purchase Survey, 2018. Sacramento, CA: California Department of Public Health; October 2018.

SECONDHAND EXPOSURE

ADULT SECONDHAND EXPOSURE

California has a comprehensive smoke-free law;¹⁷ nevertheless, over the past three years, the rate of Californians reporting exposure to tobacco smoke, e-cigarette vapor, and marijuana smoke increased (Figure 15).¹⁸

Figure 15. Secondhand exposure among California adults age 18 to 64, 2016 to 2018

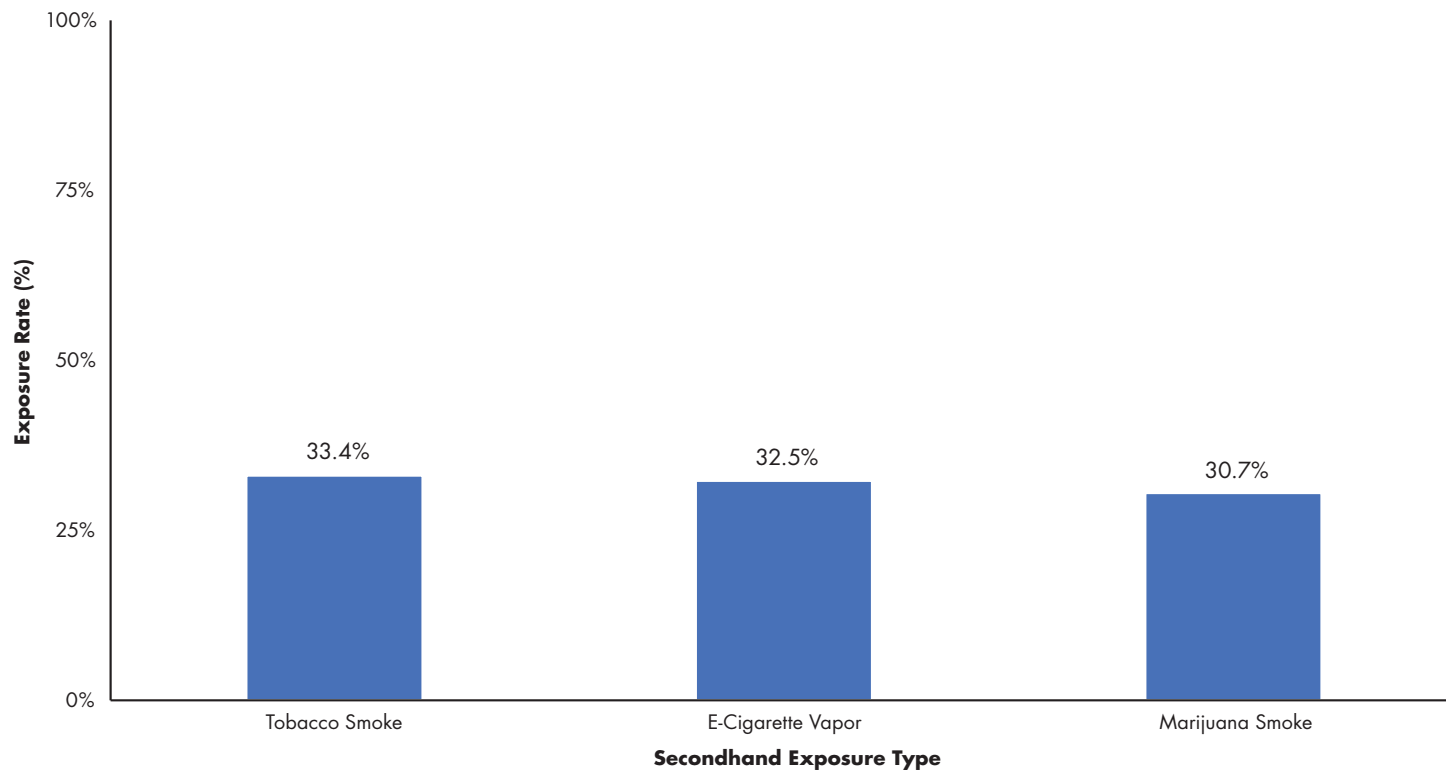


Note: Secondhand tobacco smoke, secondhand e-cigarette vapor, and secondhand marijuana smoke is based on self-reported past 2-weeks exposure in California. Source: Online California Adult Tobacco Survey, 2016 to 2018. Sacramento, CA: California Department of Public Health; November 2018.

YOUTH SECONDHAND EXPOSURE

Secondhand exposure remains a concern in youth, with roughly 30 percent of high school students reporting exposure to tobacco smoke, e-cigarette vapor, or marijuana smoke while in a room or in a car (Figure 16).¹²

Figure 16. Secondhand exposure among California youth, 2018



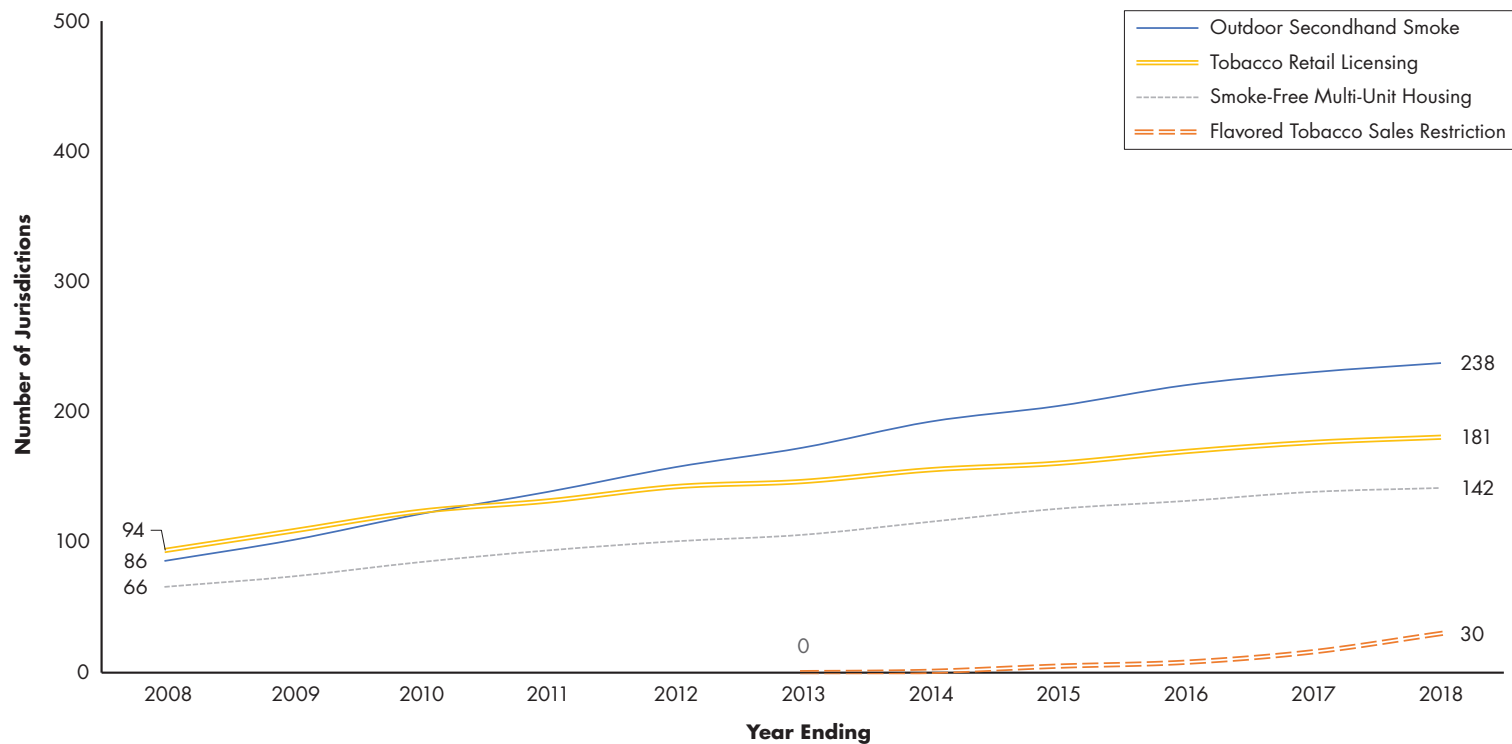
Note: Restricted to respondents in high school. Secondhand tobacco smoke, secondhand e-cigarette vapor, and secondhand marijuana smoke is based on self-reported past 30-day exposure in a room or in a car. Source: California Student Tobacco Survey, 2017-18. San Diego, CA: Center for Research and Intervention in Tobacco Control, University of California, San Diego; April 2019.

TOBACCO CONTROL POLICIES

LOCAL TOBACCO CONTROL POLICIES

Over the past decade, local jurisdictions made great strides in passing tobacco control ordinances, specifically policies related to outdoor secondhand smoke, tobacco retail licensing, smoke-free multi-unit housing, and restricting flavored tobacco sales (Figure 17).¹⁹

Figure 17. Number of California jurisdictions with local tobacco control policies by policy type, 2008 to 2018

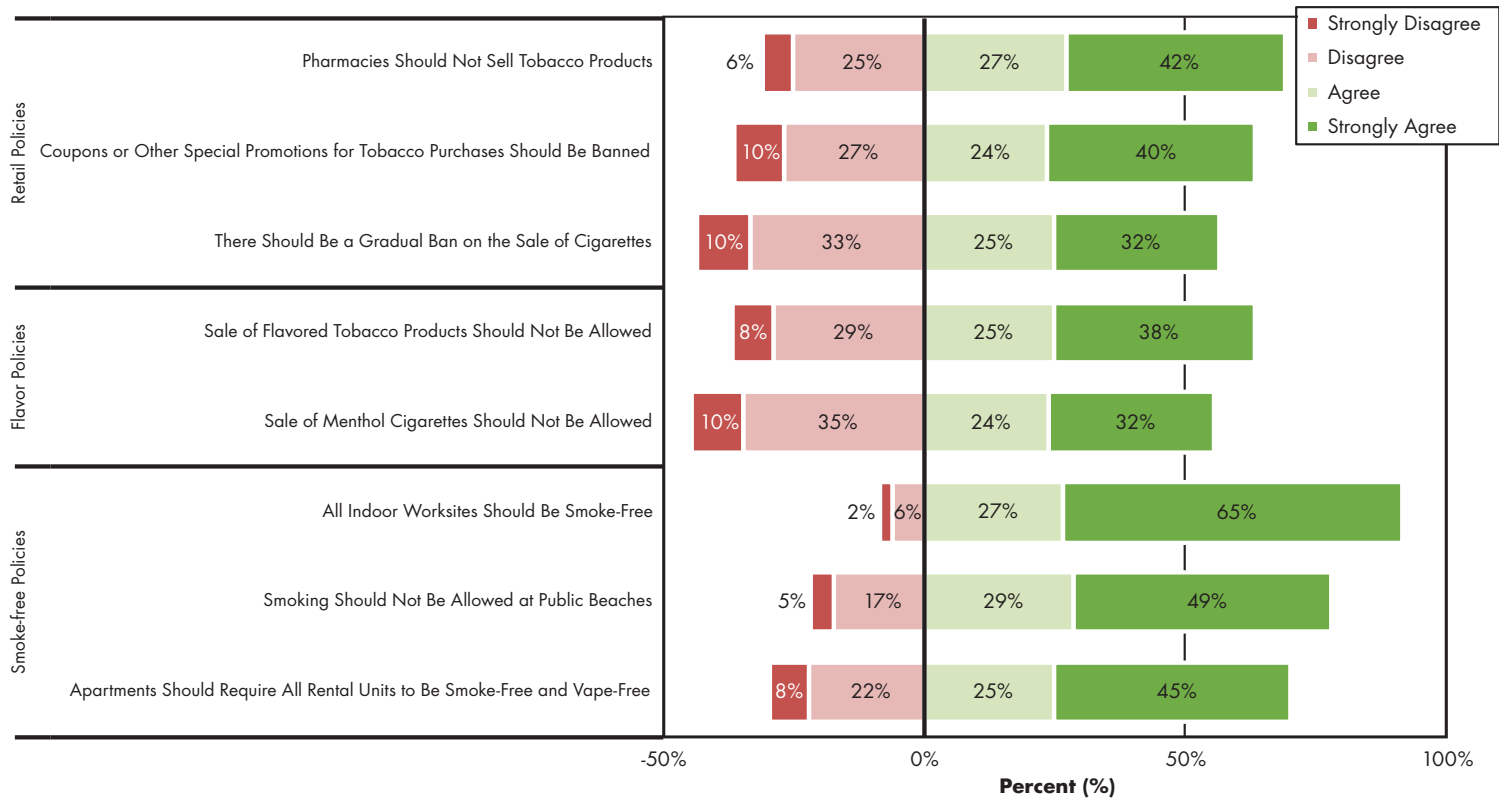


Note: The number of jurisdictions with local policy enacted as of December 31, 2018. Source: Policy Evaluation Tracking Database. Sacramento, CA: California Department of Public Health; January 2019.

PUBLIC SUPPORT FOR TOBACCO CONTROL POLICIES

A majority of California adults agreed with a variety of CDPH/CTCP-policy priorities as detailed in Figure 18,²⁰ with 57 percent agreeing that there should be a gradual ban on the sale of cigarettes.

Figure 18. Public agreement with tobacco control policies among California adults age 18 to 64, 2018



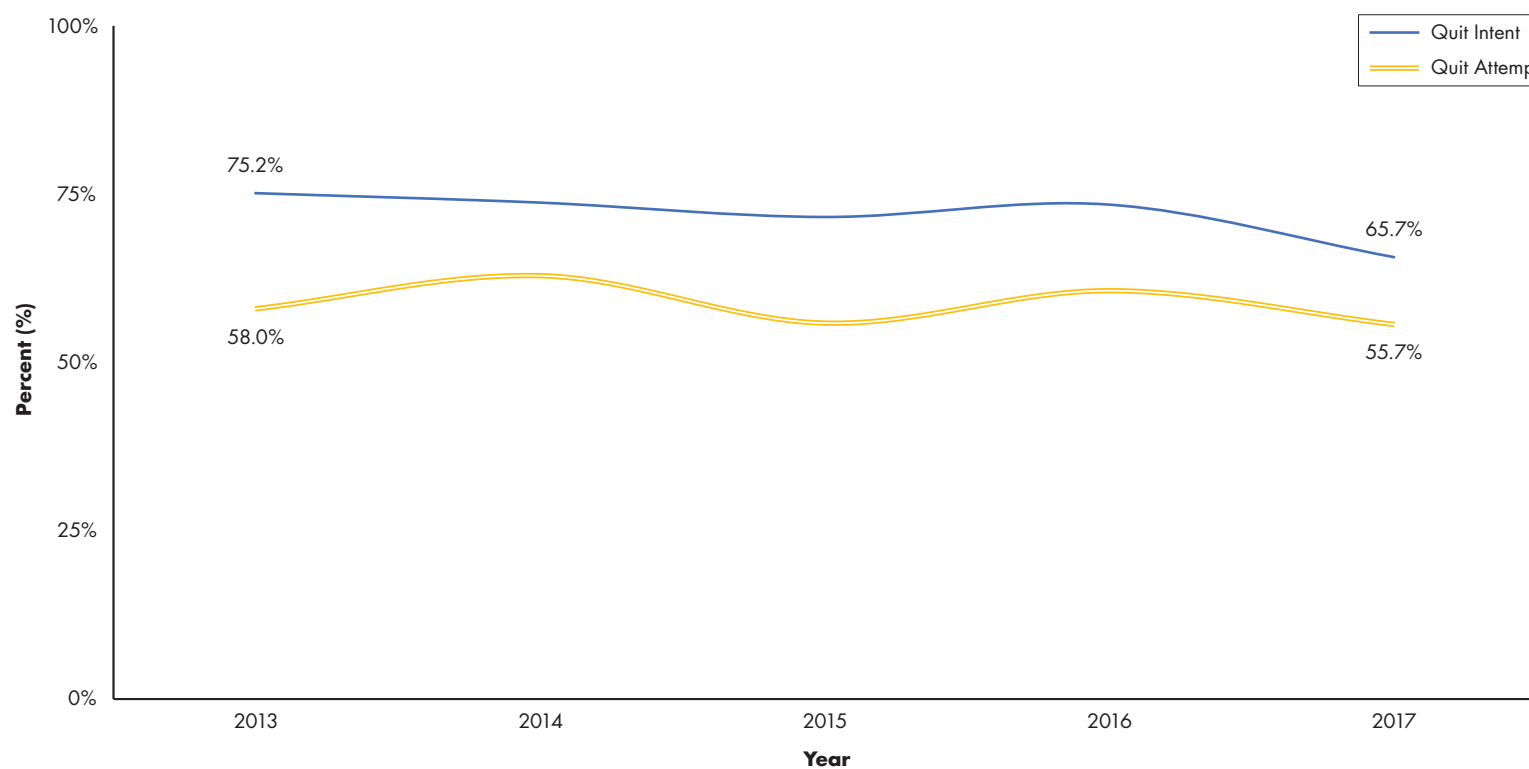
Note: Exact full wording for each survey question can be found on the CDPH/CTCP website. Source: Online California Adult Tobacco Survey, 2018. Sacramento, CA: California Department of Public Health; November 2018.

CESSATION

CESSATION INTENT AND ATTEMPT

The rate of adult cigarette smokers who thought about quitting or made a quit attempt decreased or remained stagnant over the past five years (Figure 19).²¹

Figure 19. Quit intention and attempt among current adult cigarette smokers in California, 2013 to 2017

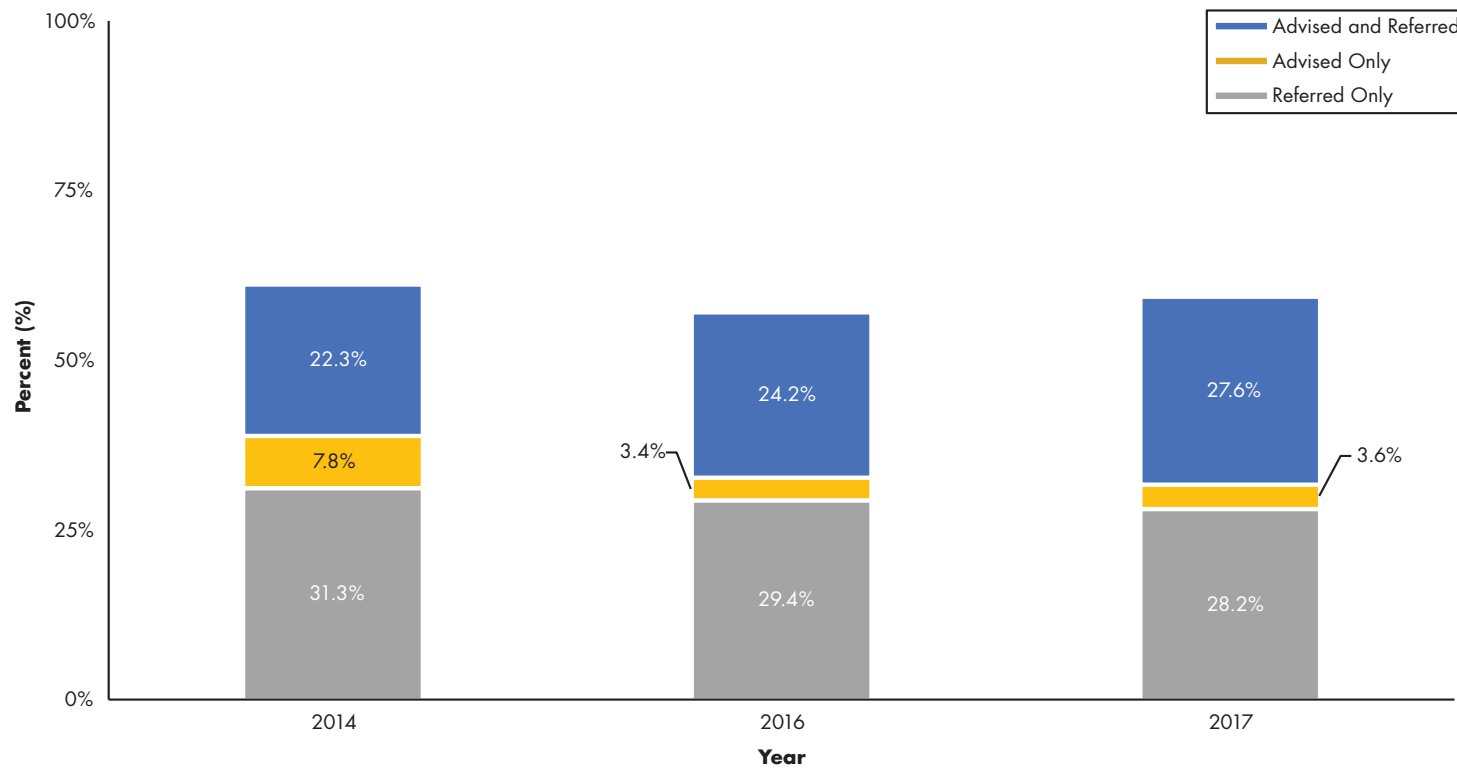


Note: Restricted to respondents aged 18 or older who are current smokers. Thinking about quitting in the next 6 months (quit intent) and quit attempt in the past 12 months are based on self-reported responses. Source: California Health Interview Survey Public Use File, 2013 to 2017. Los Angeles, CA: UCLA Center for Health Policy Research; October 2018.

DOCTOR REFERRALS TO CESSATION PROGRAMS

Doctors should follow evidence-based models to promote cessation among all patients, such as the 5A's (Ask, Advise, Assess, Assist, Arrange), Ask-Advise-Refer (AAR), or Ask-Advise-Connect (AAC).²²⁻²⁴ About one in four adult smokers report that their doctor advised them to quit smoking and also referred them to a cessation program (Figure 20).²⁵

Figure 20. Advised to quit and referred to cessation programs among adult cigarette smokers in California, 2014 to 2017

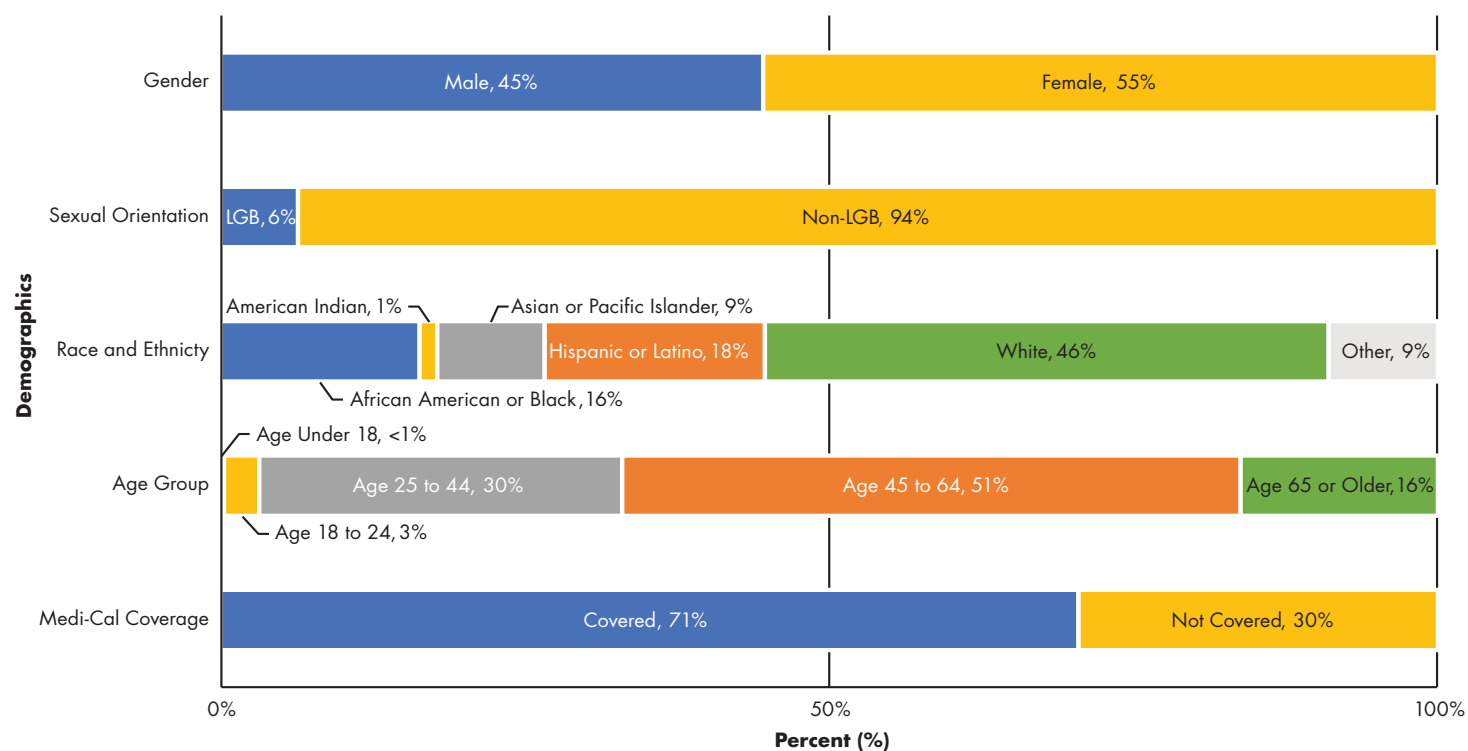


Note: Restricted to respondents aged 18 or older who are current smokers and self-reported seeing a medical doctor in the past 12 months. Survey question was not asked in 2015. Source: California Health Interview Survey Public Use File, 2014 to 2017. Los Angeles, CA: UCLA Center for Health Policy Research; October 2018.

CALIFORNIA SMOKERS' HELPLINE

The California Smokers' Helpline (Helpline) has provided free and confidential cessation services to over 800,000 Californians since its beginning in 1992.²⁶ Services are provided via telephone, chat, text messaging and mobile apps. A profile of the 20,000 individuals that utilized the Helpline in 2018 is illustrated in Figure 21.²⁷

Figure 21. Profile of California Smokers' Helpline callers, 2018

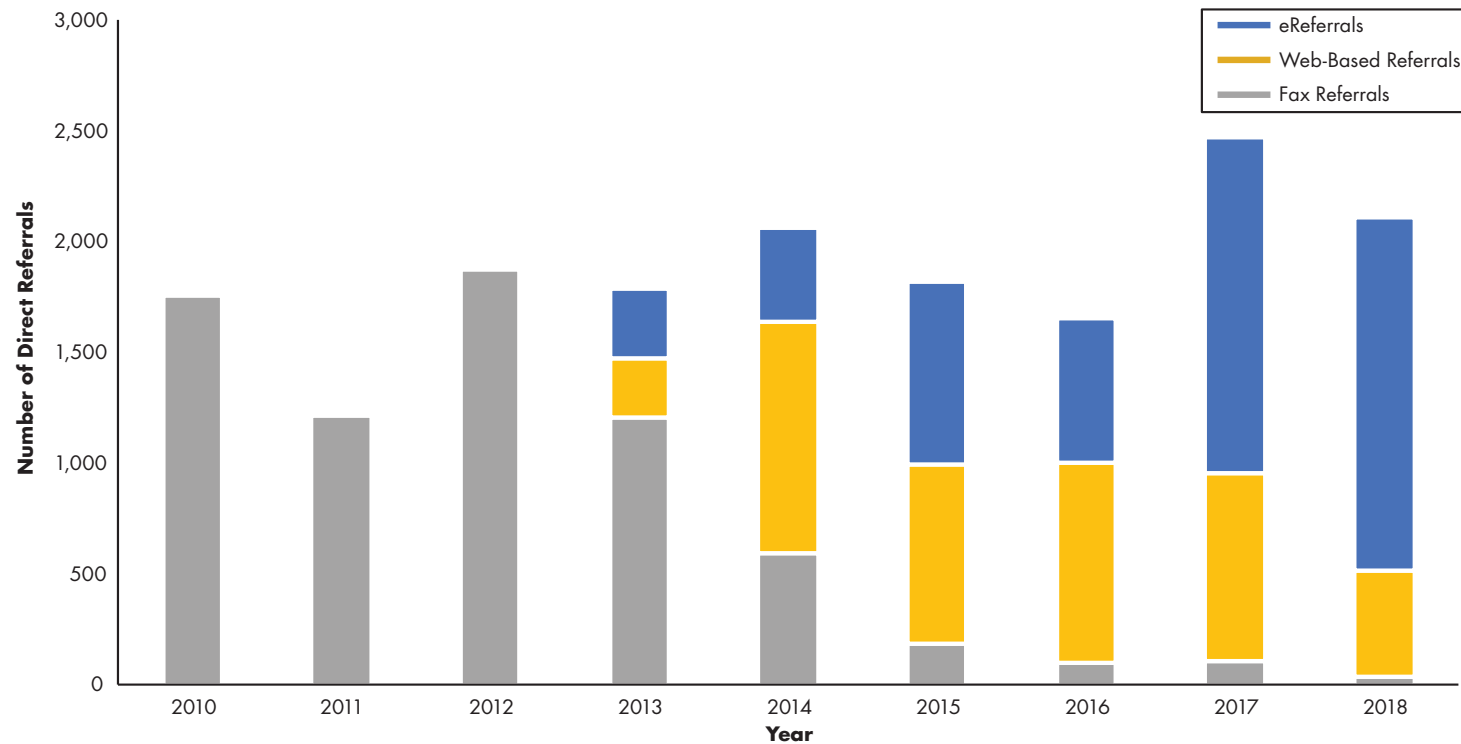


Note: Percentages may not total to 100 percent due to rounding. The race and ethnicity categories are non-Hispanic or Latino unless otherwise noted. American Indian includes Alaska Native. LGB refers to lesbian, gay, or bisexual. Source: Helpline Caller Intake Reports, 2018. San Diego, CA: California Smokers' Helpline, University of California, San Diego; March 2019.

DIRECT REFERRALS TO THE CALIFORNIA SMOKERS' HELPLINE

The Helpline began accepting two-way electronic health record (EHR) referrals (eReferral) in 2013,²⁸ allowing providers to order referrals and receive patient's progress towards quitting tobacco within the EHR system. As of December 2018, over 5,000 Californians utilized the Helpline after being directly referred through eReferrals (Figure 22).^{28,29}

Figure 22. Health care provider direct referrals to the California Smokers' Helpline by referral type, 2010 to 2018



Source: California Smokers' Helpline began accepting electronic health record referrals, or eReferrals, and web-based referral services in 2013. Source: (1) Harms KR, Anderson CM, Cummins SE, Zhu S-H. California Smokers' Helpline: Final Evaluation Report, Objective 2: Promoting Helpline Services. San Diego, CA: California Smokers' Helpline, University of California, San Diego; 2015. (2) California Smokers' Helpline. CG 14-10611 Progress Report to CDPH/CTCP. Sacramento, CA: California Department of Public Health; 2019.

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CITY COUNCIL STAFF REPORT

MEETING DATE: March 25, 2019

ITEM TITLE: Consideration of Introducing an Ordinance Amending San Carlos Municipal Code, Title 8 – Health and Safety; Consisting of Adding a New Chapter 8.02 to the San Carlos Municipal Code to Prohibit the Sale of Flavored Tobacco Products in the City Limits and Tobacco Products in Pharmacies, and Modifications to Chapter 8.06, to Add the Definition of “Tobacco Products”.

RECOMMENDATION:

Staff recommends that the City Council introduce an Ordinance adding a new Section 8.02 prohibiting the sale of flavored tobacco products within City limits, prohibiting the sale of all tobacco products in pharmacies in conformance with the County of San Mateo Ordinance Chapter 4.99 and amending Chapter 8.06 of the San Carlos Municipal Code adding a definition for tobacco products.

FISCAL IMPLICATIONS:

There are no fiscal implications associated with this item as enforcement will be performed by the County. Following implementation of a flavored tobacco and tobacco sales ban, there could be a small reduction in sales tax revenue associated with a decrease in sales on tobacco products.

BACKGROUND:

Flavored Tobacco Ban

This item is coming before the City Council at Council's request. Based on community input, the City Council held a study session on this issue at its meeting on January 28, 2019. At the meeting, the Council directed staff to conduct community outreach and return with an Ordinance for its consideration. A copy of the staff report and attachments from that meeting are included as Attachment 2.

The County of San Mateo, Town of Portola Valley and City of Half Moon Bay each have recently adopted ordinances prohibiting the sale or offer for sale of flavored tobacco products. Thus far, no other San Mateo County agencies have proposed a flavored tobacco sales ban, however some agencies have started discussions.

Sale of Tobacco Product in Pharmacies Ban

This item is coming before the City Council as the County of San Mateo, City of Daly City, Town of Portola Valley and City of Half Moon Bay each have recently adopted ordinances prohibiting

pharmacies from selling or offering for sale all tobacco products. The City of San Carlos previously adopted Chapter 8.07 of the Municipal Code, which requires tobacco retailers to maintain a valid tobacco retailer permit through the County of San Mateo. If adopted, this proposed chapter 8.02 will prevent a pharmacy in San Carlos from obtaining a retailers permit to sell all tobacco products under Chapter 8.07, in accordance with the County of San Mateo County ordinance.

ANALYSIS:

Outreach Concerning a Flavored Tobacco Ban

City staff engaged with the community regarding this topic through a variety of platforms. A webpage was created on the City's website www.cityofsancarlos.org/smoking to: 1) provide information about the topic, including a link to the video and staff report from the Council study session; 2) offer local and countywide resources on the topic; 3) inform residents of upcoming meetings and opportunities for input; and 4) invite residents to participate in a community survey.

A stakeholder meeting was held on February 13, 2019. Invitations were sent to: San Carlos tobacco retailers; San Carlos and Sequoia School District officials and Parent Teacher Association groups; San Mateo County Health representatives, and the Tobacco Education Coalition. Experts from San Mateo County Health and the Tobacco Education Coalition joined City staff in discussing the issue and the proposed ordinance. Participants were asked to provide their input for the Council's consideration. In addition to this meeting, a number of one-on-one meetings were conducted with interested stakeholders. Staff then compiled all of the input from the community, which is summarized in Attachment 3.

A Shape San Carlos online town hall forum was open for over five weeks and received 153 responses, 78 of which were registered residents. The survey was advertised on the City website, across the City social media channels and Nextdoor and forwarded to the Shape San Carlos subscriber list. Results show that: 0% of respondents use flavored tobacco products, and 82.1% support a ban on the sale of flavored tobacco. 84.6% support a ban on the sale of tobacco products near schools. Participants also shared their concerns about the sale of flavored tobacco products in San Carlos. All of this input provided in Attachment 4.

Proposed Ordinance and County Support

The City has previously relied on the County's tobacco regulations as a guide for its own regulations. The City incorporated the County's retailer permit requirement for tobacco sales. At the same time, the City adopted an ordinance authorizing the County to administer the permits. See Chapter 8.07 of the City's Municipal Code.

In June 2018, the County approved the addition of Chapter 4.99 in Title 4 of the San Mateo County Ordinance Code ("County Ordinance") to prohibit the sale or offer for sale of flavored tobacco products and to prohibit pharmacies from selling or offering for sale any tobacco products. County staff has offered to provide education and enforcement services to local agencies should they elect to adopt regulations similar to the County's.

It should be noted that the County's Ordinance includes banning sales in pharmacies, which was not discussed in detail at the Council study session in January. The County concluded that pharmacies serve as a trusted source for health information in addition to being a source of medicine and other health products. Thus, the sale of tobacco products by pharmacies is inconsistent with the role of a pharmacy in the health of a community. San Carlos currently has

12 retailers licensed to sell tobacco products, one of which is a pharmacy (Walgreen's). Walgreen's has indicated that it will cooperate with any decision made by the Council.

Staff is recommending adopting the County's Ordinance banning the sale of flavored tobacco as written, including banning sales of all tobacco products in pharmacies.

Additional Items Requested by Council at the Study Session

At the January study session, City Council also directed staff to research the following items for consideration in this Ordinance:

1. A ban on the sale of e-cigarette devices and cartridges, and;
 2. A ban on the sale of tobacco products of any kind near a school.
-
1. The definition of a "tobacco or smoking product" in section 4.96.030 of the County Ordinance includes "any component, part, or accessory intended or reasonably expected to be used with a tobacco product, whether or not sold separately" which is inclusive of e-cigarette devices and cartridges sold independently from each other.

Staff does not recommend additional language be incorporated into the proposed Ordinance, as we believe this definition meets the intent of Council.

2. Staff met with the two retailers in the city who are within 1,000 feet of a school and would potentially be affected by tobacco sale restrictions. Both retailers said the proposed restriction would negatively impact their business. One retailer said the ordinance would cause it to go out of business.

If the Council wishes to proceed with this additional ban, staff recommends that it be reviewed by the Planning Commission as it would include a revision to the City's Zoning Ordinance.

ALTERNATIVES:

The options available to the City Council include:

1. Introduce an Ordinance amending San Carlos Municipal Code, Title 8 – adding a new Chapter 8.02 to the San Carlos Municipal Code to Prohibit the Sale of Flavored Tobacco Products in the City Limits, Prohibit the Sale of all Tobacco Products in Pharmacies, and Modifications to Chapter 8.06, definitions; or
2. Do not introduce the Ordinance; or
3. Provide staff with alternative direction.

Respectfully submitted by:



Tara Peterson,
Assistant City Manager

Approved for submission by:

A handwritten signature in black ink, appearing to read 'J. Maltbie', with a long horizontal line extending to the right.

Jeff Maltbie, City Manager

ATTACHMENT(S):

1. Ordinance - Flavored Tobacco New Chapter 8.02
2. January 28, 2019 Council Study Session Staff Report and Attachments
3. Flavored Tobacco Community Feedback
4. Shape San Carlos Survey

Chapter 9.06 SMOKING REGULATIONS

Sections:

- 9.06.010 Findings and purpose.**
- 9.06.020 Definitions.**
- 9.06.040 Smoking prohibited in and around city buildings.**
- 9.06.060 Smoking prohibited at public sports facilities, public sports spectator areas, playground structures, and municipal parks.**
- 9.06.080 Violations an infraction.**

9.06.010 Findings and purpose.

- A. State law prohibits smoking in all public buildings and within twenty (20) feet of a public building, which includes city-owned or leased buildings that are occupied by the city of St. Helena.
- B. State law prohibits smoking within twenty-five (25) feet of playgrounds and tot lots.
- C. No state law mechanism exists under which local police can enforce these smoking prohibitions.
- D. State law allows the city to adopt a more restrictive ordinance regarding smoking on or around government facilities and playgrounds.
- E. Nonconsensual exposure to secondhand smoke at sports facilities, sports spectator areas, and municipal parks is a nuisance and a threat to the health of the general public and sports players and spectators.
- F. As aerosol emissions from electronic smoking devices have been found to contain at least ten (10) chemicals that are on California's list of chemicals known to cause cancer, birth defects, or other reproductive harm, including acetaldehyde benzene, cadmium, formaldehyde, isoprene, lead, nickel, nicotine, N nitrosonornicotine, and toluene, secondhand exposure to e-cigarette aerosol is a health concern.
- G. People exposed to aerosol emissions from electronic smoking devices and electronic cigarettes absorb nicotine, a substance that can cause cancer, birth defects, or reproductive harm, at levels comparable to secondhand smoke, and are also exposed to volatile organic compounds and other particulate matter that can lead to tissue inflammation.
- H. Nonsmokers who suffer from allergies, respiratory disease, or the negative effects of breathing secondhand tobacco smoke or aerosol emissions from electronic smoking devices or electronic cigarettes may experience a loss of job productivity or may be forced to take periodic sick leave because of adverse reactions.
- I. Accordingly, the city council finds it is within its basic police power to implement and enforce the provisions of this chapter, and declares that the purposes of this chapter are:
 - 1. To effectuate state law preventing smoking inside all public buildings and within twenty (20) feet of public buildings, all to the general health, safety, and welfare of the public;
 - 2. To assist in the enforcement of laws prohibiting smoking in all public buildings and within twenty (20) feet of a public building; and

3. To protect the health of the general public, including sports players, spectators who utilize the sports facilities and sports spectator areas, and those who use playground structures and municipal parks. (Ord. 18-4 § 1 (Exh. A (part)): Ord. 12-4 § 1: Ord. 08-3 (part))

9.06.020 Definitions.

For the purposes of this chapter:

- A. "Electronic smoking device or electronic cigarette" means an electronic and/or battery operated device, the use of which may resemble smoking, which can be used to deliver vapors for an inhaled dose of nicotine or other substance. This term shall include, without limitation, every variation and type of such devices whether they are manufactured, distributed, marketed or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, a vaporizer, a device that heats a flavored liquid, usually containing nicotine, until it produces a vapor, or any other similar product name or descriptor.
- B. "Inside a public building" means all indoor areas of the building, except for covered parking lots and residential space. "Inside a public building" includes any indoor space leased to the state, county, or city, except for covered parking lots and residential space (a private living area, not including common areas such as lobbies, lounges, waiting areas, elevators, stairwells, and restrooms that are a structural part of a multi-complex building such as a dormitory).
- C. "Public building" means a building, or any area within a building, owned and occupied, in whole or in part, or leased and occupied, in whole or in part, by the state, county, or the city of St. Helena.
- D. "Public sports facilities" means property owned by the city that has as its main purpose the facilitation of the playing of a sport, including but not limited to baseball fields, soccer fields, tennis courts, basketball courts, skateparks, volleyball courts, swimming pools, and bocce courts.
- E. "Public sports spectator areas" means the areas designated for the use of spectators of sports at public sports facilities, including but not limited to bleachers and seating areas, and any other area within such proximity to public sports facilities that its use by spectators is common.
- F. "Playground structures" means areas constructed and/or intended as an outdoor area set aside for primarily children's recreation and play, containing equipment such as swings, slides, or other play structures.
- G. "Smoking" means and includes (1) inhaling, exhaling, burning, carrying, or leaving any lighted cigar, cigarette, weed or plant or other combustible substance whose smoke is intended to be inhaled; (2) inhaling or exhaling upon burning or carrying any lighted smoking equipment for tobacco, nicotine or any other plant or product used for personal habit commonly known as smoking and/or (3) inhaling or exhaling upon, vaporizing or otherwise using any electronic smoking device or electronic cigarette. (Ord. 18-4 § 1 (Exh. A (part)): Ord. 08-3 (part))

9.06.040 Smoking prohibited in and around city buildings.

Smoking shall be prohibited, and no person shall smoke, inside a public building or within twenty (20) feet of any entrance(s), exit(s), operable window(s), ventilation intake systems and covered entryways of any public building in the city of St. Helena. All public buildings owned or leased by the city of St. Helena shall have posted "No Smoking Within 20 Feet" signs outside of all entrance(s), exit(s), operable window(s), and ventilation intake systems. This prohibition shall be enforced consistent with the provisions of the St. Helena Municipal Code. (Ord. 18-4 § 1 (Exh. A (part)): Ord. 12-4 § 2: Ord. 08-3 (part))

9.06.060 Smoking prohibited at public sports facilities, public sports spectator areas, playground structures, and municipal parks.

Smoking shall be prohibited, and no person shall smoke, on the grounds of public sports facilities or public sports spectator areas, or on or around playground structures, or in municipal parks as that term is defined in Section [12.32.010](#). All public sports facilities, public sports spectator areas, playground structures, and municipal parks shall have posted "No Smoking" signs citing this code section outside, on, or near all entrance(s), exit(s), any

existing operable window(s), and/or ventilation intake systems, or such sign shall be placed openly and in public view in such areas where no entrance/exit is obvious. (Ord. 18-4 § 1 (Exh. A (part)): Ord. 12-4 § 2: Ord. 08-3 (part))

9.06.080 Violations an infraction.

Violations of any section herein shall be considered an infraction and the provision herein shall be enforced consistent with the St. Helena Municipal Code. (Ord. 18-4 § 1 (Exh. A (part)): Ord. 08-3 (part))

[Mobile Version](#)



Vaping Policy Discussion

By: Preya Nixon
Assistant to the City Manager

January 28, 2020

City Council Meeting



Background

- Previous Council action regarding tobacco; 2008, 2012, 2018
- What the research is showing about flavored tobacco
 - Health Impacts
 - Local businesses



Stakeholder Feedback

Stakeholders

- UpValley Family Centers (UpValley Partnership for Youth)
- American Lung Association
- Adventist Health
- Catalyst Coalition
- Tobacco Free Napa

Feedback

- Vaping and tobacco products as public health threat for youth.
- The accessibility of vaping products for youth.
- Youth within the St. Helena community see this as a serious public health threat.
- Banning flavored tobacco is an effective prevention method, and prevention should be the main focus.
- In addition to the pulmonary concerns, the impact on brain development.

January 28, 2020

St. Helena City Council Meeting



Actions by Other Agencies

Type of Action/Legislation	Prohibits Sale of Flavored Tobacco Products	Prohibits the sale of e-Cigarettes	Prohibits the sale of Cigarettes with Menthol Flavor	Imposes Proximity requirements for new tobacco retailers near schools, playgrounds and libraries	Requires a tobacco retailer license	Prohibits sale of tobacco products in pharmacies	Prohibits smoking in public parks	Prohibits use of E-Cigarettes and Electronic Smoking Devices to smoking regulations
City								
Berkeley	X			X 600 feet of any school		X (no new license shall be issued to pharmacies)	X	X
Corte Madera	X				X	X	X	X
El Cerrito	X			X	X		X	X
Larkspur	X					X	X	X
Novato	X						X	X
Palo Alto	X			X	X		X	X
Sacramento	X			X	X		X	X
San Anselmo	X					X	X	X
San Carlos	X					X	X	X
San Rafael	X				X		X	X (doesn't specifically state e-cigarettes but references any tobacco product).
St. Helena							X (Adopted on 4/12/2012)	X (Adopted on 7/24/2018)
Visalia	X	X	X	X (has not determined exact distance)				X

January 28, 2020



Policy Options

1. Prohibit the sale of flavored tobacco products.
2. Institute a tobacco retailer licensing program.
3. Prohibit the sale of tobacco products in pharmacies.
4. Institute proximity requirements for stores that sell tobacco products.
5. Prohibit the sale of cigarettes and e-cigarettes that include menthol.

Should direction be provided to advance any policy option(s), staff will work with the City Attorney to prepare an ordinance for consideration by the City Council. Staff is also seeking feedback on any additional Council desired community or stakeholder outreach.



Report to the City Council
Regular City Council - 28 Jan 2020

Agenda Section: NEW BUSINESS

Subject: Discussion and Consideration of City Position on Napa County Measure K (March 3, 2020, California Primary Election)

**CEQA Exempt
Determination:**

Prepared By: Preya Nixon, Asst. to the City Manager

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

The March 3, 2020, California Primary Election will include a local measure of possible interest to City of St. Helena residents. This report will provide information about Measure K in Napa County. The City Council may desire to support, oppose, remain neutral, or take no position on the measure.

DISCUSSION

Measure K is summarized below. Additional informational materials are attached to this report.

Measure K: Napa Water, Parks and Open Space Restoration and Preservation Retail Transactions and Use Tax Ordinance

Measure K proposes a one quarter of one percent (0.25%) special tax for 15 years that would be passed through to the Napa County Regional Park and Open Space District (District). Special taxes can only be utilized for those purposes identified in the ordinance imposing the tax and cannot be used for general governmental purposes. The District would use the sales tax to preserve watersheds, rivers, lakes, open space, and wildlife habitat; restore, maintain, and improve public access to public open space

resources; and help implement the park and recreation objectives of the county's five municipalities.

Passage of Measure K requires a two-third vote of qualified voters voting in the election. If approved, the sales tax rate in St. Helena would increase from 8.25% to 8.5%.

Measure K is estimated to produce annual revenues of approximately \$9 million countywide, with revenue distributed as follows:

- 52% - Acquisition of high priority countywide open space
- 25% - Operating, maintaining and improving countywide open space lands
- 20% - Implement local park and recreation plans
- 3% - Overhead

If approved, the City of St. Helena would receive a proportionate share of 20% of the revenue (based on population with the other Napa County municipalities), resulting in approximately \$110,000 annually for implementation of eligible park and recreation plans.

For context purposes, the City's 1/2 cent Measure D sales tax revenues produce approximately \$1.8 million annually.

FISCAL IMPACT

Fiscal impacts are discussed in attachments to the report.

RECOMMENDED ACTION

Consider a position of support, oppose, neutral, or no position for Measure K.

ATTACHMENTS

[Full Text of Measure K](#)

[Impartial Analysis Measure K](#)

[Argument In Favor of Measure K](#)

[Argument Against Measure K](#)

[Rebuttal to the Argument In Favor of Measure K](#)

[Rebuttal to the Argument Against Measure K](#)

FULL TEXT OF MEASURE K**ORDINANCE NO. 2019-01**

**AN ORDINANCE OF NAPA COUNTY, KNOWN AS THE NAPA WATER,
PARKS AND OPEN SPACE RESTORATION AND PRESERVATION
RETAIL TRANSACTIONS AND USE TAX ORDINANCE, IMPOSING A
TRANSACTION AND USE TAX, TO BE ADMINISTERED BY THE
CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION**

The people of Napa County hereby ordain:

SECTION 1: Overview. The goal of this Ordinance is to protect the quality and quantity of local water resources, reduce wildfire risk, preserve 20,000 acres of forests, wildlife habitat, rivers and streams and other important open space lands and resources in Napa County, provide public parks for all, and educate future generations in the care and stewardship of the natural environment. The Ordinance does this by establishing (subject to voter approval) a dedicated source of funds to implement the Napa Open Space District Master Plan as updated on July 8, 2019. Funds come from a one-quarter percent transaction and use tax (commonly referred to as a sales tax); of the estimated \$9 million annually generated, at least 52 percent is restricted to the acquisition of high priority open space lands, 25 percent is restricted to operating, maintaining and improving open space lands, including but not limited to managing forests to reduce wildfire risk, operating public parks and sponsoring youth outdoor education, 20 percent will be distributed to the four cities and one town in Napa County to implement their adopted local park and recreation plans, and no more than three percent may be spent on administrative overhead. One hundred percent of the funds must be spent for the purposes specified in the Ordinance, and none may be diverted by the State, the County of Napa or any other agency for any other purpose. The Ordinance requires independent citizen oversight, mandatory financial audits and yearly reports to the public. The Ordinance makes it possible for the Napa Open Space District and its partners to compete successfully to obtain a fair share of State and Federal matching funds. Tourists are expected to pay more than one-third of the total funds generated. Without the Ordinance, 20,000 acres of unprotected land and natural areas could be lost to development and gone forever. The Ordinance will help ensure that city parks can continue to be expanded and improved to provide valuable recreational facilities for local residents. By protecting natural carbon sequestration, the Ordinance will help Napa fight climate change. The tax authorized by this Ordinance shall terminate in fifteen years unless renewed by a two-thirds majority of the voters of Napa County.

SECTION 2. A new Chapter 3.30 (Napa Water, Parks and Open Space Restoration and Preservation Retail Transactions and Use Tax) is hereby added to the Napa County Code to read in full as follows:

Chapter 3.30

NAPA WATER, PARKS AND OPEN SPACE RESTORATION AND PRESERVATION RETAIL TRANSACTIONS AND USE TAX

Sections:

3.30.010	Title and Definitions.
3.30.020	Effective Date; Operative Date.
3.30.030	Purpose.
3.30.040	Contract With State.
3.30.050	Transactions Tax Rate.
3.30.060	Place of Sale.
3.30.070	Use Tax Rate.
3.30.080	Adoption of Provisions of State Law.
3.30.090	Limitations on Adoption of State Law and Collection of Use Taxes.
3.30.100	Permit Not Required.
3.30.110	Exemptions and Exclusions.
3.30.120	Amendments.
3.30.130	Enjoining Collection Forbidden.
3.30.140	Termination Date.
3.30.150	Receipt of Proceeds
3.30.160	Use of Proceeds.
3.30.170	Establish and Increase Appropriations Limit.
3.30.180	Expenditure Plan.
3.30.190	Community Oversight Committee
3.30.200	Implementation of Expenditure Plan

3.30.010 Title and Definitions.

A. This ordinance shall be known as the **Napa Water, Parks and Open Space Restoration and Preservation Retail Transactions and Use Tax Ordinance**. This ordinance shall be applicable in the incorporated and unincorporated territory of the County.

B. Definitions. For the purpose of this chapter, the following definitions shall apply:

1. "Napa Open Space District" means the Napa County Regional Park and Open Space District.
2. "Expenditure Plan" means the Napa County Regional Park and Open Space District Water, Parks and Open Space Restoration and Preservation Expenditure Plan set forth in Section 3.30.180.
3. "Operative Date" means the first day of the first calendar quarter commencing more than one hundred ten days after the adoption of this ordinance.
4. "District Board" means the Board of Directors of the Napa County Regional Park and Open Space District.
5. "Committee" means that Community Oversight Committee established as set forth in subsection (C) of Section 3.30.180.

6. “Fiscal Policy and Procedures” will be the accounting, auditing and reporting guidelines developed by the Committee with the County Auditor-Controller and approved by the District Board as set forth in subsection (C) of Section 3.30.190.

3.30.020 Effective Date; Operative Date.

- A. This ordinance shall become effective upon its approval by a two-thirds majority of the electors voting on the measure (“Effective Date”).
- B. The operative date of this ordinance shall be on July 1, 2020.

3.30.030 Purpose.

This ordinance is adopted to achieve the following, among other purposes, and directs that the provisions hereof be interpreted in order to accomplish those purposes:

- A. To impose a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code and Section 7285.5 of Part 1.7 of Division 2 which authorizes the County to adopt this tax ordinance which shall be operative if two-thirds of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose.
- B. To adopt a retail transactions and use tax ordinance that incorporates provisions identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.
- C. To adopt a retail transactions and use tax ordinance that imposes a tax and provides a measure therefor that can be administered and collected by the California Department of Tax and Fee Administration in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the California Department of Tax and Fee Administration in administering and collecting the California State Sales and Use Taxes.
- D. To adopt a retail transactions and use tax ordinance that can be administered in a manner that will be, to the greatest degree possible, consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes, and at the same time, minimize the burden of record keeping upon persons subject to taxation under the provisions of this ordinance.

3.30.040 Contract With State.

Prior to the operative date, the County shall contract with the California Department of Tax and Fee Administration to perform all functions incident to the administration and operation of this transactions and use tax ordinance; provided, that if the County shall not have contracted with the State Board of Equalization prior to the operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

3.30.050 Transactions Tax Rate.

For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated and unincorporated territory of the County at the rate of one quarter of one percent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory on and after the operative date of this ordinance.

3.30.060 Place of Sale.

For the purposes of this ordinance, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the California Department of Tax and Fee Administration.

3.30.070 Use Tax Rate.

An excise tax is hereby imposed on the storage, use or other consumption in the County of tangible personal property purchased from any retailer on and after the operative date of this ordinance for storage, use or other consumption in said territory at the rate of one quarter of one percent of the sales price of the property. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

3.30.080 Adoption of Provisions of State Law.

Except as otherwise provided in this ordinance and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this ordinance as though fully set forth herein.

3.30.090 Limitations on Adoption of State Law and Collection of Use Taxes.

In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

A. Wherever the State of California is named or referred to as the taxing agency, the name of this County shall be substituted therefore. However, the substitution shall not be made when:

1. The word "State" is used as a part of the title of the State Controller, State Treasurer, State Treasury, or the Constitution of the State of California;
2. The result of that substitution would require action to be taken by or against this County or any agency, officer, or employee thereof rather than by or against the California Department of Tax and Fee Administration, in performing the functions incident to the administration or operation of this ordinance.
3. In those sections, including, but not necessarily limited to sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:
 - a. Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or;
 - b. Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the state under the said provision of that code.

4. In Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.

a. The word "County" shall be substituted for the word "State" in the phrase "retailer engaged in business in this State" in Section 6203 and in the definition of that phrase in Section 6203.

"A retailer engaged in business in the County" shall also include any retailer that, in the preceding calendar year or the current calendar year, has total combined sales of tangible personal property in this state or for delivery in the State by the retailer and all persons related to the retailer that exceeds five hundred thousand dollars (\$500,000). For purposes of this section, a person is related to another person if both persons are related to each other pursuant to Section 267(b) of Title 26 of the United States Code and the regulations thereunder.

3.30.100 Permit Not Required.

If a seller's permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be required by this ordinance.

3.30.110 Exemptions and Exclusions.

A. There shall be excluded from the ordinance of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.

B. There are exempted from the computation of the amount of transactions tax the gross receipts from:

1. Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the County in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this State, the United States, or any foreign government.

2. Sales of property to be used outside the County, which is shipped to a point outside the County, pursuant to the contract of sale, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this section, delivery to a point outside the County shall be satisfied:

a. With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code by registration to an out-of-county address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and

b. With respect to commercial vehicles, by registration to a place of business out-of-county and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.

3. The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.

4. A lease of tangible personal property, which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this ordinance.

5. For the purposes of subsections (3) and (4) of this section, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

C. There are exempted from the use tax imposed by this ordinance, the storage, use or other consumption in this County of tangible personal property:

1. The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.

2. Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.

3. If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.

4. If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of this ordinance.

5. For the purposes of subsections (3) and (4) of this section, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

6. Except as provided in subsection (7) a retailer engaged in business in the County shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the County or participates within the County in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the County or through any representative, agent, canvasser, solicitor, subsidiary, or person in the County under the authority of the retailer.

7. "A retailer engaged in business in the County" shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, or undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the County.

D. Any person subject to use tax under this ordinance may credit against that tax any transactions tax or reimbursement for transactions tax paid to a county imposing, or retailer liable for a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumption of

which is subject to the use tax.

3.30.120 Amendments.

All amendments subsequent to the effective date of this ordinance to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this ordinance, provided however, that no such amendment shall operate so as to affect the rate of tax imposed by this ordinance.

3.30.130 Enjoining Collection Forbidden.

No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the State or the County, or against any officer of the State or the County, to prevent or enjoin the collection under this ordinance, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

3.30.140 Termination Date.

The authority to levy the tax imposed by this ordinance shall expire fifteen years from the operative date of this ordinance, on June 30, 2035.

3.30.150 Receipt of Proceeds

All revenue generated by this ordinance shall be transferred by the County Auditor-Controller into an account specifically created for and under the Napa Open Space District, not to be comingled with the County's funds in accordance with Fiscal Policies and Procedures adopted by the Napa Open Space District Board.

3.30.160 Use of Proceeds.

The proceeds of the taxes imposed by this ordinance shall be used solely for the projects and purpose set forth in the expenditure plan and for the administration thereof. Pursuant to the requirements of Government Code §50075.1, (1) the expenditure plan constitutes the statement of the specific purposes for which the revenue generated by this ordinance may be expended, (2) the expenditure of the revenue generated by this ordinance shall be restricted to the purposes stated in the expenditure plan. These funds shall not be utilized for the cost of any legal proceeding or action against Napa County, its staff, its agents or its officers.

3.30.170 Establish and Increase Appropriations Limit.

Pursuant to California Constitution Article XIII B, the appropriations limit for the Napa Open Space District will be established at \$15,000,000, adjusted annually for population and cost of living increases.

3.30.180 Expenditure Plan.

A. This expenditure plan allocates the proceeds established by this ordinance to four categories. In subsection (B), each project area is described by its funding allocation, and types of projects and activities that the funding would support. Over the duration of the tax, it is expected that the proceeds would be utilized within the following guidelines:

Preservation: Watersheds, Rivers, Lakes, Open Space and Wildlife Habitat	At least 52%
Open Space Parks: operations, maintenance, restoration and improvement of public parks and open space lands, forest management for wildfire fuel reduction, youth outdoor education and grants to local partner non-profit organizations and public agencies	25%
Local Parks and Trails	20%
Administrative Overhead	No more than 3%

B. Expenditure Categories

1. Preservation: watersheds, rivers, lakes, open space and wildlife habitat.

Preservation of the most valuable of Napa County's open space lands, including watersheds, rivers, lakes and wildlife habitat, is the primary goal of this expenditure plan. In implementing this goal, the Napa Open Space District shall be guided by the principles and policies contained in its Master Plan and the Master Plan Update adopted July 8, 2019.

Preservation may be through acquisition of fee title ownership, or easement, or any other conveyance of partial ownership interest in real property and associated rights including but not limited to water and mineral rights.

Preservation priorities include the following:

- a. protect local drinking water sources by preserving watersheds that are the source of drinking water for Lake Hennessey and Milliken Reservoir serving City of Napa residents, for Kimball Reservoir serving City of Calistoga residents, for Bell Canyon Reservoir serving City of St. Helena residents, for the Friesen Lakes serving Angwin residents, for Rector Reservoir serving Yountville and Veterans Home residents, and for Lake Curry potentially serving City of American Canyon and other residents; protection of these municipal watersheds, along with the purchase of Skyline Wilderness Park (see subparagraph "j" below), shall be the top priority for preservation;
- b. protect water quality in rivers, creeks and lakes, including but not limited to the Napa River and its tributaries, Putah Creek and its tributaries including Lake Berryessa, and Suisun Creek including Lake Curry, by acquiring the watersheds that supply water to these rivers, creeks and lakes;
- c. protect natural areas including oak woodlands and other forested lands;
- d. preserve native biodiversity by protecting critical habitats and wildlife corridors;
- e. acquire rights-of-ways and land needed to implement the public access goals of the Napa Open Space District Master Plan as updated July 8, 2019;
- f. support the continuation of agriculture by protecting key agricultural lands through the acquisition of conservation easements or fee title ownership,
- g. complete regional parks and close gaps separating existing protected local, state and federal lands;

- h. provide open space parks close to where people live, and trails that connect communities to nature;
- i. take advantage of one-time opportunities to preserve important open space lands or address immediate threats to water quality, water supply and natural habitats;
- j. protect Skyline Wilderness Park through acquisition from the State of California; no funds generated by this Ordinance may be used to support or facilitate any non-park use, development or resource extraction on any portion of the currently-leased area of Skyline Wilderness Park. The Napa Open Space District shall make all reasonable efforts to reach agreement with the State of California to purchase all of the currently-leased area of Skyline Park, and once such agreement is reached, shall use proceeds from the Ordinance as needed to complete the purchase.

All acquisitions funded with revenues generated by this ordinance shall only be made from willing sellers, and may never be for more than appraised fair market value. Therefore, the priorities and projects identified above are subject to the availability of willing sellers at reasonable prices.

Eligible costs include but are not limited to purchase price, escrow and related closing costs, legal fees associated with the purchase, and other costs incurred in negotiating purchase agreements and completing transactions.

2. Open Space Parks: operations, maintenance, restoration and improvement of public parks, other open space lands and trails, forest management for wildfire fuel reduction, youth outdoor education and grants to local partner non-profit organizations and public agencies.

The second goal of this expenditure plan is to restore, repair and maintain a high standard of care for open space parks and other public open space resources, while also facilitating appropriate public access improvements, consistent with the Napa Open Space District Master Plan and Update adopted July 8, 2019.

Restoration, repair and maintenance priorities include the following:

- a. reduce wildfire risk through improved forest management practices including invasive weed control to reduce fuel loads and eliminate fuel ladders, and maintaining forest diversity (avoiding even-aged, overly dense and single-species forests);
- b. ensure water quality through control of soil erosion by restoring, repairing and/or maintaining trails, culverts, water courses, enhancing native landscapes to naturally filter water;
- c. protect wildlife by controlling the spread of non-native species, maintaining corridors for wildlife movement;
- d. improve and maintain parks to ensure they are clean, safe and welcoming public open spaces for healthy living--for play, for exercise and to relieve stress; and
- e. repair and conserve deteriorating open space infrastructure and resources, including water systems, access roads, facilities and Native American and historic resources located on public plans.

Public access priorities include the following:

- a. construct, maintain and enhance walking, hiking, biking and equestrian trails, especially close to where Napa County residents live, and trails that connect communities with nature;
- b. provide nature-based recreation opportunities including but not limited to overnight accommodations, for diverse recreational interests, ages and abilities;
- c. improve public access to existing public lands that are not currently accessible to the public; and
- d. complete the public facilities and recreational trail network proposed in the Napa Open Space District Master Plan.

Eligible costs associated with restoration, maintenance and public access include, but are not limited to, direct staff costs to operate the program; contracted and volunteer services; equipment and materials; and permitting and recording fees.

The goal of youth education is to provide every student the opportunity for at least one outdoor educational field experience per year to study the environment, how it functions and how to take care of it. Funds may be used to support District programs, or may be granted through a competitive grant process to non-profit organizations, teachers, and schools to improve and expand participation in outdoor youth education programs.

Eligible costs associated with youth education include, but are not limited to:

- a. school field trips to support hands-on learning;
- b. interpretive signs and facilities;
- c. summer camps; and
- d. junior ranger programs.

Grants to partners are intended to support the water quality enhancement, natural resource restoration, and educational work of local non-profit and public agency partner. Priorities include:

- a. joint research to better understand ecological processes and develop best management practices;
- b. coordinated forest management, fuel reduction and other wildfire risk reduction projects;
- c. joint education and outreach programs; and
- d. Restoration of native species and control of invasive species.

3. Local Parks and Trails.

The third goal of this expenditure plan is to help implement the park and recreation objectives of the five municipalities in Napa County. Funding in this program area shall be allocated proportionate to population to each of the four cities and one town, utilizing the most current published population estimates pursuant to the procedures specified in Section 3.30.200(b). Funds so granted may only be used to plan, acquire, construct, operate, repair and maintain parks and outdoor recreation facilities and programs identified in the respective adopted General, Specific and Master Plans of each jurisdiction.

4. Administration. No more than three percent of the revenues generated by this Ordinance may be used to fund administrative overhead, as defined in Section 3.30.200(d).

3.30.190 Community Oversight Committee

A. Membership and Meeting Requirements

1. The Committee shall be established within six months of the effective date of the ordinance.
2. Members of the Committee shall be appointed by the District Board. The role of the committee shall be to advise the District Board and staff, to make recommendations and to report their findings to the Napa community.
3. Members of the Committee shall be Napa County residents who are neither elected officials of any government within Napa County, nor employees from any agency or organization that either oversees or benefits from the proceeds generated by this ordinance.
4. The Committee shall consist of seven at-large members, with at least one member from each Napa Open Space District ward. At least two at-large members shall have experience as public accountants, bankers, budget managers or related professional endeavors.
5. The General Manager of the District, or designee, and the County Auditor-Controller shall serve as non-voting ex-officio members of the committee.
6. The District Board shall approve bylaws related to the conduct of committee meetings and business.
7. Meetings of the committee shall be open to the public and shall be held in compliance with the Ralph M. Brown Act, California's open meeting law
8. All members of the committee shall participate in conflict of interest and ethics training pursuant to AB 1234.
9. The committee shall dissolve after all revenue collected from the proceeds generated by this ordinance is expended and a final report is submitted and circulated to the Napa County community.
10. No salary or stipend shall be paid to committee members.

B. Responsibilities

1. Work with the County Auditor-Controller on recommended Fiscal Policies and Procedures for the District Board's approval.
2. Review expenditures on an annual basis to ensure they conform to the expenditure plan.
3. With the assistance of the County Auditor-Controller, prepare an annual report within four months of the end of each fiscal year, describing how funds were spent and present to the District Board in a public meeting.
4. To preserve the integrity and independence of the oversight process, the committee's responsibilities shall not include decision-making on spending priorities, financing plans or tax rate projections or assumption and the committee shall have no authority to direct, nor shall it direct County or District staff or officials.

C. Role of the County Auditor-Controller

1. Recommend draft Fiscal Policies and Procedures to the committee using best

accounting practices, ensure strong internal controls; these procedures shall not deviate from the District's accounting practices and system.

2. Receive the tax revenues from the State and transfer them into an account specifically created for and under the Napa Open Space District.
3. Provide, at least annually, a full accounting of the funds received and expended.
4. Assist the Committee with the annual report and file with the District Board all reports meeting the requirements of Government Code Section 50075.3.
5. File an annual report with the Napa County Board of Supervisors no later than January 1 of each year that contains the amount of funds collected and expended and the status of any project required or authorized to be funded as identified in the Expenditure Plan as required by Government Code Sections 50075.1 and 50075.3.

3.30.200 Implementation of the Expenditure Plan

Implementation of the expenditure plan shall be guided by the following procedures to ensure that the revenue generated by the ordinance is spent in the most efficient and effective manner possible, consistent with serving the public interest in Napa County, and the desires of the voters of Napa County.

A. The County Auditor-Controller shall transfer all revenues generated by the ordinance to the Napa Open Space District as they are received by the County and will be allocated and accounted for in a prescribed manner as set forth in the Fiscal Policies and Procedures. The Auditor-Controller shall be reimbursed actual costs associated with the collection, distribution and reporting of revenues and expenses.

B. The 20% Local Parks and Trails allocation to each eligible jurisdiction will be based on its proportionate share of the total population of the incorporated areas of Napa County, revised annually using the California Department of Finance Annual Price and Population letter issued in May of each year as the basis for the allocation of the following fiscal year's sales tax receipts.

1. The Cities of Napa, American Canyon, St. Helena, Calistoga and the Town of Yountville may submit invoice(s), up to the funds allocated and available for that jurisdiction, to the Napa Open Space District for reimbursement of eligible park and recreation expenses. Each invoice shall be accompanied by documentation in a form acceptable to the Napa County Auditor-Controller, including a certification that all expenses are for park and recreation purposes, and are consistent with the jurisdiction's adopted park and recreation plan(s), General Plan, any other applicable Specific Plans and Zoning Ordinance. In addition, any invoice for the purchase of real property shall be accompanied by a recorded easement permanently restricting the use of the real property for the intended park and recreation purposes.
2. All invoices shall be reviewed and approved by the Napa Open Space District General Manager prior to payment.
3. The Napa Open Space District Board of Directors shall promptly pay all such invoices provided the expenses are consistent with the requirements of this Ordinance and sufficient funds have been received and allocated.

C. The District Board shall conduct a public meeting at least annually to gain public input on project selection, as part of Napa Open Space District's annual budget development process.

D. No more than three percent of revenues received by Napa County from the State of California pursuant to this Ordinance may be used for administrative overhead. Administrative overhead includes County of Napa expenses to administer the Ordinance, Napa Open Space District expenses to administer Local Parks and Trails grants, central office expenses consisting of rent and furnishings, out of county travel including transportation, lodging and food, and financial audit expenses.

E. The County (when it receives and transfers the revenues) and the Napa Open Space District (upon receipt of the revenues) are charged with the fiduciary duty to administer proceeds in accordance with applicable laws and the expenditure plan. Disbursement of funds as grants shall be subject to terms and conditions that may include, but are not limited to, the Napa Open Space District's right to require grantees to enter into grant agreements with the Napa Open Space District and audit a grantee's use of proceeds.

F. Actual revenues generated by the ordinance may be higher or lower than estimates in this plan due to variability in annual receipts caused by changes in the economy generally and the level of tourism spending in Napa County. The Napa Open Space District shall annually estimate revenue generated by the ordinance, and adjust expenditures as necessary to avoid deficit spending.

G. The Napa Open Space District may accumulate revenue over multiple years so that sufficient funding is available for larger and long-term projects. All interest income shall be used for the purposes identified in this expenditure plan.

H. All funds generated by this ordinance shall only be used for projects that are consistent with applicable General Plans, Specific Plans, Master Plans and Zoning Ordinances.

I. Regarding real property acquisitions, revenues generated by the ordinance may only be used for real property acquisition projects located wholly or at least partially within Napa County.

J. Revenues generated by the ordinance shall not be used to incur bonded indebtedness.

K. To enhance local workforce development and employment opportunities, and involve youth and young adults in caring for our natural resources, the Napa Open Space District will seek to form partnerships with workforce development programs, youth conservation corps and local community-based non-profit organizations and public agencies working with low-income, at-risk and disabled youth and young adults, to incorporate job training, internships and apprenticeships into the implementation of Napa Open Space District projects.

SECTION 3: The Board of Supervisors finds that it can be seen with certainty that there is no possibility the proposed Ordinance may have a significant adverse effect on the environment and therefore CEQA is not applicable. (See Guidelines For the Implementation of the California Environmental Quality Act, 14 CCR 15061(b)(3).) Individual projects and programs funded by this Ordinance may be subject to CEQA review at the time they are approved.

SECTION 4. An election shall be ordered to enable the voters of Napa County to approve or reject this Ordinance. The date of the election shall be March 3, 2020.

SECTION 5. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Napa County Board of Supervisors hereby declares it would have passed and adopted this ordinance and each and all provisions hereof irrespective of the fact that any one or more of said provisions be declared invalid.

SECTION 6. This ordinance shall be published at least once before the expiration of 15 days after its passage in the Napa Valley Register, a newspaper of general circulation published in Napa County, together with the names of members voting for and against the same. The foregoing ordinance was introduced read and passed at a regular meeting of the Napa County Board of Supervisors held on August 20, 2019, by the following vote,

[REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY]

which is no less than a two-thirds vote of all members of the Napa County Board of Supervisors as required by Government Code Section 53724(b) and Revenue and Taxation Code Section 7285.5:

AYES: SUPERVISORS _____

 NOES: SUPERVISORS _____

 ABSTAIN: SUPERVISORS _____

 ABSENT: SUPERVISORS _____

NAPA COUNTY, a political subdivision of the State of California

By: _____
 RYAN GREGORY, Chair of the Board of Supervisors

APPROVED AS TO FORM Office of County Counsel By: <u>Chris R.Y. Apallas</u> Deputy County Counsel Date: <u>August 12, 2019</u>	APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS Date: _____ Processed By: _____ _____ Deputy Clerk of the Board	ATTEST: JOSE LUIS VALDEZ Clerk of the Board of Supervisors By: _____
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This ordinance shall be considered as adopted upon the date the vote is declared by the Board of Supervisors and shall go into effect ten (10) days after that date, all pursuant to Section 9122 of the California Elections Code.

[REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY]

As required by Revenue and Taxation Code Section 7285.5, the foregoing ordinance was approved by no less than a two-thirds vote of the people of Napa County, on March 3, 2020, by the following vote:

AYES: _____

NOES: _____

The vote on this ordinance was declared by the Board of Supervisors on April_____,2020 .

DIANE DILLON, Chair
Board of Supervisors

APPROVED AS TO FORM Office of County Counsel By: _____ County Counsel Date: _____	APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS Date: _____ Processed By: _____ _____ Deputy Clerk of the Board	ATTEST: JOSE LUIS VALDEZ Clerk of the Board of Supervisors By:_____ _____
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COUNTY COUNSEL’S IMPARTIAL ANALYSIS OF MEASURE K

The Napa County Board of Supervisors has placed on the ballot the question of whether to approve an ordinance enacting a transactions and use tax (“sales tax”) throughout the county. The ordinance, known as Measure “K,” would impose a one quarter of one percent (.25%) sales tax beginning 120 days from the March 3, 2020 election (July 1, 2020) for fifteen years.

State law authorizes the County to levy a sales tax if the ordinance proposing the tax is approved by a two-thirds vote of all members of the Board of Supervisors and two-thirds of the qualified voters of the county who vote in the election. The Board of Supervisors unanimously approved the ordinance on August 20, 2019.

Measure K proposes a special tax that would be passed through to the Napa County Regional Park and Open Space District (District). Special taxes can only be utilized for those purposes identified in the ordinance imposing the tax and cannot be used for general governmental purposes. The District would use the sales tax to preserve watersheds, rivers, lakes, open space and wildlife habitat; restore, maintain and improve public access to public open space resources; and help implement the park and recreation objectives of the county’s five municipalities.

The measure would create a Citizens Oversight Committee to review annual expenditures for conformance to the ordinance’s expenditure plan and prepare an annual report to be presented to the District Board of Directors in a public meeting.

The current sales tax throughout Napa County, except for St. Helena, is 7.75%, which means that if adopted, Measure K would increase the sales tax rate in the unincorporated areas of the county, the City of Napa, the City of American Canyon, the City of Calistoga and Town of Yountville to 8.0% for fifteen years beginning July 1, 2020. The current sales tax rate in the City of St. Helena is 8.25%, which means that if adopted, Measure K would increase the sales tax rate in the City of St. Helena to 8.5%. Like the current sales tax, the tax would be imposed on all retailers in the incorporated and unincorporated county on sales of tangible personal property, subject to certain exemptions and exclusions identified in the ordinance, that are required by State law.

A YES VOTE MEANS you want to impose a one quarter of one percent (.25%) special sales tax limiting the use of those proceeds to the above described District projects.

A NO VOTE MEANS you do not want to impose a one quarter of one percent (.25%) sales tax to fund the above described District projects.

Jeffrey M. Brax
County Counsel

Argument in Favor of Measure K

Vote YES on Measure K to protect water, parks and open space here in Napa County.

Measure K gives us local control over our local needs here in Napa County. Every single penny stays right here in our community and no funds can be taken away by the State.

Your YES vote is critical. Measure K protects water, which is one of our most precious resources. Here in Napa County, we have rivers, creeks and streams that feed into our water system and need to be preserved. Measure K protects over 20,000 acres of beautiful rolling hills, watersheds, natural habitats and forests throughout Napa County. If we don't act now, this land could be developed and gone forever.

We understand the risk of wildfire all too well. Measure K helps reduce the impacts of wildfires by managing forests and open space areas to keep potential fire fuels at safer levels. We cannot afford to wait.

Vote YES on Measure K for Napa County Regional Park and Open Space District

- Reduce the impacts of wildfire through improved forest management
- Protect drinking water and water quality in Napa County rivers, lakes, creeks and streams by acquiring, preserving and restoring watersheds
- Protect natural open spaces and wildlife habitat
- Maintain local parks and trails, including larger natural parks and city parks

Local Control is Required

- Independent citizen oversight is required
- Annual financial audits are required
- Every penny stays in our county
- No funds can be taken away by the State

We cannot rely on the State to provide the funding we need. Measure K ensures that Napa County gets its fair share of State and Federal matching funds to protect open space right here in our community. Plus, tourists from outside Napa County will pay over 1/3 of the total to fund our parks and open spaces.

Join community leaders, seniors, business owners and longtime residents in voting YES on Measure K.

/s/ Jill Techel
Mayor, City of Napa

/s/Tim Streblow
Retired CAL Fire Chief

/s/ Arik Housley
VP Napa United, Owner Ranch Markets, VP Alaina's Voice Foundation

/s/ Christina B. Benz
Napa Sierra Club

/s/ Mike Thompson
Member of Congress

Argument Against Measure K

The Parks and open space district was established in 1992 and has been successfully operating with major funding provided through the county. Increased funding to support a new bureaucracy has been requested and rejected by the voters on three past occasions. By this measure the district officials are again requesting a ten fold budget increase that they would be in charge of administering and spending.

There are multiple reasons why the voters should continue to limit the funding of this district. They include;

(1) It is noted that the district has and will continue to function effectively in promoting specific park projects, increasing protected open space and purchasing targeted open space projects without this added new tax burden.

(2) A major portion of the district budget has been derived from the transient hotel tax (TOT) which is collected by and provided through your elected county supervisors.

(3) California sales taxes already are the highest in the nation. They are a regressive form of taxes which disproportionately affect low income and underemployed residents.

(4) Protecting and restoring water resources and open spaces has already been adequately addressed by the county's land use and conservation regulations.

(5) Creating an added and expensive bureaucratic organization within the county is not required.

It is time again for voters to tell the district officials and county supervisors by their NO vote on Measure K they actually do mean NO.

/s/ Jack D. Gray
Director, Napa County Taxpayers Association

/s/ Mark J. Gasster

/s/ Jill E. Barwick

/s/Leon Brauning

/s/ Tom Orlando
Former Mayor, American Canyon

Rebuttal to the Argument In Favor of Measure K

Measure K is another plea for an unnecessary new tax to provide a ten fold increase in funding for the Parks and Open Space District.

Make no mistake, the new revenue will be used to fund a new ill defined and expanded bureaucracy.

Since its formation, the District's products and services associated with expanding and preserving open space have been and will continue to be successful with its current limited budget.

A polling of this measure to judge potential voter support was reportedly conducted but has not been released for any public review. Residents have repeatedly, and more clearly than any poll, demonstrated by their votes in three (3) similar measures in the past that they do not support another tax to massively increase funding of this agency.

Rather than promoting this tax increase and formation of a new bureaucracy county supervisors should continue to address all of the issues specified in this measure.

Open space preservation, watershed protection and environmental issues have all been properly addressed in county ordinances which have resulted in Napa county being among the most preserved and protected in the state.

/s/ Jack D. Gray
Director, Napa County Taxpayers Association

/s/ Mark J. Gasster

/s/ Jill E. Barwick

/s/Leon R. Brauning

/s/ Tom Orlando
Former Mayor, American Canyon

Rebuttal to Argument Against Measure K

The opponents have one fact right—that our park district is operating successfully and effectively managing parks and open space here in Napa County.

On almost every other point, however, they are mistaken. Don't let them mislead you, as they have not done their homework.

- They aren't correct as to when the District was formed or how it is currently funded.
- They don't seem to recognize that no reliable source of funding exists for the District, leaving the protection of our parks and open space vulnerable to political maneuvering.
- They are incorrect that Measure K forms a new bureaucracy. The District already exists.

Here are the facts:

- Tourists from outside of Napa County will pay more than 1/3 of the total cost of Measure K.
- Wildfires are one of the most pressing issues facing us today. We need Measure K to lessen the impact of wildfires and protect our communities.
- Maintaining safe and clean water is a necessity. Streams and rivers in our County need to be protected and managed to preserve water quality.
- Over 20,000 acres of hills and open space are vulnerable to development and could be lost if we don't act now.
- The only way to get our fair share of state and federal matching funds is to pass Measure K. Otherwise, other communities will receive this funding.

Future generations won't have the opportunities we do today for conservation of our county's valuable land. This is our chance to step up. Please join us and vote YES on K. www.yesonnapameasurek.com

/s/Leon Garcia
Mayor, American Canyon

/s/Chuck McMinn
President, Vine Trail Coalition & Owner, Vineyard 29

/s/Doug Parker
CEO, Land Trust of Napa County

/s/Robin Baggett
Owner Alpha Omega Winery & Owner of a Napa County Cattle Ranch

/s/ Bill Dodd
State Senator

Dear Council Members,

I'm writing to you as a past board member and current committee chairman of the Land Trust of Napa County. The land trust has endorsed Measure K, which will protect Napa County water, parks and open space. I'd like to give you some of the reasons we're supporting the measure.

- The land trust has permanently protected 80,000 acres of wildlands and agriculture in its 44 years. Our conservation mission dovetails with that of Measure K.
- Most Bay Area counties have had a dedicated public funding source for conservation, some for decades. It's time for Napa to step up.
- Right now, the land trust and Napa County Regional Park & Open Space District are collaborating on 25 protection projects. Funding is the key bottleneck for completion.
- Measure K will protect 20,000 acres, including municipal watersheds like Bell Canyon, woodlands on upvalley hillsides, scenic views, ag easements, and wildlife habitat. Funds will also go to city park and rec departments.
- The measure will provide funding for on-going management of lands, including fuel load reduction. At the land trust, we've learned the importance of maintaining protected lands, often overlooked or deferred elsewhere.
- The land trust will assist with owner and donor transactions so that the open space district need not build that capacity, and more of Measure K's funds will be available for land preservation.
- An independent citizen oversight committee and annual audits will ensure that all funds are spent as promised.

I know several of you have already endorsed Measure K, but I wanted to give the council the perspective of an organization that has been doing this sort of thing for almost half a century. It would be a very powerful statement for the council to support the measure unanimously. This time, let's get it done.

Thanks for listening.

Jack Stuart



Report to the City Council
Regular City Council - 28 Jan 2020

Agenda Section: NEW BUSINESS

Subject: Consideration and approval of a Resolution approving City of St. Helena City Council P-FI-0018 Ticket Distribution Policy

CEQA **Not a CEQA project**
Determination:

Prepared By: April Mitts, Finance Director

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

Recently, questions have arisen about whether the City could purchase tickets for Council members' attendance at certain charitable or other events in the City. The City may distribute passes or tickets to City officials, whether the City acquires the tickets directly or whether they are provided by an outside source, but such tickets or passes are generally considered "gifts" for purposes of the Political Reform Act. The Fair Political Practices Commission ("FPPC") has adopted regulations providing that the City may distribute tickets or passes to City officials and that such tickets or passes will not be considered a gift to the official under certain circumstances. In particular, the City Council must have adopted a written policy identifying the legitimate public purpose for which the ticket or pass was distributed. The policy would apply to both tickets and passes received by the City from third party sources and tickets or passes the City purchases directly.

DISCUSSION

The Political Reform Act places limitations on the acceptance of gifts by certain public officials. A ticket or pass received for an event, when not purchased directly by the public official, would in most circumstances be considered a gift. However, FPPC Regulation 18944.1 provides a procedure for public agencies that provide tickets to their

public officials to use that results in the tickets or passes not being considered a gift under the Political Reform Act.

Specifically, Regulation 18944.1 requires the agency to:

1. Adopt a distribution policy setting provisions required under Regulation 18944.1;
2. Post a copy of the policy on the City's web site and email a link to the FPPC for posting;
3. Ensure the ticket/pass is used for a governmental purpose;
4. Complete FPPC Form 802 for each distribution within 45 days of distribution of a ticket or pass, and retain Form 802 as a public record under the Political Reform Act; and
5. Post a copy of each Form 802 on the City's web site and email a link to the FPPC for posting.

Additionally, the policy must contain the following provisions:

1. A provision setting forth the public purposes of the City for which tickets or passes may be distributed;
2. A provision requiring that the distribution of any ticket or pass to, or at the behest of, an agency official accomplishes a stated public purpose of the agency;
3. A provision prohibiting the transfer of any ticket received by an agency official pursuant to the distribution policy except to members of the official's immediate family or no more than one guest solely for their attendance at the event; and
4. A provision prohibiting the disproportionate use of tickets or passes by a member of the City Council, the City Manager, political appointee, or department head.

The draft Council P-FI-0018 Ticket Distribution Policy is attached for review and approval. If approved, the Ticket Distribution Policy would take effect immediately.

FISCAL IMPACT

It is estimated the overall fiscal impact will be under \$10,000 per year and can be absorbed within the adopted FY 2019-20 budget.

RECOMMENDED ACTION

Staff recommends City Council adopt a Resolution approving City of St. Helena Policy P-FI-0018 Ticket Distribution Policy.

ATTACHMENTS

[P-FI-0018 Ticket Distribution Policy](#)

[Resolution Ticket Distribution Policy](#)

	City of St. Helena Policy Finance	Policy Ticket Distribution Policy
		Page 1 of 6

Title: Ticket Distribution Policy	Policy #	P-FI-0018
	Revision #	Release
	Implementation Date	2020-01-15
	Last Update Date	2020-01-14
Approval by City Council	Resolution 2020-	Date Approved
		2020-01-14

I. Purpose, Overview, and Scope of this Policy

The purpose of this Policy (the “Ticket Policy”) is to ensure that all tickets the City receives from public and private entities and individuals and tickets purchased for charity events benefiting the City of St. Helena are distributed in furtherance of governmental and/or public purposes and are in compliance with the requirements of Title 2, Section 18944.1 of the California Code of Regulations as now exist or may hereafter be added or amended by the Fair Political Practices Commission.

II. Authority

Updates to this policy require City Council approval.

III. Policy

1. SECTION 1 - DEFINITIONS.

Unless otherwise expressly provided herein, words and terms used in this Ticket Policy shall have the same meaning as that ascribed to such words and terms in the California Political Reform Act of 1974 (Government Code Sections 81000, et seq., as the same may from time to time be amended) and the Fair Political Practices Commission (“FPPC”) Regulations (Title 2, Division 6 of the California Code of Regulations, Sections 28110 et seq., as the same name from time to time be amended).

- a. “City” or “City of St. Helena” shall mean and include the City of St. Helena, and any other affiliated agency created or activated by the City of St. Helena City Council, and any departments, boards and commissions thereof.
- b. “City Official” shall mean every elected official, officer, agent and employee of the City who is obligated to file an Annual Statement of Economic Interests FPPC Form 700) under state law or the City’s current conflict of interest code.
- c. “City Venue” shall mean and refer to any facility owned, controlled, or operated by the City.
- d. “FPPC” shall mean and refer to the California Fair Political Practices Commission.

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- e. "Immediate Family" shall mean and refer to the spouse and dependent children of the City Official. The term spouse includes registered domestic partners recognized by state law and dependent children shall mean a child, including an adoptive child or stepchild, of a City Official who is under 18 years old and who the City Official is entitled to claim as a dependent on his or her federal tax return.
- f. "Ticket Policy" shall mean and refer to this Ticket Distribution Policy governing the distribution of tickets and passes in accordance with Section 18944.1.
- g. "Ticket" shall mean and refer to "ticket of pass" as that term defined in Section 18944.1, as amended from time to time, but which currently defines a "ticket or pass" as admission privileges to a facility, event, show, or performance for entertainment, amusement, recreational, charity, or similar purpose.
- h. "Ticket Administrator" shall mean and refer to the individual(s) selected to coordinate request for tickets.

2. SECTION 2 - APPLICATION OF POLICY.

- a. This Ticket Policy shall be applicable to every City Official.
- b. This Policy applies to tickets which provide admission to a facility or event for an entertainment, amusement, recreational or similar purpose, and are:
 - i. Gratuitously provided to the City by an outside source;
 - ii. Acquired by the City by purchase;
 - iii. Acquired by the City as consideration pursuant to the terms of a contract for the use of a City venue; or
 - iv. Acquired and distributed by the City in any other manner.

3. SECTION 3 - GENERAL PROVISIONS.

- a. No Right to Tickets: The use of Tickets is a privilege extended by the City and not the right of any person to which the privilege may from time to time be extended.
- b. Limitation on Transfer of Tickets: Tickets distributed to a person pursuant to this Ticket Policy shall not be transferred except to members of the person's immediate family or no more than one guest solely for their attendance at the event.

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- c. Prohibition Against Sale of or Receiving Reimbursement for Tickets: No person who receives a Ticket pursuant to this Ticket Policy shall sell or receive reimbursement for the value of such Ticket.

4. SECTION 4 - TICKET ADMINISTRATOR.

- a. The City Council delegates the authority to the City Manager or his/her designee to be the Ticket Administrator for purposes of implementing the provisions of this Ticket Policy.
- b. The Ticket Administrator shall have the authority, in his or her sole discretion, to establish procedures for the distribution of Tickets in accordance with this Ticket Policy. Such authority includes the power to distribute such a Ticket to the City Manager provided that doing so is otherwise consistent with this Ticket Policy. All request for Tickets that fall within this scope of this Ticket Policy shall be made in accordance with the procedures established by the Ticket Administrator.
- c. The Ticket Administrator shall determine the face value of Tickets distributed by the City for purposes of Sections 5.A. and 5.B. of this Ticket Policy.
- d. The Ticket Administrator, in his or her sole discretion, may revoke or suspend the Ticket privileges of any person who violates any provision of this Ticket Policy or the procedures established by the Ticket Administrator for the distribution of tickets.
- e. For the purpose of implementing the Ticket Policy, and completing and posting the FPPC California Form 802, the Ticket Administrator shall be the "Agency Head."

5. SECTION 5 - CONDITIONS UNDER WHICH TICKETS MAY BE DISTRIBUTED.

Subject to the provisions of this Ticket Policy, the Ticket Administrator may distribute Tickets to City Officials under any one of the following conditions:

- a. The City Official reimburses the City for the face value of the Ticket(s).
- b. The City Official treats the Ticket(s) as income consistent with applicable federal and state income tax laws and the Ticket(s) are reported as income pursuant to the provisions of this Ticket Policy.
- c. The distribution of the Ticket(s) to, or at the behest of, the City Official accomplishes or furthers one or more of the following governmental and/or public purposes:

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- i. Facilitating the performance of a ceremonial role or function by a City Official on behalf of the City at an event, for which the City Official may receive enough Tickets for the City Official and each member of his or her Immediate Family.
- ii. Facilitating the attendance of a City Official at an event where the job duties of the City Official require his or her attendance at the event, for which the City Official may receive enough Tickets for each member of the City Official's Immediate Family.
- iii. Promotion of intergovernmental relations and/or cooperation and coordination of resources with other governmental agencies, including, but not limited to, attendance at an event with or by elected or appointed public officials from other jurisdictions, their staff members, and guests.
- iv. Economic or business development purposes on behalf of the City.
- v. Promotion of City resources and/or facilities available to St. Helena residents.
- vi. Promotion of City-run sponsored or supported community events, activities, or programs.
- vii. To monitor and evaluate the value of City-run, sponsored, or supported community events, activities or programs to the City including, but not limited to, evaluation of the venue, quality of performances, and compliance with City policies, agreements, and other requirements.
- viii. Promotion and evaluation of events, activities, or programs at City venues, including, but not limited to, evaluation of the venue, quality of performances, and compliance with City policies, agreements, and other requirements.
- ix. Promoting, supporting, and/or showing appreciation for programs or services rendered by charitable and non-profit organizations benefitting St. Helena residents.
- x. Promotion of City tourism on a local, state, national, or worldwide scale.
- xi. Business retention or attraction on a local, state, national, or worldwide scale.
- xii. Promotion of City recognition, visibility, and/or profile on a local, state, national, or worldwide scale.
- xiii. Encouraging St. Helena resident and business support for and attendance at local events.

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- xiv. Encouraging participants in City sponsored programs to attend local events.
- xv. Attracting or rewarding volunteer public service.
- xvi. Encouraging or rewarding significant academic, athletic, or public service achievements by St. Helena students, residents, or businesses.
- xvii. Attracting and retaining highly qualified employees in the City service.
- xviii. Recognizing or rewarding meritorious service by a City employee.
- xix. Promoting enhanced City employee performance or morale.
- xx. As an incident to the above public purposes, allowing for the Immediate Family of the City Official to accompany the City Official to events to accomplish any of the purposes listed in this Policy.

6. SECTION 6 – OTHER BENEFITS

- a. The distribution of Tickets pursuant to this Policy shall not constitute a “gift” to the City Official receiving the Ticket; however, other benefits, such as food or beverage or other gifts provided to the City Official that are not part of the admission provided by the Ticket, will need to be accounted for as gifts.
- b. If the City receives Tickets that are earmarked for particular City Officials, then the Tickets are considered gifts to that particular City Official. If these Tickets are not returned unused to the provider within thirty (30) days of receipt, then the City Official must comply with the applicable FPPC gift limit regulations and reporting regulations.

7. SECTION 7 – POSTING AND DISCLOSURE REQUIREMENTS

- a. This Ticket Policy shall be posted on the City’s website within thirty (30) days of its adoption and the Ticket Administrator shall send to the FPPC by email the City’s website link that displays this Ticket Policy.
- b. The distribution of Tickets pursuant to this Ticket Policy shall be documented by the preparation and certification of FPPC Form 802, as amended from time to time by the FPPC. Within thirty (30) calendar days of the distribution of a Ticket, the Ticket Administrator shall prepare and certify a Form 802 and shall post it on the City’s Website. A copy of each Form 802 shall be forwarded to the FPPC.
- c. Tickets distributed by the City for which the City receives reimbursement from the City Official shall not be subject to the disclosure provisions set forth herein.

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CITY OF ST. HELENA

RESOLUTION NO. 2020-__

**Resolution Approving City of St. Helena
City Council Policy P-FI-0018 Ticket
Distribution Policy and Rescinding any
Previous Policies or Administrative
Memoranda which are Inconsistent with
City Council Policy P-FI-0018.**

RECITALS

- A. The City recognizes that fiscal policies and procedures are necessary for efficient, effective, and proper accounting of City spending; and
- B. In recognition of the importance of being engaged with the City of St. Helena community, the City Council determines that it serves a public purpose for City officials to attend charitable and other community events held within the City; and
- C. The Fair Political Practices Commission ("FPPC") adopted Regulation 18944.1 to regulate the distribution and disclosure by public agencies of certain tickets and passes to public officials and employees; and
- D. Regulation 18944.1 provides that a ticket or pass distributed pursuant to an adopted policy and properly disclosed by the agency is not a gift to the public official and does not require a disclosure requirement on the official's Statement of Economic Interests, the Form 700; and
- E. A Ticket Distribution Policy is presented to City Council for consideration, which allows for this provision and are in compliance with the requirements of Title 2, Section 18944.1 of the California Code of Regulations; 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-0018 Ticket Distribution Policy.

RESOLUTION

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

1. Approves St. Helena City Council Policy P-FI-0018 Ticket Distribution Policy; and
2. Repeals and rescinds any previous policies or administrative memoranda which are inconsistent with City Council Policy P-FI-0018 Ticket Distribution Policy.

Approved at a Regular Meeting of the St. Helena City Council on January 28, 2020, by the following vote:

Mayor Ellsworth:

Vice Mayor Dohring:

Councilmember Chouteau:

Councilmember Knudsen:

Councilmember Koberstein:

APPROVED: ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzaopoulos, City Clerk