City of St. Helena
Regular City Council Meeting
Tuesday, April 14, 2020 @ 6:00 PM

In accordance with Executive Orders N-25-20, N-29-20, and guidance from the California Department of Public Health on gatherings, remote public participation is allowed. We will address the Order in the following ways: Members of the public may not physically attend meetings. The City Council meeting will be live-streamed on Comcast Channel 28 and on the City's website, barring technical difficulties. Those members of the public wishing to participate must do so remotely via Zoom electronic meetings in the following ways; by either logging onto the Zoom link (please download the app to your computer or mobile device) and enter the meeting ID or by calling a listed number and enter the meeting ID. Public comment for City Council meetings will be accepted via email to publiccomment@cityofsthelena.org.

Please see page 5 of the agenda for detailed PUBLIC PARTICIPATION instructions.

Please click the link below to join the meeting: https://zoom.us/j/997617406

Or iPhone one-tap : US: +16699006833,,997617406# or +13462487799,,997617406#

Or Telephone: Dial(for higher quality, dial a number based on your current location):
US: +1 669 900 6833 or +1 346 248 7799 or +1 312 626 6799 or +1 929 205 6099 or +1 253 215 8782 or +1 301 715 8592

Meeting ID: 997 617 406

International numbers available: https://zoom.us/u/ac2gdYTQP6

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. None

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

7.3. 2020 City of St. Helena Water Storage Projections Update by Erica Ahmann Smithies, Public Works Director and City Engineer

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

8.1. Consideration and proposed adoption of a Resolution accepting the work and final CIP Project C20-01 St. Helena Library Roof Replacement construction costs of $183,341 and directing the filing of the Notice of Completion 9 - 14

CEQA Determination: Categorically Exempt, Section 15323
Prepared By: Edrees Argand, Assistant Engineer
Recommendation:
Adopt the attached Resolution accepting the work and final project construction costs of $183,341 and directing the filing of the Notice of Completion for CIP Project C20-01 St. Helena Library Roof Replacement
Staff Report - Pdf

8.2. Adoption of a Resolution Ratifying the City Manager/Director of Emergency Services Administrative Implementation of City Council Policy P-CC-0003 - Emergency Teleworking (COVID-19) Policy. 15 - 26

CEQA Determination: Not a CEQA project
Prepared By: April Mitts, Finance Director
Recommendation:

Resolution ratifying the City Manager/Director of Emergency Services administrative implementation of City Council Policy P-CC-0003 - Emergency Teleworking (COVID-19) Policy.

Staff Report - Pdf

8.3. Consideration and proposed adoption of a resolution adopting a list of projects for Fiscal Year 2020-21 funded by SB1: The Road Repair and Accountability Act of 2017 — 27 - 31

CEQA Determination: Exempt from the requirements of CEQA pursuant to Section 15301, Class 1, which exempts the operation, leasing, or minor alteration of existing facilities
Prepared By: Martin Beltran, Management Analyst
Recommendation:
Adopt a Resolution adopting a list of projects for Fiscal Year 2020-21 funded by SB1: The Road Repair and Accountability Act of 2017

Staff Report - Pdf

8.4. Consideration and proposed approval of a resolution ratifying the Federal Families First Coronavirus Response Act Temporary Policy and designation of "Emergency Responder" — 33 - 50

CEQA Determination: Not a CEQA project
Prepared By: Kathy Robinson, Human Resources & IT Director
Recommendation:
Approve Resolution ratifying the Federal Families First Coronavirus Response Act Temporary Policy and Designation of "Emergency Responders."

Staff Report - Pdf

9. PUBLIC HEARINGS

9.1. None

10. OLD BUSINESS

10.1.

Discussion and direction on expediting Capital Improvement Project R18-81 Downtown Sidewalk Improvements — 51 - 70

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

Staff Report - Pdf

11. NEW BUSINESS

11.1. COVID-19 Preliminary Economic Impact Report and Discussion — 71 - 84

CEQA Determination: Not a CEQA project
Prepared By: April Mitts, Finance Director

Staff Report - Pdf

11.2. Review and consideration of the 2019 St. Helena Housing Element Progress Report 85 - 98

CEQA Determination: Not a CEQA project
Prepared By: Aaron Hecock, Senior Planner
Recommendation:
It is recommended that the City Council review, consider and file this report recognizing that staff submitted the information to HCD in keeping with the April 1, 2020 deadline to maintain grant eligibility.

Staff Report - Pdf

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

12.1. To be provided at a later date.

13. ADJOURNMENT

The next Regular City Council meeting is scheduled for April 28, 2020.

I do hereby certify that a copy of the foregoing agenda was posted on the City website on Friday, April 10, 2020.

Cindy Tzafopoulos

Cindy Tzafopoulos, 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.

THE CITY OF ST. HELENA ENCOURAGES ONLINE PUBLIC PARTICIPATION IN VIRTUAL CITY COUNCIL MEETINGS

St. Helena, CA– The City of St. Helena is committed to public participation in City government in a manner that is consistent with guidance provided by the Napa County Public Health Official and Governor Newsom's Executive Order N-25-20. These guidelines relate to social distancing, and are intended to protect everyone by limiting the spread of COVID-19 in our community. In adherence to these guidelines, the St. Helena City Council will host a Virtual Council Meeting on Zoom; a free teleconferencing tool that enables users to watch and/or call into the meeting from their computers or phones. This meeting will be open to public and allows for live public comment. The meeting will also be recorded, livestreamed, and posted on the City's website after the adjournment of the meeting if technical difficulties occur: https://sthelena.civicweb.net/Portal/

The ZOOM web link, meeting ID, and phone number will be listed at the top of the City Council Meeting Agenda. You will be required to enter the meeting ID, but there will be no password or participant ID.

How to Watch or Listen to Council Meetings:

1. Watch on Comcast Channel 28
2. Watch the livestreaming video on the City's website
3. Watch and Listen on Zoom.us by clicking on the link in the Council Agenda
4. Listen only by calling the Zoom number listed on the Council Agenda

Watch Council Meeting by Joining the Zoom Meeting:

1. **By Computer, Tablet, or Smart Phone:**

    A. Before joining the virtual City Council Meeting, it is highly encouraged that you download the Zoom App. To sign up for your own free account, visit zoom.us/signup

and enter your email address. You will receive an email from Zoom (no-reply@zoom.us). In this email, click Activate Account.

B. If you are logged into your account, Enter the **Meeting ID** listed on the City Council Agenda. If you have not created an account go to: https://zoom.us/join and enter the **Meeting ID**

C. Select if you would like to connect audio and/or video and tap **Join Meeting**.

D. For specific instructions for your device, go to: **https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting**

2. **Listen Only by Telephone:**

A. **Dial** the number listed on the Council Agenda.

B. At the prompt, enter the **Meeting ID** provided on the top of the City Council Meeting Agenda and **Press #. A participate ID is not required.**

C. To disconnect from the meeting, hang up the phone.

Ways to Provide Public Comment:
While attending the virtual City Council Meeting, the public will have the opportunity to provide live public comment during Public Forum and after each agenda item. When it is the appropriate time for public comment the Mayor will verbally open public comment. At this time each individual is permitted 4 minutes to speak.

1. **Send a Public Comment in Advance to publiccomment@cityofsthelena.org**
The easiest way to provide public comment is to email your public comment. Public comments may be emailed to publiccomment@cityofsthelena.org. Please include in the subject line "COMMENT TO COUNCIL and the AGENDA ITEM". Any public comment is required to be submitted no later than 1 hour before the scheduled meeting and will be included as an attachment to the agenda.

2. **Provide Comment through Zoom meeting from a computer, tablet, or smart phone**
This option allows the public to virtually attend the meeting as a muted 'attendee' with no video or screen sharing capabilities. You will be able to see and hear those participating in the meeting, but they will not be able to hear you until the host unmutes you.

   If you wish to provide public comment during a specific agenda item or during public forum, you can use the **"raise hand"** feature located in the control panel at the bottom of your screen. The icon is a small blue hand. In Windows you can also use the Alt+Y keyboard shortcut to raise or lower your hand. In Mac you can also use the Option+Y keyboard shortcut to raise or lower your hand.
   The host will be notified that you've raised your hand and you will be placed in a queue with all incoming requests.
   When it is your turn to speak, you will be notified that the host has unmuted you. To be removed from the queue, just click the '**raise hand'** button again.

3. **Call in to the ZOOM meeting from a cell phone or landline phone only**
This option allows the member of the public with the opportunity to verbally participate in public comment.

   If you wish to speak during public comment time dial ***9** on your telephone.

The host will be notified that you would like to speak and you will be placed in a queue with all incoming requests.

When it is your turn to speak, you will be notified that the host has unmuted you. You may press ***9** again if you wish to be removed from the queue.

You will be notified at the end of your statement that you have been muted.

Report to the City Council
Regular City Council - 14 Apr 2020

Agenda Section: **CONSENT ITEMS**

Subject: **Consideration and proposed adoption of a Resolution accepting the work and final CIP Project C20-01 St. Helena Library Roof Replacement construction costs of $183,341 and directing the filing of the Notice of Completion**

CEQA Determination: **Categorically Exempt, Section 15323**

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

On May 28, 2019, CIP C20-01 St. Helena Library Roof Replacement Project for $480,000 ($20,000 for design and $460,000 for construction) was presented to City Council in the 2020-2025 five-year Capital Improvement Program which was approved and adopted by Resolution 2019-65. The adopted CIP budget included a full roof replacement. However, bids received exceeded $480,000. The bids were presented to City Council on October 8, 2019, where City Council rejected all bids and directed staff to replace the flat section of the roof. The C20-01 Project replaced all of the St. Helena Library's existing PVC flat roof.

On November 12, 2019, City Council awarded the C20-01 Project to Central Roofing Inc. in the amount of $186,141.

DISCUSSION

The Director of Public Works was authorized a construction contingency for unforeseen conditions not to exceed 10% ($18,614.10) of the construction contract. The Director authorized one contract change order during the project. In addition to the contract change order, there were $4,500.00 in contract unit item cost under-runs. The change orders and under-runs are summarized below:

Number	Description	Amount
CCO #1	Clean gutters (260 LF) at the St. Helena Library	$1,700.00
	Contract Change Order Total	**$1,700.00**
Contract Unit Item Under-runs	Repair of the Roof Deck	($4,500.00)

The C20-01 Project was completed within the allocated budgets. The Public Works Department and Chief Building Official 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 filed 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 Central Roofing Inc.

FISCAL IMPACT

The total estimated project expenditures are summarized below:

C20-01 St. Helena Library Roof Replacement

Limited Hazardous Building Materials Survey	$3,200.00
Final Construction Costs	$183,341.00
Asbestos Abatement Monitoring	$14,000.00
Estimated Total Project Cost	**$200,541.00**

The total approved project budget for FY 2019/20 is $480,000 with funding from the 733 Civic CIP Fund.

RECOMMENDED ACTION

Adopt the attached Resolution accepting the work and final project construction costs of $183,341 and directing the filing of the Notice of Completion for CIP Project C20-01 St. Helena Library Roof Replacement

ATTACHMENTS

Attachment 1: C20-01 Resolution
Attachment 2: C20-01 Notice of Completion

CITY OF ST. HELENA

RESOLUTION NO. 2020-

Resolution accepting the work and final project construction costs of $183,341 and directing the filing of the Notice of Completion for CIP Project C20-01 St. Helena Library Roof Replacement

RECITALS

A. On October 8, 2019, City Council instructed staff to issue an informal bid for only the PVC flat roof replacement; and

B. On October 30, 2019, four (4) bids were received by the City Clerk and opened in accordance with applicable law; and

C. The lowest responsive and responsible bidder for the project was Central Roofing Inc. of South San Francisco, CA in the amount of $186,141; and

D. On November 12, 2019, The City of St. Helena Council awarded the St. Helena Library Roof Replacement, Capital Improvement Project C20-01 to Central Roofing Inc. in the amount of $186,141, authorized the City Manager to execute the Construction Contract with Central Roofing Inc. and authorized the Director of Public Works to approve Change Orders not to exceed 10% of the contract amount; and

E. The Public Works Director/City Engineer authorized one contract change order (CCO) during the project as follows:

Number	Description	Amount
CCO#1	Clean gutters (260 LF) at the St. Helena Library	$1,700.00
	Total Change Orders:	$1,700.00
	Under-runs included Repairs of the Roof Deck	
	Sum of under-runs:	($4,500.00)

F. The final construction contract amount is $183,341, which includes Change Order #1 totaling $1,700.00 and contract unit item under-runs in the amount of $4,500; and

G. The project has been inspected and Central Roofing Inc. 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 Central Roofing Inc.

RESOLUTION

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

1. The contract entitled C20-01 St. Helena Library Roof Replacement with the final contract amount of $183,341, is accepted as complete, subject to the Contractor, Central Roofing 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 April 14, 2020 by the following vote:

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

APPROVED: ATTEST:

_____ _____
Geoff Ellsworth, Mayor Cindy Tzafopoulos, 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	1572 Railroad Avenue	St Helena	CA

3 Work or Improvement on the property hereinafter described as the C20-01 St. Helena Library Roof Replacement Project was completed and accepted by the City of St. Helena City Council on April 14, 2020.

4 The work done was: existing roofing removal and disposal (flat roof sections), preparation and replacement of existing PVC flat roof including underlayment, including appropriate leak barriers, moisture shedding, deck armor, roof deck protection, skylights, any repair or replacement to flashing, parapets on flat sections, and up to 10 squares of repair to damaged roof deck sheathing.

5 The name of the original contractor for the work of improvement as a whole was: Central Roofing 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: 1492 Library Lane.

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 14th day of April, 2020.

City of St. Helena

_____
Erica Ahmann Smithies, Public Works Director

Report to the City Council
Regular City Council - 14 Apr 2020

Agenda Section: **CONSENT ITEMS**

Subject: **Adoption of a Resolution Ratifying the City Manager/Director of Emergency Services Administrative Implementation of City Council Policy P-CC-0003 - Emergency Teleworking (COVID-19) Policy.**

CEQA Determination: **Not a CEQA project**

Prepared By: April Mitts, Finance Director

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

The government at all levels is taking action to protect public health and limit the spread of COVID-19 in the United States. The County of Napa has declared a local and public health emergency, the Governor of the State of California has declared a state of emergency, and the President of the United States has declared a national emergency.

The City Council on March 23, 2020, ratified the proclamation of the City Manager of a local emergency in the City of St. Helena and the County of Napa's Health Officer issued a shelter at home order on March 18, 2020, and the Governor issued a stay at home order on March 19, 2020. The City is following recommendations of Napa County Health and remains in contact with County officials to monitor and respond to any updates.

DISCUSSION

As part of the local and state emergency, the City has taken steps to scale back City operations. One such step was to administratively establish an Emergency Teleworking (COVID-19) Policy effective March 19, 2020 which has allowed eligible City employees to work in a designated area outside the office.

It is recommended the City Council adopt a resolution ratifying the City Manager/Director of Emergency Services administrative implementation of City Council Policy P-CC-0003 - Emergency Teleworking (COVID-19) Policy.

FISCAL IMPACT

There is no fiscal impact associated with ratification of this policy.

RECOMMENDED ACTION

Resolution ratifying the City Manager/Director of Emergency Services administrative implementation of City Council Policy P-CC-0003 - Emergency Teleworking (COVID-19) Policy.

ATTACHMENTS

P-CC-0003 Limted Duration Telework Policy
COSH Resolution COVID-19 Teleworking Policy

	City of St. Helena Administrative Policy City Council	Policy **Limited Duration Telework Policy**
		Page 1 of 6

Title: **Emergency Teleworking (COVID-19) Policy**		**Policy #**	P-CC-0003
		Revision #	Release
		Implementation Date	2020-03-20
		Last Update Date	
Approval by City Manager		**Date Approved**	2020-03-19

I. Purpose, Overview and Scope of this Policy

Limited Duration Teleworking (a.k.a. Telecommuting) is a temporary arrangement that allows eligible City employees to work in a designated area outside the office. Teleworking is a supportive arrangement between employees, supervisors, and employing departments during these evolving circumstances of the COVID-19 pandemic. Teleworking is a privilege, not a right. Teleworking is not an employee benefit or entitlement and can be changed or terminated by the City at any time, at its sole discretion, for any reason. All City employees who have Teleworking arrangements must have their specific arrangement pre-approved in writing. A City department may have additional teleworking requirements, guidelines, or procedures, provided they are consistent with the intent of this limited duration program. Eligibility for limited duration remote working is based on the City's operational needs and on both the position and the employee in such position. Not every job is well-suited for teleworking.

Therefore, the purpose of this policy is to:

(1) encourage employees who are essential and able to work from home or another remote location to discuss the feasibility of such an arrangement with their immediate supervisors during the current pandemic period;
(2) develop a uniform policy for employees who work remotely; and
(3) ensure that all telecommuting arrangements are in full compliance with applicable laws governing workplace safety, employee rights and responsibilities, and City of St. Helena policies.

II. Authority

The City Council has authority to update this policy or the City Manager with confirmation from the City Council at the next practical meeting.

III. Policy

A. Eligibility

Only employees whose job duties have been determined by essential the City to be conducive to performance away from the City of St. Helena office (or other primary work location) may be considered for participating in a telework program.

Additional criteria shall be considered in determining whether to grant a specific request for teleworking. These additional criteria may include, but are not limited to, whether the employee's past work performance has shown reliable and responsible performance of work duties over time; whether the employee can reliably provide alternative work space; whether the employee's absence from the primary work location will disrupt the workflow of other employees and/or overall management of the City of St. Helena; whether the employee can demonstrate full understanding of the requirements of this policy; and whether a teleworking arrangement serves the purpose of this policy to implement protective measures during the pandemic period. Department Heads may use other reasonable criteria in addition to these examples.

Employee participation in telecommuting is determined only at the discretion of the employee's Department Head and City Manager. The City of St. Helena has the right to refuse to make telecommuting available to any employee. A telework arrangement may be discontinued at any time, with or without advance notice, by the applicable Department Head or City Manager.

A request to telecommute may be initiated by either the employee or the employee's supervisor.

B. <u>Work Schedule</u>

All teleworking work schedules are at the Department Head's discretion. Telecommunicating arrangements do not necessarily provide the employee with a flexible work schedule. The work schedule shall be consistent with the operational needs of the employee's work group and department and overall management of the City of St. Helena. As with any work schedule, management has the discretion to change or eliminate telecommuting arrangements to meet operational needs, or at the employee's reasonable request.

Telecommuters shall maintain regular contact with supervisors and co-workers by phone, e-mail, and virtual meetings while they are telecommuting. Unless granted express permission by the employee's immediate supervisor, employees shall expect to adhere to a regular workday schedule as if they were present in the office, and shall be in communication by phone, e-mail, and virtual meeting during those hours. Any access to the primary work location must be approved, in writing, by the Department Head or City Manager.

C. Meeting at the Telework Site

Telecommuting employees are not permitted to conduct work-related meetings at their remote worksites. Meetings must be conducted through teleconferencing. Absent express written authorization from the telecommuting employee's supervisor, no other City of St. Helena employee is permitted to conduct City of St. Helena business at the remote worksite.

D. Benefits and Compensation

All benefits and compensation will be based on the employee's position, with no distinction made between telecommuting and onsite employees. All applicable contracts, agreements, and policies governing an employee's position shall continue to apply in the telecommuting program.

Employees who are subject to overtime shall continue to follow applicable contract provisions and City policy regarding overtime. No employee shall work more than their regularly scheduled work hours and/or incur overtime without prior written authorization by the City Manager, or designee. When completing timekeeping records, the employee is responsible for accurately recording time worked on the day in which the hours are worked and recording all actual time worked. If an employee does not work their full, regularly scheduled shift, appropriate leave is to be taken by the telecommuting employee.

E. City of St. Helena Policies

Employees who telecommute are bound by all City of St. Helena policies as if they were working onsite or on City of St. Helena property. This includes policies governing appropriate conduct in the workplace and towards one's fellow employees, regardless of working location. Any employee who violates any of the City's policies while telecommuting shall be subject to revocation of his or her telecommuting arrangement, in addition to any disciplinary measures that would be taken if the employee was working onsite.

F. Health and Safety

The City of St. Helena is committed to ensuring a safe worksite in compliance with the rules and guidelines set forth by the Division of Occupational Safety and Health (Cal/OSHA). Employees who telecommute are responsible for designating one area in their home as the worksite and ensuring it is a safe working environment. The employee must also certify in writing that, should any condition arise at the worksite so that the health and safety requirements are no longer met, or if any other hazardous condition occurs, the employee will notify his or her supervisor immediately and cease working at the remote worksite until the condition has been remediated. The employee shall not be permitted to resume telecommuting

from the remote worksite without the express authorization of his or her supervisor.

Management reserves the right to refuse or rescind a telecommuting agreement based on the employee's failure to adhere to the guidelines, or if a supervisor or other manager makes the reasonable assessment that the employee's worksite poses a health or safety risk. If this is done, the employee may utilize their current leave balances for any time away from work.

If an employee incurs an injury or illness in the course or scope of employment while telecommuting, Workers' Compensation laws apply. Employees must immediately notify their supervisor or Human Resources and complete all necessary paperwork as required by the City of St. Helena.

Actions that the telecommuter may take during break periods from working and actions not directly related to the approved remote worksite will not be covered under Workers' Compensation. These non-covered actions include, but are not limited to, all actions that the employee would not be able to perform in their City of St. Helena office, such as caring for children or pets, domestic tasks, yard work, retrieving the mail, cooking, exercising, and interacting with non- City of St. Helena employees for non-business purposes.

The City of St. Helena shall in no instance be liable for injuries to third persons, including members of the telecommuting employee's family, who enter the employee's worksite or otherwise interact with the employee or use their home office equipment.

The City of St. Helena understands that compliance with the health and safety provisions of this policy does not necessarily provide the reasonable accommodations required by employees with disabilities. Telecommuting employees with disabilities shall be entitled to the same rights and accommodations they would be entitled to under all applicable state and federal laws and City of St. Helena policy. Telework may be provided as a reasonable accommodation with medical certification of a serious medical condition and following an interactive process discussion.

G. <u>Performance Standards and Evaluation</u>

An employee participating in a telecommuting arrangement is accountable under the same performance standards as employees working onsite. As in "regular" office assignments, supervisors and employees should discuss and understand what is expected to be produced during telecommuting hours and when

assignments are due. Supervisors and employees should also arrange when and how to make contact with each other on telecommuting days. Employee performance must remain satisfactory or above to participate in the telecommuting program. Supervisors may require additional contact and progress reporting to facilitate management of remote working arrangement. Employees are expected to be available and responsive to calls or emails during their regularly scheduled work hours.

H. Business Expenses and Reimbursement

Expenses incurred as a result of telecommuting will not be reimbursed by the City of St. Helena unless they are normally reimbursable pursuant to City of St. Helena policies. Such non-reimbursable expenses include, but are not limited to, utility costs, purchase of office equipment or furniture, and travel to and from the primary City of St. Helena worksite if required to be onsite.

Telecommuting employees may use City of St. Helena office equipment and supplies at any time, according to need. For example, a telecommuting employee may seek reimbursement for office resources to which the employee would have access if they were working onsite. With the advance approval of the employee's supervisor, a telecommuting employee may be permitted to take City of St. Helena office supplies to his or her remote worksite to facilitate productivity. Such supplies may include printer paper, pens and pencils, or other miscellaneous office-related items. Employees should not remove any item from City of St. Helena property to use offsite without the express permission of his or her supervisor. Telecommuting employees should utilize a "paperless" environment as much as it is practical. If additional resources are necessary, the telecommuting employee may request such items from the Finance Department.

I. Use of Personal Computers, Smart Phones, and Other Technology

Employees may access systems available on the internet but not on the private City network from a personal computer.

Any and all policies governing employee usage of City of St. Helena computers, internet connections, and mobile devices shall apply to teleworking employees in the course and scope of employment, and when they are using City of St. Helena technology at any time.

In the event of a public records request where City business has been conducted on a personal device, such personal device may be subject to inspection or duplication. As always, personal email accounts should not be used for any City business or communications.

J. Equal Opportunity

This policy does not alter the City of St. Helena's commitment to maintaining an equal opportunity, discrimination-free workplace. All City of St. Helena policies, as well as all state and federal laws, governing City of St. Helena's anti-discrimination policy apply uniformly to telecommuting and onsite employees.

K. Harassment-Free Workplace

This policy does not alter the City of St. Helena's commitment to maintaining a harassment-free workplace. All City of St. Helena policies, as well as all state and federal laws, governing City of St. Helena's anti-harassment policy apply uniformly to telecommuting and onsite employees.

Any employee who feels they have been subjected to harassment in the course of performing City of St. Helena business should report the incident in accordance with City of St. Helena's anti-harassment policy. Investigations of alleged harassment shall be conducted in the same manner for telecommuters as for onsite employees, regardless of where the incident occurred.

IV. Procedure

Employees who are telecommuting will complete the City of St. Helena Emergency Teleworking (COVID-19) Agreement indicating their schedule and distribution of City assets.

All telecommuting arrangements are subject to ongoing review and may be revoked at any time. Nothing in this policy shall grant a telecommuting employee any rights they would not have if working onsite, nor shall it limit their rights under all applicable City of St. Helena policies and state and federal laws.

This Policy is effective immediately upon release and will continue until such time as the City Manager or City Council revokes the policy to continue regular business operations.

THE CITY OF ST. HELENA
EMERGENCY TELEWORKING (COVID-19) AGREEMENT

I have discussed these emergency teleworking responsibilities and the expectations related to it with my supervisor and I understand my responsibilities as a City of St. Helena ("City") employee.

PRODUCTIVITY

- For the duration of this approved emergency telework agreement, I will be available and responsive to email and/or phone calls during my agreed upon work schedule.
- For the duration of this approved emergency telework agreement and schedule, I will address and complete work tasks as assigned by my Department Director, or Designee; these work assignments are at the discretion of City Management and are subject to change.
- I am expected to virtually attend and/or participate in meetings, trainings, and other functions at the primary site (administrative office) or off-site when required.
- I understand that all City policies, practices and guidelines still apply. Failure to adhere to any of the requirements of my employment, including, without limitation, any requirements associated with this telecommuting agreement, may result in corrective action up to and including termination of employment.
- I will maintain confidentiality when accessing and/or handling private and/or confidential information and records. Access to such records and data systems are provided solely for the purpose of performing my job functions.
- I recognize that the work I conduct while teleworking remains subject to the City and other applicable regulations including the Public Records Act.

SAFETY

- I will keep all City property in a secure place at all times. I will not leave City property unattended in a vehicle. I will immediately report any loss of City property to my supervisor.
- Any job related injuries or illnesses that I experience at home or alternate work location must be reported to my supervisor and/or Human Resources via telephone or email as identified in City policies. This report must be made as soon as possible.

TIMEKEEPING

- I acknowledge and agree that I will accurately record all time worked on the bi-weekly timesheet and the time must accurately reflect the actual times I start and stop work and take my required meal period, rather than the times I was scheduled to work. Work hours are subject to supervisory review and verification.
- Overtime must be pre-approved, in writing, by my Director, or designee.
- I will contact my Director (or designee) or Finance for assistance with any timekeeping questions.
- I will only access City systems during my scheduled work hours as approved and only for official City business.

ACKNOWLEDGEMENT

- This emergency telework arrangement shall continue at the sole discretion of City/City Manager/ City Council and is limited to the timeframe designated as a result of the COVID-19 emergency as determined by City/City Manager/City Council.
- Teleworking is not an employee benefit or entitlement and can be changed or terminated by the City at any time, at its sole discretion, for any reason.

EMPLOYEE SIGNATURE	Date

24438.00000\32802877.1

THE CITY OF ST. HELENA
EMERGENCY TELEWORKING (COVID-19) AGREEMENT

Employee Name	Department/Division
Job Title	**Director**
Date Submitted	

TELECOMMUTE OR ALTERNATE WORK SITE LOCATION	
Address	
Phone Number (Primary)	
Phone Number (Secondary)	
Email Address	

TELECOMMUTE OR ALTERNATE WORK SITE SCHEDULE	
Sunday	
Monday	
Tuesday	
Wednesday	
Thursday	
Friday	
Saturday	

City Assets on Loan		ID Number	Comment
☐	Laptop		
☐	Tablet		
☐	Power Cord		
☐	Docking Station		
☐	Mouse		
☐	Cellphone		
☐	Printer		
☐	Other		
☐	Other		

Other Systems or Software Required					
☐		☐		☐	
☐		☐		☐	

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ST. HELENA RATIFYING THE CITY MANAGER/DIRECTOR OF EMERGENCY SERVICES ADMINISTRATIVE IMPLEMENTATION OF CITY COUNCIL POLICY P-CC-0003 – EMERGENCY TELEWORKING (COVID-19) POLICY

WHEREAS, the government at all levels is taking action to protect public health and limit the spread of COVID-19 in the United States; and

WHEREAS, the County of Napa has declared a local and a public health emergency, the Governor of the State of California has declared a state of emergency, and the President of the United States has declared a national emergency; and

WHEREAS, the City Council on March 23, 2020 ratified the proclamation of the City Manager of a local emergency in the City of St. Helena; and

WHEREAS, the County of Napa's Health Officer issued a shelter at home order on March 18, 2020, and the Governor issued a stay at home order on March 19, 2020; and

WHEREAS, the City is following recommendations of Napa County Health and remains in communication with County officials to monitor and respond to any updates; and

WHEREAS, as part of the local emergency, the City has taken steps to scale back City operations and administratively established an Emergency Teleworking (COVID-19) Policy effective March 19, 2020; and

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of St. Helena as follows:

Section 1. The above recitals are true and correct and are incorporated herein by this reference.

Section 3. The City Council approves City Council Policy P-CC-0003 Emergency Teleworking (COVID-19) Policy.

Section 4. The City Manager is hereby directed to implement this policy.

Section 5. This Resolution shall take effect immediately upon adoption.

APPROVED at a regular meeting of the St. Helena City Council on April 14, 2020, by the following votes:

Mayor Ellsworth:

Vice Mayor Dohring:

Council Member Chouteau:

Council Member Knudsen:

Council Member Koberstein:

APPROVED: ATTEST:

_____ _____

Geoff Ellsworth, Mayor Cindy Tzafopoulos, City Clerk

Report to the City Council
Regular City Council - 14 Apr 2020

Agenda Section: **CONSENT ITEMS**

Subject: **Consideration and proposed adoption of a resolution adopting a list of project for Fiscal Year 2020-21 funded by SB1: The Road Repair and Accountability Act of 2017**

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

Prepared By: Martin Beltran, Management Analyst

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

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

On April 28, 2017, the Governor signed Senate Bill (SB) 1, the Road Repair and Accountability Act of 2017. SB 1 increases per gallon fuel excise taxes; increases diesel fuel sales taxes and vehicle registration fees; and provides for inflationary adjustments to tax rates in future years. A percentage of the new Road Maintenance and Rehabilitation Acounty (RMRA) account funding will be apportioned by formula to eligible cities and counties pursuant to Streets and Highways Code Section 2032(h) for basic road maintenance, rehabilitation, and critical safety projects on the local streets and roads system.

Prior to receiving an apportionment of RMRA funds in FY 2020-21, the City is required to submit to the California Transportation Commission a list of projects proposed to be funded by May 1, 2020. The list of projects proposed to be funded with these funds shall include:

- A description of the project;
- The location of each proposed project;
- A proposed schedule for the project's completion; and
- The estimated useful life of the improvement.

DISCUSSION

The City must adopt by resolution a list of projects proposed to receive fiscal year funding from the RMRA. This is the fourth year in which the City is receiving SB 1 funding and will enable the City to continue essential road maintenance and rehabilitation projects, safety improvements, repairing and replacing aging bridges, and increasing access and mobility options for the traveling public that would not have otherwise been possible without SB 1. The City is recommending keeping the project list the same as the previous year, which exclusively includes the Downtown Sidewalk and Pedestrian Project.

The recommended action to adopt the project list will ensure the City continues to receive SB 1 revenues. The SB 1 funds do carryover from year to year and any unused funds can be spent on other City funded projects in accordance with local needs and priorities so long as the projects are consistent with SB 1 and adopted by City Council.

Staff recommends that City Council approve the SB 1 street project list for FY 2020-21 in order to meet the May 1, 2020 deadline.

FISCAL IMPACT

Initially, the anticipated RMRA revenue to the City for FY 2020-21 SB 1 funds was approximately $115,000; however, due to the COVID-19 event and, specifically, the shelter-at-home order, the initial estimate will be revised. The magnitude of the effect of the COVID-19 event on fuel consumption, and therefore tax collections and allocations, depends on many as-yet unknown things.

SB 1 requires the City to provide an annual general fund Maintenance of Effort (MOE) in the amount of $314,571. However, the MOE specific expenditures do not need to be reflected in the approved project list. The proposed FY 2020-21 Capital Improvements Plan Budget and proposed FY 2020-21 Operations Budget will include a total of $379,189 in General Funds for City Streets to meet the MOE requirement of both SB 1 and Measure T funding. There is no additional fiscal impact with the adoption of the resolution approving the RMRA Project List for FY 2020-21.

RECOMMENDED ACTION

Adopt a Resolution adopting a list of projects for Fiscal Year 2020-21 funded by SB1: The Road Repair and Accountability Act of 2017

ATTACHMENTS

Attachment 1: Resolution FY 20.21 SB1 Funding
Attachment 2: Project List FY 20.21 SB1

CITY OF ST. HELENA

RESOLUTION NO. 2020 - _____

ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2020/21 FUNDED BY SB1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017.

RECITALS

A. Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 to address the significant multi-modal transportation funding shortfalls statewide; and

B. SB 1 includes accountability and transparency provisions that will ensure the residents of our City are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

C. The City must adopt by resolution a list of projects proposed to receive fiscal year funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

D. The City, will receive an estimated $115,833 in RMRA funding in Fiscal Year 2020-21 from SB 1; and

E. This is the fourth year in which the City is receiving SB 1 funding and will enable the City to continue essential road maintenance and rehabilitation projects, safety improvements, repairing and replacing aging bridges, and increasing access and mobility options for the traveling public that would not have otherwise been possible without SB 1; and

F. The City has undergone a robust public process to ensure public input into our community's transportation priorities/the project list; and

G. The City used a Pavement Management System to assist in developing the SB 1 project list to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the community's priorities for transportation investment; and

H. The funding from SB 1 will help the City maintain and rehabilitate streets, roads, bridges, add active transportation infrastructure throughout the City this year and similar projects into the future; and

I. The 2018 California Statewide Local Streets and Roads Needs Assessment found that the City's streets and roads are in an at-risk condition and this revenue will help the City increase the overall quality of our road system and over the next decade will bring our streets and roads into a good to excellent condition; and

J. The SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety, investing in complete streets infrastructure, and using cutting-edge technology, materials and practices, will have significant positive co-benefits statewide.

K. The project is exempt from the requirements of CEQA pursuant to Section 15301, Class 1, which exempts the operation, leasing, or minor alteration of existing facilities.

RESOLUTION

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

1. The foregoing recitals are true and correct; and

2. The following list of previously proposed projects in Exhibit "A" will be funded in-part or solely with fiscal year 2020/21 Road Maintenance and Rehabilitation Account revenues.

Approved at a Regular Meeting of the St. Helena City Council on April 14, 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

Project Details

Title	Description	Location	Component	Priority Status	Est. Schedule		Useful		Assem	Senate
					Start	Complete	Min	Max		
Downtown Sidewalk and Pedestrian Project	This project will include: Preliminary Design | Design downtown sidewalk and pedestrian improvements: sidewalk, curb ramps, bulb outs, landscape, furnishing, utilities. OBAG II Grant (2 year design with construction in FY 20/21	Main Street (Highway 29) from Mitchell Drive to Pine Street	Pre-Construction	Carried Over 19/20	04/2019	02/2021	15	30	4	3

Report to the City Council
Regular City Council - 14 Apr 2020

Agenda Section: **CONSENT ITEMS**

Subject: **Consideration and proposed approval of a resolution ratifying the Federal Families First Coronavirus Response Act Temporary Policy and designation of "Emergency Responder"**

CEQA Determination: **Not a CEQA project**

Prepared By: Kathy Robinson, Human Resources & IT Director

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

On March 18, President Donald Trump signed the Families First Coronavirus Response Act ("FFCRA"), which expanded the Family and Medical Leave Act (the Emergency Family and Medical Leave Expansion Act) and created a paid sick leave entitlement for all eligible full- and part-time employees (Emergency Paid Sick Leave Act). This leave allows an eligible employee to take up to 12 weeks of leave.

The legislation is complicated and has different rules and rates of pay depending on an eligible employee's specific circumstances. Any employee who is sick or quarantined with COVID-19 is eligible for fully paid emergency sick leave for up to 80 hours. Eligible employees who need to care for children who cannot be in school or childcare due to COVID-19 are entitled to up to twelve (12) weeks of pay. The first two weeks are unpaid (but emergency paid sick leave up to 80 hours may be used but paid at a 2/3 rate), and the remaining 10 weeks are paid at 2/3 of the employee's salary. The provisions of FFCRA became effective on April 1, 2020.

The FFCRA allows local governments to exempt "emergency responders" from provisions of the FFCRA. The purpose of the exemption language is to allow local

governments to identify those categories of employees whose continued work in their respective roles is vital and necessary for the local response to COVID-19.

On March 23, 2020, the City Council ratified the proclamation of the City Manager of a local emergency in the City of St. Helena. The County of Napa's Health Officer issued a shelter at home order on March 18, 2020, and the Governor issued a stay at home order on March 19 in response to the COVID-19 pandemic.

Services provided by local government are necessary to ensure the continuing operation of the government and provide and support the health, safety, and welfare of the public; these are considered “Essential Government Functions.” As a result, Recreation and Library services were suspended, with only City employees performing essential functions allowed to continue working at City worksites. City employees able to do their work remotely are doing so. These operational changes were made to help prevent the spread of the contagious COVID-19 virus.

DISCUSSION

In order to maintain these essential government functions, the FFCRA allows the City to exempt certain “emergency responders” who would not be eligible for the emergency leave. To qualify for the exemptions in the FFCRA, the City must define certain employees as “emergency responders.” The City’s emergency responders would include police, fire, dispatch, public works employees, and any employee performing tasks as a disaster service worker.

The policy provides that emergency responders may not be permitted to take the expanded FMLA leave depending on the City’s operations but that each request for expanded FMLA leave will be addressed on a case by case basis. Further, the policy provides that the City is committed to working with its entire workforce through creative scheduling and assignments to assist its workers addressing the needs of their families.

FISCAL IMPACT

There is no fiscal impact related to the adoption of this resolution.

RECOMMENDED ACTION

Approve Resolution ratifying the Federal Families First Coronavirus Response Act Temporary Policy and Designation of "Emergency Responders."

ATTACHMENTS

COSH FFCRA Emergency Leave RESO-c1
P-CC-0004 Families First Coronavirus Response Act Temporary Policy
FFCRA_Poster_WH1422_Non-Federal

CITY OF ST. HELENA

RESOLUTION No. 2020-

RESOLUTION AUTHORIZING RATIFICATION OF THE FEDERAL FAMILIES FIRST CORONAVIRUS RESPONSE ACT TEMPORARY POLICY AND DESIGNATION OF "EMERGENCY RESPONDERS" CLASSIFICATION

RECITALS

A. On March 18, 2020, President Donald Trump signed the Families First Coronavirus Response Act ("FFCRA"), which expands the Family and Medical Leave Act (Emergency Family and Medical Leave Expansion Act), and creates a paid sick leave entitlement for certain eligible employees (Emergency Paid Sick Leave Act); and

B. The FFCRA allows local governments to exempt "emergency responders" from the provisions of the FFCRA to allow local governments to identify those categories of employees whose continued work in their respective roles is vital and necessary for the local response to COVID-19; and

C. On March 18, 2020, the County of Napa's Health Officer issued a shelter at home order and on March 19, 2020, the Governor issued a stay at home order for all non-essential services; and

D. Services provided by local government are necessary to ensure the continuing operation of the government body and provide and support the health, safety, and welfare of the public and are considered "Essential Government Functions."

E. The Order categorically exempts broad categories of local government employees from the restrictions contained therein and otherwise provides local governments with broad discretion to identify employees and contractors necessary for the performance of a local government's "Essential Governmental Functions"; and

F. The City desires to designate "Emergency Responder" employees under the Families First Coronavirus Response Act.

RESOLUTION

Now, therefore, the City Council of the City of St. Helena resolves as follows:

1. Approves the ratification of the Families First Coronavirus Response Act temporary policy, which shall remain in effect through December 31, 2020 unless further extended or superseded; and

2. Designates the following positions in the City of St. Helena as "emergency responder" for the purposes of the application and implementation of the expanded FMLA, but allowing expanded FMLA leave to be taken on a case by case basis depending on the City's operational needs:

   a. Police Chief
   b. Fire Chief
   c. Public Works Director
   d. Police Lieutenant
   e. All Sworn Law Enforcement Officers
   f. All Firefighter Personnel
   g. All Dispatchers
   h. All Public Works Field Operations and Utilities positions
   i. All employees performing tasks as Disaster Service Workers

Approved at a regular meeting of the St. Helena City Council on April 14, 2020, by the following vote:

Mayor Ellsworth: _____

Vice Mayor Dohring: _____

Councilmember Koberstein: _____

Councilmember Chouteau: _____

Councilmember Knudsen: _____

APPROVED: ATTEST:

_____ _____

Geoff Ellsworth, Mayor Cindy Tzafopolous, City Clerk

Title: Families First Coronavirus Response Act (FFCRA) Temporary Policy		Policy #	P-CC-0004
		Revision #	Release
		Implementation Date	2020-04-01
		Last Update Date	
Approval by City Manager		Date Approved	2020-04-14

I. Purpose, Overview and Scope of this Policy

The purpose of this temporary policy is to comply with the Families First Coronavirus Response Act ("FFCRA") and to assist employees affected by the COVID-19 outbreak with job-protected leave and emergency paid sick leave. This policy will be in effect from April 1, 2020 until December 31, 2020. The FFCRA contained both the Emergency Family and Medical Leave Expansion Act, providing an additional reason for leave under the FMLA, and the Emergency Paid Sick Leave Act, creating a new paid leave entitlement. The existing FMLA leave policy still applies to all other reasons for leave outside of this policy, and all other applicable leave policies still apply. This policy may be updated based on additional guidance from the DOL.

II. Authority

The City Council has authority to update this policy or the City Manager with confirmation from the City Council at the next practical meeting.

III. Policy

A. Family and Medical Leave Expansion

i. Eligibility

All employees who have been employed with the City of St. Helena for at least 30 calendar days, with the exception of Emergency Responders, as defined in this policy.

Those who qualify as "emergency responders" may not be eligible for leave, depending on available staff, the City's operational needs, and the ability to adequately cover essential services during a public health emergency crisis, which will be determined on a case by case basis. For purposes of this policy, "emergency responders" include all police department employees (sworn and non- sworn (dispatch) personnel), all firefighters, the Fire Chief, all public works field employees, the Public Works Director, and any employee performing tasks as a Disaster Service Worker at the City's direction. However, even if an employee is not eligible for EFMLA, the City is committed to working with its entire

workforce through creative scheduling and assignments to assist its employees in addressing the needs of their families. "Emergency responder" employees should contact Human Resources for specific requests and concerns.

ii. Qualifying Reason for Leave

Eligible employees who are unable to work (or telework) due to a need to care for a child because the school or place of care has been closed, or the regular childcare provider is unavailable due to a public health emergency with respect to COVID-19, and there is no suitable person available to care for the child.

"Child" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, or a child who is incapable of self-care because of a mental or physical disability.

"Childcare provider" means a provider who receives compensation for providing childcare services on a regular basis, including:

- a center-based childcare provider
- a group home childcare provider
- a family childcare provider (one individual who provides childcare services for fewer than 24 hours per day, as the sole caregiver, and in a private residence)
- other licensed provider of childcare services for compensation
- the eligible childcare provider need not be compensated or licensed if he or she is a family member or friend, such as a neighbor, who regularly cares for the employee's child

"School" means an elementary or secondary school.

iii. Duration of Leave

Employees will have up to 12 weeks of leave to use from April 1, 2020 through December 31, 2020, for a qualifying reason for leave, stated above. Leave may be taken on an intermittent basis, on a schedule approved by the City.

This entitlement to leave is an additional qualifying reason for leave, and not an additional leave entitlement. Therefore, employees will be entitled to a total of 12 weeks in a 12-month period (as measured in the established FMLA Policy) for all qualifying reasons.

For example, if an employee has already taken 6 weeks of FMLA leave, that employee would be eligible for the remaining 6 weeks of FMLA leave for a qualifying reason, including to care for a child under this policy.

iv. Pay During Leave

Leave will be unpaid for the first 14 calendar days of leave; however, employees may use any accrued paid vacation, sick, or other leave during this time. The employee may also elect to use the paid leave provided under the Emergency Paid Sick Leave Act, as further explained below. After the first 14 calendar days, leave will be paid at two-thirds (2/3) of an employee's regular rate of pay for the number of hours the employee would otherwise be scheduled to work. Pay will not exceed $200 per day, and $10,000 in total.

Employees may, at their option, elect to use sick leave, vacation, personal leave, or other leave available to them on a pro rata basis, to supplement this pay up to full pay.

For part-time employees with varying hours to such an extent that the hours worked cannot be determined with certainty, one of two methods for computing the number of hours paid will be used:

- The average number of hours that the employee was scheduled per day over the 6-month period ending on the date on which the employee takes leave, including hours for which the employee took leave of any type; or
- If the employee has worked less than 6 months, the expected number of hours to be scheduled per day at the time of hire.

v. Employee Status and Benefits During Leave

While an employee is on leave, the City will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work. While on paid leave, the City will continue to make payroll deductions to collect the employee's share of the premium (if any). During any unpaid portions of leave, the employee must continue to make this payment per instructions from the HR department. These provisions are the same as for all other FMLA leave, as described in the current FMLA Policy.

vi. Employee Status After Leave

Generally, an employee who takes expanded FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms.

B. Emergency Paid Sick Leave

Emergency Paid Sick Leave, as described below will be available for use beginning April 1, 2020.

i. Eligibility

All full- and part-time employees unable to work (or telework) due to one of the following reasons for leave:

1. The employee is subject to a federal, state or local quarantine or isolation order related to COVID–19.
2. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID–19.
3. The employee is experiencing symptoms of COVID–19 and seeking a medical diagnosis.
4. The employee is caring for an individual who is subject to either number 1 or 2 above.
5. The employee is caring for his or her child under 18 years of age if the school or place of care of the child has been closed, or the childcare provider of such child is unavailable, due to COVID–19 precautions.
6. The employee is experiencing any other substantially similar condition specified by the secretary of health and human services in consultation with the secretary of the treasury and the secretary of labor.

"Child" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, or a child who is incapable of self-care because of a mental or physical disability.

ii. Amount of Paid Sick Leave

All eligible full-time employees will have up to 80 hours of paid sick leave available to use for the qualifying reasons above. Eligible part-time employees will have the number of hours worked, on average, over a two-week period, of paid sick leave available to use for the qualifying reasons above.

For part-time employees with varying hours, to such an extent that the hours worked cannot be determined with certainty, one of two methods for computing the number of hours paid will be used:

- The average number of hours that the employee was scheduled per day over the 6-month period ending on the date on which the employee takes leave, including hours for which the employee took leave of any type; or
- If the employee has worked less than 6 months, the expected number of hours to be scheduled per day at the time of hire.

iii. Rate of Pay

Paid emergency sick leave will be paid at the employee's regular rate of pay, for leave taken for reasons 1-3 above. Employees taking leave for reasons 4-6 above will be compensated at two-thirds their regular rate of pay.

Pay will not exceed:

- $511 per day and $5,110 in total for leave taken for reasons 1-3 above.
- $200 per day and $2,000 in total for leave taken for reasons 4-6 above.

Employees may, at their option, elect to use sick, vacation, personal, or other leave available to them on a pro rata basis, to supplement this pay up to full pay.

iv. Interaction with Other Paid Leave

The employee may use emergency paid sick leave under this policy before using any other accrued paid time off for the qualifying reasons stated above.

Employees on expanded FMLA leave under this policy may use emergency paid sick leave during the first 14 days of normally unpaid FMLA leave.

v. Procedure for Requesting Emergency Paid Sick Leave

Employees must notify their department manager or HR of the need and specific reason for leave under this policy. A form will be provided to all employees for certifying the leave request. Oral notification will be accepted until practicable to provide written notice.

Once emergency paid sick leave has begun, the employee and his or her manager must determine reasonable procedures for the employee to report periodically on the employee's status and intent to continue to receive paid sick time.

Employees may be requested to provide medical certification or a medical note supporting the need for leave under appropriate circumstances but will not be required when not practicable to obtain.

vi. Carryover

Paid emergency sick leave under this policy will not be provided beyond December 31, 2020. Any unused emergency paid sick leave will not carry over to the next year or be paid out to employees.

vii. Job Protections

No employee who appropriately utilizes emergency paid sick leave under this policy will be discharged, disciplined, or discriminated against for use of leave under the policy or any request to use leave under this policy.

IV. Procedure for Requesting Leave

A. Family and Medical Leave Expansion

All employees requesting FMLA leave must provide written notice, where possible, of the need for leave to HR as soon as practicable by submitting the **Request for Family and Medical Leave Act Expansion Leave Form** (attached) and will be used by all employees for documenting the leave request. Oral notice will otherwise be accepted until written notice can be provided within a reasonably practicable time. Within five business days after the employee has provided this notice, HR will complete and provide the employee with any Department of Labor (DOL) required notices.

The notice the employee provides should include: a brief statement as to the reason for leave; the expected duration of the leave; whether leave is needed on a full-time or intermittent basis; the name of the child being cared for; the name of the school, place of care, or childcare provider that has closed or become

unavailable; and a representation that no other suitable person is available to care for the child(ren) during the period of leave requested., and if possible, the expected duration

On a basis that does not discriminate against employees on FMLA leave, the City may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

B. Emergency Paid Sick Leave

Employees must notify their department manager or HR of the need and specific reason for leave under this policy by submitting a completed **Request for Emergency Paid Sick Leave Form** attached. A form will be provided to all employees for certifying the leave request. Oral notification will be accepted until practicable to provide written notice.

Once emergency paid sick leave has begun, the employee and his or her manager must determine reasonable procedures for the employee to report periodically on the employee's status and intent to continue to receive paid sick time.

Employees may be requested to provide medical certification or a medical note supporting the need for leave under appropriate circumstances but will not be required when not practicable to obtain.

Request for Family and Medical Leave Act Expansion Leave Form

To be completed by the employee requesting FMLA Expansion Leave

_____ _____

Employee Name Application Date

Eligibility for Leave: To be eligible for Family and Medical Act Expansion Leave ("expanded FMLA Leave"), the employee must have worked for the City of St. Helena for thirty (30) days and be unable to work or telework due to the need to care for the employee's minor child(ren) whose school or place of care has been closed (or whose childcare provider is unavailable) arising out of a public health emergency caused by COVID-19.

Requested Leave Start Date: _____ Estimated End Date: _____

Reason for Leave:

( ) Employee is caring for the employee's minor child because the child's school or care provider is closed or unavailable due to COVID-19

( ) No other suitable person is available to care for the employee's child during the time for which leave is requested:

Name(s) of child(ren) being cared for: _____

_____

Name of school, place of care, or childcare provider that has closed or become unavailable: _____

_____

Duration of Leave Needed: Due to my primary childcare obligations, I need leave on the following basis (check one):

( ) I need leave on a full-time basis: I am unable to work or telework any of my standard scheduled shifts due to primary childcare obligations

( ) I need leave on a part-time basis: Due to my childcare obligations, I am able to work or telework some but not all of my standard scheduled shifts (please complete chart below)

( ) I need leave on an intermittent basis: Due to my childcare obligations, I am able to work or telework some but not all of my standard scheduled shifts on a rotating basis (please complete chart on the following page)

	Sun	Mon	Tues	Wed	Thurs	Fri	Sat
Available (circle one):	Yes / No	Yes / No	Yes / No	Yes / No	Yes / No	Yes / No	Yes / No
Hours Available to Work							
Indicate if availability rotates on a periodic basis							

Note: Should any of this information change during your expanded FMLA leave, you are obligated to submit an updated leave request form.

If you are not available to work your standard scheduled shifts, are you available to work an alternate schedule/hours at the worksite or via telework? ( ) Yes or ( )No (If you indicated YES, HR or a supervisor will contact you to discuss potential ability to continue work.)

Pay Status: Eligible employees receive 2/3 of their regular rate of pay after the first two weeks of expanded FMLA leave, up to the cap as provided in the Policy. Regarding usage of other available forms of paid leave during expanded FMLA leave, please complete the following:

( ) During the first two weeks of expanded FMLA leave, I wish to use all available hours of Emergency Paid Sick Leave (EPSL) (which will be paid at the 2/3 rate);

( ) During the first two weeks of expanded FMLA leave, I wish to supplement my 2/3 ESPL pay with any available paid leave (sick leave, vacation, personal, or other leave). (A pro-rata amount of leave will be applied to equal 100% of an employee's pay.)

( ) After the first two weeks of expanded FMLA leave, I wish to supplement my 2/3 pay with any available paid leave (sick leave, vacation, personal, or other leave). (A pro-rata amount of leave will be applied to equal 100% of employee's pay.)

( ) After the first two weeks of expanded FMLA leave, I wish to supplement my pay with only the following forms of available paid leave: ( ) sick leave ( ) vacation ( ) compensatory time off, ( ) personal holiday ( ) other: _____. (A pro-rata amount of leave will be applied to equal 100% of employee's pay.)

If you do not check any of the above, your expanded FMLA leave will not be supplemented, and the first two weeks will be unpaid, and you will receive pay at the 2/3 rate (up to the cap) for the remainder of the leave.

During my leave, I can be reached at:
(include phone number and email)

Phone: _____ Email: _____

Employee Certification:

By submitting this request for expanded FMLA leave, I certify that: all information provided in this request form is true and accurate and that I am eligible for paid leave for the reasons stated; I will update my supervisor and Human Resources if my availability for work changes or if my ability to work or telework changes; I understand I am obligated to return to work (either on a part-time or full-time basis) if my childcare obligations cease or reduce; I represent that no other suitable person is available to care for my child(ren) during the period for which I am taking expanded FMLA leave.

_____ _____
Employee's Signature Date

_____ _____
Human Resources Date

Request for Emergency Paid Sick Leave Form

To be completed by the employee requesting Emergency Paid Sick Leave arising out of an eligible reason related to COVID-19

_____ _____

Employee Name Application Date

Requested Leave Start Date: _____ Estimated End Date: _____
(maximum leave duration of EPSL is 80 hours for full-time employees and a pro-rata amount for part-time employees; for expanded FMLA leave arising out of childcare obligations, employees must also complete a Request for expanded FMLA Expansion leave)

Reason for leave:

( ) Employee is subject to a governmental quarantine or isolation order related to COVID-19

Name of government entity that issued the quarantine or isolation order: _____

_____

( ) Employee has been advised by a healthcare provider to self-quarantine related to COVID-19 (certification from a healthcare provider/doctor's note may be required)

Name of healthcare provider who advised the employee of self-quarantine due to concerns related to COVID-19: _____

_____

( ) Employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis

Name of healthcare provider from whom care is sought: _____

_____

( ) Employee is caring for an individual who is subject to governmental quarantine/isolation order or self-quarantine under medical advice related to COVID-19 (supporting documentation from a governmental authority/certification from a healthcare provider/doctor's note may be required)

Name of individual for whom the employee is providing care: _____

_____

Nature of relationship with individual for whom the employee is providing care: _____

_____

Name of government entity that issued the quarantine or isolation order: _____
_____ OR

Name of healthcare provider who advised the individual being cared for to self-quarantine due to concerns related to COVID-19: _____

_____

( ) Employee is unable to work or telework due to caring for the employee's minor child because the child's school or child-care provider is closed or unavailable due to COVID-19*

Name(s) of child(ren) being cared for: _____

_____

Name of school, place of care, or childcare provider that has closed or become unavailable:

_____

_____

By submitting this request for EPSL for this reason, you represent that no other suitable person is available to care for the child(ren) listed above during the period for which you are taking emergency paid sick leave.

*If requested leave to care for a child(ren) because of a school or childcare provider closure extends beyond 80 hours or available ESPL, please also submit a Request for FMLA Expansion Leave.

Pay During Leave:

Your pay will be provided at your regular rate if leave is taken due to your own quarantine/isolation order or health issues (the first three reasons outlined above) (subject to the caps provided in the policy). Your pay will be provided at 2/3 rate if leave is taken to care for another individual or a child (the last three reasons outlined above) (subject to the caps provided in the policy). If you will be receiving pay at the 2/3 rate (or due to the cap you will receive less than full pay), please check the following box if you want to supplement your pay with available leave banks:

( ) I wish to supplement my pay while on ESPL with only the following forms of available paid leave: ( ) sick leave, ( ) vacation, ( ) compensatory time off, ( ) personal holiday,

( ) other _____ (check the forms of leave you wish to use to supplement). (A pro-rata amount of leave will be applied to equal 100% of employee's pay, provided accrued leave remains available).

If you do not check any of the above, your ESPL will not be supplemented, and you will receive pay at the 2/3 rate (up to the cap identified in the policy).

During my leave, I can be reached at: (please list telephone number and email)

Phone: _____ Email: _____

I understand that I will be required to provide timely medical or other certification as a condition of obtaining Emergency Paid Sick Leave, unless the certification cannot practicably be obtained. I understand that it is my obligation to discuss any inability to obtain the requested certification with HR.

Employee Signature/Acknowledgment:

By submitting this request for Emergency Paid Sick Leave, I certify that: all information provided in this request form is true and accurate and that I am eligible for paid leave for the reasons stated and that I am unable to work or telework as a result; I will update my supervisor and Human Resources if my availability for work changes or if my ability to work or telework changes; I understand that, if I am provided paid sick leave due to childcare obligations, I am obligated to return to work (either on a part-time or full-time basis) if my childcare obligations cease or reduce.

_____ _____

Employee's Signature Date

_____ _____

Human Resources Date

EMPLOYEE RIGHTS

PAID SICK LEAVE AND EXPANDED FAMILY AND MEDICAL LEAVE UNDER THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT

The **Families First Coronavirus Response Act (FFCRA or Act)** requires certain employers to provide their employees with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19. These provisions will apply from April 1, 2020 through December 31, 2020.

▸ PAID LEAVE ENTITLEMENTS

Generally, employers covered under the Act must provide employees:

Up to two weeks (80 hours, or a part-time employee's two-week equivalent) of paid sick leave based on the higher of their regular rate of pay, or the applicable state or Federal minimum wage, paid at:

- 100% for qualifying reasons #1-3 below, up to $511 daily and $5,110 total;
- ⅔ for qualifying reasons #4 and 6 below, up to $200 daily and $2,000 total; and
- Up to 12 weeks of paid sick leave and expanded family and medical leave paid at ⅔ for qualifying reason #5 below for up to $200 daily and $12,000 total.

A part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

▸ ELIGIBLE EMPLOYEES

In general, employees of private sector employers with fewer than 500 employees, and certain public sector employers, are eligible for up to two weeks of fully or partially paid sick leave for COVID-19 related reasons (see below). *Employees who have been employed for at least 30 days* prior to their leave request may be eligible for up to an additional 10 weeks of partially paid expanded family and medical leave for reason #5 below.

▸ QUALIFYING REASONS FOR LEAVE RELATED TO COVID-19

An employee is entitled to take leave related to COVID-19 if the employee is unable to work, including unable to **telework**, because the employee:

1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
2. has been advised by a health care provider to self-quarantine related to COVID-19;
3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);
5. is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons; or
6. is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services.

▸ ENFORCEMENT

The U.S. Department of Labor's Wage and Hour Division (WHD) has the authority to investigate and enforce compliance with the FFCRA. Employers may not discharge, discipline, or otherwise discriminate against any employee who lawfully takes paid sick leave or expanded family and medical leave under the FFCRA, files a complaint, or institutes a proceeding under or related to this Act. Employers in violation of the provisions of the FFCRA will be subject to penalties and enforcement by WHD.

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

For additional information or to file a complaint:
1-866-487-9243
TTY: 1-877-889-5627
dol.gov/agencies/whd

WH1422 REV 03/20

Report to the City Council
Regular City Council - 14 Apr 2020

Agenda Section: **OLD BUSINESS**

Subject: **Discussion and direction on expediting Capital Improvement Project R18-81 Downtown Sidewalk Improvements**

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

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

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

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.

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

On January 28, 2020, a report was presented to City Council providing an update on the project costs, construction timeline, funding strategy, and business continuity plan. This report prioritized 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 improvement, ADA ramps, and tree replacement totals $3.6 million - this was in increase of $2.4 million over the adopted CIP budget. At that time, to fund the $2.4 million difference, staff recommended utilizing a portion of the Measure T funds anticipated in FYs 2020-21 and 2021-22 as well as utilize the positive General Fund net position to provide a loan to fill the remaining gap in project funding which would be repaid from Measure T revenues received in future years. Under this proposed funding plan, CIP R18-81 would be utilizing multiple funding sources including One Bay Area Grant II program, Gas Tax, SB1 Funds, Measure T Funds, and General Funds.

DISCUSSION

Members of City Council have expressed interest in expediting the implementation of the Downtown Sidewalk Improvement Project while the COVID-19 shelter in place order remains in effect. The project and grant funding was originally programmed to start in early 2021. However, City staff has been researching the possibilities of moving this timeframe up to the 2020 construction season as business is expected to return incrementally when the order is lifted.

In order to finalize design and begin implementation of the project, City staff will need direction on the following items:

- Tree selection
- Street furnishings
- Wayfinding signage
- Include replacement of private property alcoves/entrances contiguous to the City maintained sidewalk

City staff originally planned to have additional meetings with respect to tree selection, street furnishings, and wayfinding signage. However, with a critical window of time to

implement the project during the shelter at home, City staff is recommending that City Council move forward with the most disruptive portions of the project which are tree removal, utilities, and sidewalk replacement while decisions can still be made on the above ground streetscape features.

In addition to streetscape, there are some private properties that have additional sidewalk or private alcoves/entrances contiguous to the City sidewalk that may or may not meet ADA compliance. City staff is seeking direction on whether to replace this portion of sidewalk at City expense or leave it as-is and have the property owner provide upgrades, at their expense, as buildings are remodeled or upgraded.

A schedule with itemized milestones is included as Attachment 1. Conservatively, City staff and the consultant believe the project could be advertised by August 2020, pending Caltrans review and approval on three submittals in the following order:

1. NEPA environmental review and approval
2. Encroachment permit
3. Authorization for construction

As soon as CEQA is completed, estimated to be May 2020, the tree removal and stump grinding on Main Street can be completed. Initially it was anticipated a contractor would complete the required tree work. It is estimated to cost approximately $250,000 and take approximately 75 days to complete. This includes City Council authorization to advertise, bid period, contract award, and contract commencement. However, Staff is now recommending the tree removal work be completed by City staff which is estimated to take approximately 20 days post CEQA completion.

In conjunction with the project, the Public Works Utilities Division inspected and videoed 29 private sewer laterals on Main Street this past month and noted all deficiencies which should be addressed by individual property owners. Letters will be mailed to the property owners the week of April 13 notifying them of the upcoming project and will include a copy of the sewer lateral video as well as any recommendations to make needed repairs prior to the commencement of the sidewalk replacement. In addition, all water services have been inspected and deficiencies noted as far as lack of cross connection control devices or potential leaks and will be mailed separately with recommendations. While these repairs are not mandatory, it is recommended to complete them in conjunction with the project.

Per City of St. Helena Municipal Code Section 12.21.070, the property owner fronting the planting strip along Main Street between Sulphur Creek Bridge and Pine Street shall continue to have the responsibility to pay the expense of repairs to the property owner’s property or to sewer laterals which repairs are necessitated by damage caused by trees or other plants in such planting strip; and to repair curb and sidewalk damage caused by such street trees.

FISCAL IMPACT

The $1.2 million of One Bay Area Grant II funding associated with this project was budgeted for the federal fiscal year of 2010-21 which begins on October 1, 2020. However, City staff verified with the Napa Valley Transportation Agency who confirmed with the Metropolitan Transportation Commission that funds are available earlier if City Council directs staff to move forward with the project this year.

Due to interest in expediting this project, and due to the impact of COVID-19 on the General Fund, City staff is recommending freezing and reallocating funds from other CIP projects to complete Phase I of R18-81.

Funds from the following projects are being recommended to reallocate in order to move the Downtown Sidewalk Improvement project forward:

Project	Recommendation
C20-01 Library Roof Repair (project completed)	Reallocate unused funds to R18-81
C19-02 Hunt Avenue Sidewalk Gap Closure (project completed)	Reallocate unused funds to R18-81
R19-79 Pavement Restoration	Complete design only for remaining project, reallocate remaining construction funds to R18-81
R19-04 Sulphur Creek Sediment Removal	Freeze project and reallocate unused funds to R18-81
R19-05 Grayson and South Crane Rehab	Freeze project and reallocate Design funds to R18-81
R20-01 Mitchell Drive to Sulphur Creek Storm Drains	Freeze project and reallocate unused funds to R18-81
R21-01 Silverado Trail Overlay	Freeze project until FY 22 and reallocate funds in FY 21 to R18-81

Attachment 2 provides a summary of the revised budget for CIP R18-81.

RECOMMENDED ACTION

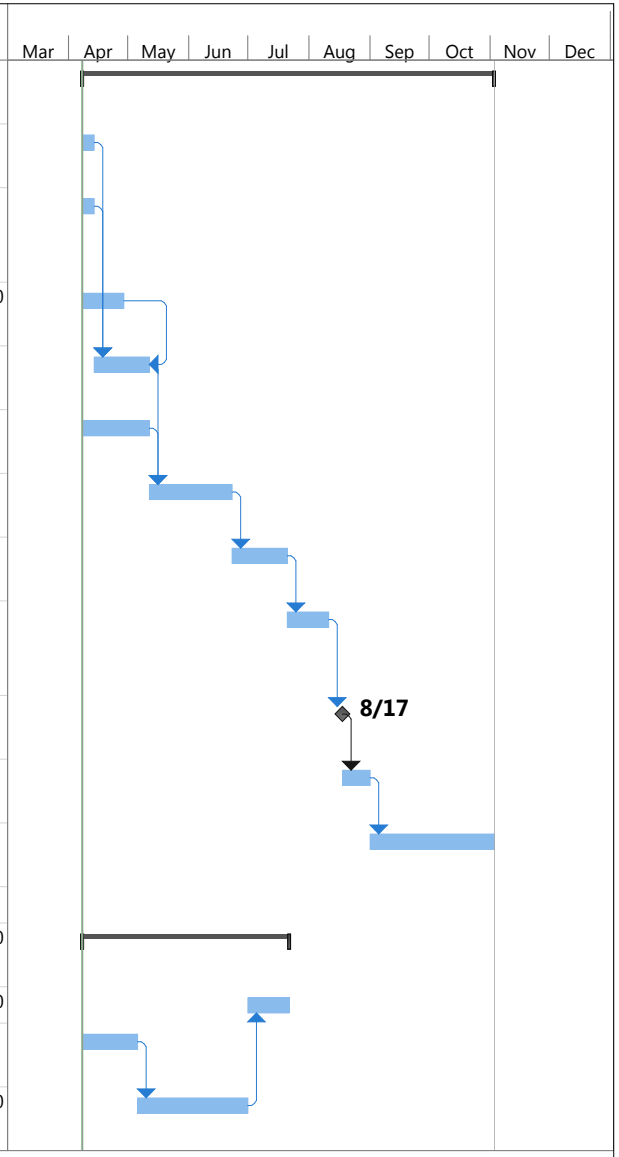
Discussion and direction by City Council.

ATTACHMENTS

Attachment 1: Expedited Schedule
Attachment 2: R18-81 Downtown Streetscape CIP Update 041020
Public Comment.Ame and Doug Van Dyke
Public Comment.Cathy Buck
Public Comment.Fran Heit

Public Comment.Gail Morgan Lane
Public Comment.James Wickesberg
Public Comment.Kristine Waldenburg
Public Comment.Maura Wilson
Public Comment.Noreen Fetzer
Public Comment.Debra Caselli
Public Comment.Alan Galbraith
Public Comment.Ahren Trumble

ID	Task Name	Duration	Start	Finish
1	**Main Street Expedited Schedule**	**149 days**	**Wed 4/8/20**	**Mon 11/2/20**
2	Revise and resubmit Technical Memos to address Caltrans comments (Dan Rivas 4.7.20)	4 days	Wed 4/8/20	Mon 4/13/20
3	Complete historic report for downtown and related summary findings (required for Caltrans as part of their NEPA Section 106 process).	4 days	Wed 4/8/20	Mon 4/13/20
4	Complete AB 52 consultation, review and accept terms of agreement for tribal monitor	15 days	Wed 4/8/20	Tue 4/28/20
5	Complete CEQA/NEPA.	20 days	Tue 4/14/20	Mon 5/11/20
6	Final design documents (with or without street furnishings) 30 days concurrent with CEQA/NEPA	24 days	Wed 4/8/20	Mon 5/11/20
7	File encroachment permit application to Caltrans with environmental completed (~30-45 days)	30 days	Tue 5/12/20	Mon 6/22/20
8	File E-76 authorization for construction with Caltrans (~30 days)	20 days	Tue 6/23/20	Mon 7/20/20
9	City Council authorize advertisement of bids for construction, should not bid until E-76 is approved, 21 days minimum	15 days	Tue 7/21/20	Mon 8/10/20
10	City Council award of construction contract (minimum 5 days post bid opening)	0 days	Mon 8/17/20	Mon 8/17/20
11	Notice to Proceed (up to two weeks for bonds and signatures)	10 days	Tue 8/18/20	Mon 8/31/20
12	Base construction work about 20 days (nights/weekends) per Phase on Main Street.	45 days	Tue 9/1/20	Mon 11/2/20
13				
14	**Work that can take place in fairly short order, non-grant funded:**	75 days	Wed 4/8/20	Tue 7/21/20
15	Tree removal and stump grinding.	15 days	Wed 7/1/20	Tue 7/21/20
16	City staff could amend an existing Caltrans Encroachment Permit, if necessary, to do the work.	20 days	Wed 4/8/20	Tue 5/5/20
17	Still need City Council to authorize bid and authorize award of contract	40 days	Wed 5/6/20	Tue 6/30/20



PHASE	Coding			2019-2023 CIP BUDGET						
				Actual Life to Date through 18/19	Adopted Budget	Projected				
	Fund	Dept	Code	FY 18/19	FY 19/20	FY 20/21	FY 21/22	FY 22/23	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		-	150,000	150,000			**300,000**
Construction Contract	741	5010	3160		-	1,500,000	1,500,000			**3,000,000**
Contingency	741	5010	3170			150,000	150,000			**300,000**
CIP Overheads	741	5010	3180							**-**
Total				***148,724***	***490,276***	***1,800,000***	***1,800,000***	**-**	**-**	***4,239,000***

Funding Sources	Estimated Life to date through	Adopted Budget	Projected				
	FY 18/19	FY 19/20	FY 20/21	FY 21/22	FY 22/23	FY 23/24	Total
101 - General Fund	-	64,500	250,000	50,000			**364,500**
101 - General Fund Loan to be repaid w/Measure T			-	-			**-**
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	171,878	883,000	1,077,500			**2,207,378**
241 - Measure T Class 1 Trails		32,500					**32,500**
230 - RMRA/SB1		64,785	64,000	69,500			**198,285**
225-229 - Gas Tax		80,337					**80,337**
Total	***148,724***	***490,276***	**1,800,000**	**1,800,000**	**-**	**-**	***4,239,000***

Cindy Tzafopoulos

From: Ame <ame@ersawyer.com>
Sent: Saturday, April 11, 2020 3:04 PM
To: Public Comment
Cc: Doug
Subject: [External] Downtown Streetscape/Sidewalk Project Acceleration

Hello~

My husband and I own E.R. Sawyer Jewelers on Main Street St. Helena. We have concerns about the streetscape commencing this summer and worry about its impact on getting our business back on track. We definitely feel that we need to wait on this, and do it at the originally scheduled time of January 2021. We all need a chance to get back on our feet. We appreciate the thoughts of doing it while we are all closed, but it will overlap the time when we are able to re-open, and would have disastrous repercussions for us all trying to get clients and guests to our city to shop with us. We ask that you please hold off until January. Thank you for considering our request.

Best- Ame and Doug Van Dyke

EST 1879
E.R. SAWYER JEWELERS
the i love you store
DOWNTOWN SANTA ROSA | MAIN STREET SAINT HELENA

AME VAN DYKE
OWNER AND
DIRECTOR OF COMMUNITY SERVICE
638 4TH STREET
SANTA ROSA, CA 95404
PH. 707.546.0372
1343 MAIN STREET
SAINT HELENA, CA 95474
PH. 707.963.0239

Cindy Tzafopoulos

From: Cathy Buck <cathybuck25@gmail.com>
Sent: Saturday, April 11, 2020 11:51 AM
To: Public Comment
Subject: [External] Downtown

Please postpone...as downtown businesses we need to focus on opening back up and bringing locals and visitors back to our town. This is extremely important or the improvements won't matter. I vote to postpone.
Thank you
Cathy
Cameo Cinema

Cathy Buck
cathybuck25@gmail.com
(707) 287-4172

Cindy Tzafopoulos

From: Fran Heit <fran@reedsnapavalley.com>
Sent: Saturday, April 11, 2020 10:31 AM
To: Public Comment
Subject: Re: [External] ****Important Meeting**** Notice Regarding Downtown Streetscape/Sidewalk Project Acceleration

Sent from my iPhone

On Apr 10, 2020, at 9:16 AM, Fran Heit <fran@reedsnapavalley.com> wrote:

Hi Amy,
We definitely need more information.
Worst case scenario they take all the trees out and we are reopening to a bare downtown.
Are they thinking about just taking the trees out or are they going to start on the sidewalks as well?
Downtown businesses are in a very precarious situation right now with so many unknowns.
This project can not begin without a complete understanding of the timetable and mechanics .
Fran Heit.. Reeds and Cricket
Sent from my iPhone

On Apr 9, 2020, at 7:15 PM, Amy Carabba <amy@sthelena.com> wrote:

Hi All,

The City has asked for your input regarding a very important meeting scheduled for next week.

City Council requested City staff to schedule a discussion item on their next City Council Meeting Agenda (Via ZOOM next Tuesday, April 14, 2020 at 6:00 p.m.) to explore the possibility of accelerating the planned reconstruction of the downtown sidewalk replacement project sooner than expected. As you know, the project was planned to begin in early 2021 (tree removal in January 2021, followed by sidewalk replacement beginning in March 2021).

However, with the existing Shelter at Home Order and a forecast that business will return incrementally when the order is lifted, Council is looking at the possibility of accelerating the construction project sooner to reduce impacts on downtown businesses.

The Council invites your participation and feedback on this topic and wants to hear from you. Comments may be emailed in advance of the April 14, 2020 meeting to publiccomment@cityofsthelena.org.

Please see below or the attached letter above from the City Manager with more details.

Best,

<95879350-9DC9-4B6C-BB97-7161D835F811[88].png>

From: Preya Nixon <PNixon@cityofsthelena.org>
Date: Thursday, April 9, 2020 at 5:57 PM
To: amy carabba <amy@sthelena.com>
Cc: Mark Prestwich <MPrestwich@cityofsthelena.org>, Erica Ahmann Smithies <ESmithies@cityofsthelena.org>
Subject: Important Meeting Notice Regarding Downtown Streetscape/Sidewalk Project

<image003.jpg>

<Important Meeting Notice Regarding Downtown StreetscapeSidewalk Project.pdf>

Cindy Tzafopoulos

From: gail lane <gail@winestates.com>
Sent: Saturday, April 11, 2020 12:14 PM
To: Public Comment
Subject: [External] Sidewalk reconstruction

I think it would be a big mistake to try and start this project before Jan 2021. Businesses are already hurting.

While no one can say exactly when we'll be able to return to our businesses, the disruption to downtown merchants between July and Nov this year would make it almost impossible for most of us to recover.

Please give us a chance to reopen and begin to recover before you start tearing up the sidewalks.

Thank you.

Gail Morgan Lane
Broker/Owner
BRE# 01026604

St. Helena Real Estate
1346 Main Street
St. Helena, CA 94574
T 707.967.9570
C 707.291.0156
F 707.968.0885
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Please consider the environment before printing this email

Cindy Tzafopoulos

From: jim wickesberg <jim@acreshomeandgarden.com>
Sent: Saturday, April 11, 2020 10:21 AM
To: Public Comment
Subject: [External] Early Main Street Construction

To All,

We were surprised to learn that the council has proposed moving up the construction dates for our Main Street improvement plan. While the intent may seem to make sense to some, we feel this would be detrimental, and possibly fatal, to many businesses on Main Street. Every business on Main Street is struggling to survive the mandated closure until we're (hopefully) able to open our doors once again. It would be poor planning indeed to make it more difficult for customers to return to St Helena businesses this year with construction issues, potential parking impact, and general disruption to the streets. We suggest that the council keep to the original construction dates beginning Jan 2021 (when business is traditionally slow) rather than to compromise the upcoming summer, fall, and holiday months that may be our best chance for recovery.

Best regards,
--
James Wickesberg
ACRES home & garden
1219 Main Street
St. Helena, CA 94575

707-967-1142
jim@acreshomeandgarden.com

Cindy Tzafopoulos

From: Kristine Waldenburg <lolo2nd@sbcglobal.net>
Sent: Saturday, April 11, 2020 12:06 PM
To: Public Comment
Subject: [External] Sidewalk project

Please do not start this project until we have some stability return to our lives and businesses.
Too bad it couldn't have been done NOW!!
Thank you!
Kristine Waldenburg
Lolo's
1120 Main Street

Get Outlook for iOS

Cindy Tzafopoulos

From: maura campion <findingsnapavalley@icloud.com>
Sent: Saturday, April 11, 2020 2:05 PM
To: Public Comment
Subject: [External] Sidewalk Construction

Dear City Council,
I write to you as the owner of Findings at 1371 Main Street. I am very opposed to the proposed sidewalk reconstruction for the downtown Main Street. We are living in dire times as retailers in St Helena. We had tried to survive during a down economic turn in St. Helena for a variety of reason (not to be detailed here) and of course fires. Now with this current situation, we as retailers will be desperate to try to stay afloat once we are allowed to reopen. The worst thing for Main Street, would be then to tear it up and further hinder tourist, locals and the like to shop.
This has to be delayed until we can try to recover.
The Main Street merchants have to have a load and resounding voice as to this important issue.
Regards
Maura Wilson
Findings
1371 Main Street
ST Helena CA 94574
707-290-5363

Sent from my iPad

Cindy Tzafopoulos

From: Noreen Fetzer <noreenfetzer@hotmail.com>
Sent: Saturday, April 11, 2020 12:18 PM
To: Public Comment; Amy Carabba
Subject: [External] Streetscape project

It has come to my attention that an earlier start date of the streetscape project is being discussed at your next meeting.

As you know there is no definite date as to the reopening of the downtown stores and restaurants, May at the earliest!
To have this construction project start this summer would be yet, another setback for our businesses.

I really hope that you re-reconsider starting this project this summer so we can try to get back on our feet and avoid
more empty store fronts!

Thank you,
Noreen Fetzer

Noreen Fetzer

Daisy Clothing Boutique
1332 Main Street
St. Helena, CA 94574
707-963-2154

daisyclothingboutique.com
Facebook & Instagram: Daisyclothingboutique

Cindy Tzafopoulos

From: Mark Prestwich
Sent: Monday, April 13, 2020 12:02 PM
To: Cindy Tzafopoulos
Subject: Fwd: [External] Sidewalk project

Public Comment

Sent from my iPhone

Begin forwarded message:

> **From:** Calla Lily <c.linens@att.net>
> **Date:** April 13, 2020 at 12:01:38 PM PDT
> **To:** Mark Prestwich <MPrestwich@cityofsthelena.org>
> **Subject: [External] Sidewalk project**
>
> Greetings,
> Please do not change the January 2021 start date for this project.We will not be able to survive closure during the summer.Thank you for your consideration.
> Best Regards,
> Debra Caselli
> Calla Lily Fine Linens and Lingerie
>
> Sent from my iPad

Cindy Tzafopoulos

From: Alan Galbraith <agalbraith94574@gmail.com>
Sent: Sunday, April 12, 2020 8:54 PM
To: Cindy Tzafopoulos; David Stoneberg
Subject: [External] Downtown Sidewalks

Dear Council members:

I applaud, without reservation, those of you who wish to move forward now with the downtown sidewalk replacement project. Without doubt, this is the the time to do it, and, though politically difficult, please decisively reject any and all pushback, which will no doubt be ardently expressed by some in these hard times.

As to the choices you face, as set forth in Ms. Smithies memo of April 14 to the City Council, my strong recommendation is that the City pick up costs that might legally be passed back to sdjacent property owners. This means that the City picks up all costs asociated with ADA compliance, as well as the cost of replacing deficient public utility infrastrure (including sewer laterals) that might be a charge to adjacent proprty owners. Do it fully and right!

Now, it may be that our downtown in these changing times cannot be brought back to reasonable prosperity, but in my mind this essential public investment is worth the gamble. With the public investment, there is a chance of success. May it succeed!

Please show decisive leadership and get the long lingering downtown sidewalk issue fully behind us.

Alan Galbraith
Mayor, 2014-2018

Cindy Tzafopoulos

From: Ahren Trumble <info@sportago.com>
Sent: Monday, April 13, 2020 12:14 PM
To: Public Comment
Subject: [External] Downtown Sidewalk Construction

Hello Mr. Mayor and Council Members…

Thank you for taking time to hear from all of us on this, obviously close to our heart topic. I'm sure you have heard from many of my fellow merchants downtown at this point. Here are my two cents.

I am very conflicted on this issue! Of course, it seems like the perfect time to take on the sidewalk project. Most businesses are closed, there's very little foot traffic on Main St. etc, etc. At first I was totally on board with speeding up this timeline… till I saw the timeline. As a merchant who is closed, who has temporarily laid off all of our employees, I need to see a light at the end of the nearest tunnel. I need to believe we will be able to throw open our doors as soon as possible and welcome our community back in. If a November 2020 completion date is the best case scenario for this project, that does not give me much to hope for.

I am in total agreement that once this is over and we are allowed to resume a semblance of normal life and business operation, that many things will be different. Business will be down, tourist traffic will be down, the economy will be sluggish. However, many of us merchants have negotiated rent decreases with our landlords, have worked with our vendors and utilities to delay payables, shipments, and basically put everything on hold till we can open again. Many of us cannot continue to ask for this forgiveness past the point of reopening. Once that happens, we need every possible tool in our belt to come back thriving. Disruption of our downtown during this most vital recovery time may be the nail in the coffin for many of us. We need something to look forward to now. Not in 8 months.

I wish you luck and thank you for taking our thoughts and opinions into consideration.

Cheers,

Ahren Trumble
Sportago
1380 Main St.#101
St. Helena, CA. 94574
P:(707) 963-9042
F:(707) 963-7461
ahren@sportago.com

No trees were harmed in the creation of this electronically composed and digitally published e-mail but a fair number of electrons were somewhat perturbed.

Report to the City Council
Regular City Council - 14 Apr 2020

Agenda Section: **NEW BUSINESS**

Subject: **COVID-19 Preliminary Economic Impact Report and Discussion**

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

Reviewed By: Mark T. Prestwich, City Manager

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

COVID-19 is a new coronavirus that has caused an outbreak of respiratory illness. While this virus can cause severe illness and death, many cases have been mild or asymptomatic. As of April 10, 2020, more than 16,500 Americans have lost their lives to COVID-19 complications, including 559 Californians.

In the past three weeks, more than 16 million Americans are reported to have lost their jobs. Due to business closures, job loss, and impacts associated with efforts to reduce transmission of the COVID-19 virus, the City of St. Helena's current fiscal year FY 2019-20 General Fund revenue is experiencing a steep decline, with hotel and sales tax revenues most impacted.

DISCUSSION

Estimated Economic Impact

The COVID-19 pandemic is unprecedented in many ways. The swift reaction by consumers and businesses to the COVID-19 outbreak is causing a substantial decrease in spending on certain goods and services, and large-scale job loss due to business closures. The national and state response, combined with the uncertainty of how long

the presence of the virus will disrupt the U.S. economy, has made revenue forecasting particularly challenging.

To assess its impacts on the City's revenues, staff has reviewed prior recession data (attached), consulted with League of California Cities financial advisors, the City's sales tax consultant, other city and county peers, and data provided by the California Society of Municipal Finance Officers (CSMFO), Government Finance Officers Association (GFOA), and municipal law firms.

While the unknown duration of the shelter-at-home orders impacts the City's ability to reliably predict economic impacts on City General Fund revenues, this report is intended to provide an early estimate of COVID-19 economic impacts through the remainder of the current fiscal year (June 30, 2020), and the following fiscal year (2020-21).

In developing the estimated economic impact, the analysis considers:

1) the immediate effect of the pandemic including shelter-at-home orders, and
2) the lasting effect of the pandemic after the immediate effects have passed.

The report does not address possible state and/or federal relief that may be provided to the City due to the business and community sacrifices made to reduce potential transmission of the virus.

General Fund – The City's three primary General Fund revenue sources are property, sales, and transient occupancy (hotel) taxes (TOT), accounting for 89% of General Fund revenues. Attachment 1 to this report provides historical General Fund revenue trends since FY 1992-93.

The revenue loss assumptions for sales taxes and TOT are based on trends provided by the County of Napa for their initial revenue loss projections for FY 2019-20 and FY 2020-21.

Sales Taxes – Sales tax accounts for 34%, or almost $5.1 million, of the City's total General Fund revenues. With numerous business closures, the City is assuming 25% of historical collections for the remainder of the fiscal year, resulting in a projected decrease of $1.42 million. The City has only received sales tax revenue figures through February 2020 at this time.

On April 2, 2020, Governor Newsom announced the Small Business Sales and Use Tax Payment Relief Plan. This Plan allows small businesses (less than $5 million in taxable annual sales) to defer payment of sales and use taxes up to $50,000 for 12 months. While this program will provide relief for up to 300,000 businesses statewide, it is expected to cause cash flow impacts on city budgets and the essential services they support. The 12-month deferral will allow small businesses to keep the sales taxes up to $50,000 collected from consumers, providing cash flow relief through essentially a bridge loan from the state, counties, and cities. It is important to note that this is not a forgiveness program,

and the money will need to be fully paid at a later date. However, there may be challenges collecting prior sales tax due if a business fails.

While the total economic impact of the Relief Plan is not known, it is not anticipated it will adversely affect the City. In reviewing the top 100 sales tax generators (which represent 92% of the sales tax generating businesses in St. Helena) 90 would qualify for this program. Though the Plan presents the potential deferment of $50,000 in sales tax, the City only receives 1.5% of the 8.25% sales tax, with the remainder allocated to the State and County. Therefore, if a business was provided relief through this Plan, the overall economic impact for St. Helena is estimated to be between $21,000 and $42,000 of deferred sales tax payments.

For FY 2020-21, the City is assuming a slow recovery, starting at 30% of prior year revenues in the first quarter, growing to 60% by the 4th quarter, resulting in a projected sales tax decrease of $2.6 million in FY 2020-21. Since these assumptions are largely dependent on how long the various public health orders remain in place, it will be necessary to re-evaluate these assumptions regularly.

Transient Occupancy Tax (TOT) – TOT is the City's third highest General Fund revenue source at 22%. TOT for FY 2019-20 was previously estimated at $3.3 million. TOT has experienced the most immediate, drastic reduction based on rapidly diminishing occupancy beginning in March 2020. Revised estimates are based on nine-year historic monthly collection trends applied to the FY 2019-20 adopted budget. For FY 2019-20, City staff is assuming 50% of the historic revenue for March 2020, and no revenue for the fourth quarter of FY 2019-20 (April, May, and June). For FY 2020-21, City staff is assuming a slow recovery, starting with 10% of prior year revenue in the first quarter, growing to 75% by the 4th quarter. As a result, it is estimated TOT revenues will decrease by $1.1 million for the remainder of FY 2019-20 and $2.1 million for FY 2020-21. Since these assumptions are entirely dependent on how long the various public health orders remain in place, these too will be re-evaluated regularly.

In recognition of the significant interruption to the hotel business, staff is seeking direction from City Council on possible deferment of TOT payments for February, March, and April, 2020 to be due on or before June 30, 2020.

Property Taxes – Property taxes account for approximately 33%, or almost $5 million, of the City's total General Fund revenues. Because of the way taxable property is assessed, due, and paid, property tax revenues are slow to respond to changes in economic conditions and the City will not experience any immediate impacts. If there is an effect of the pandemic on property taxes, the City will not experience property tax revenue decreases until FY 2021-22. Even then, the effects of this immediate, although severe pandemic event, may be mild when it comes to the taxable value of St. Helena properties.

The most notable decline in St. Helena property tax revenues followed the Great Recession. While the Great Recession lasted from March 2008 through January 2010, property taxes did not decline until FY 2010-11, where they dropped by 5.81%. Using

this is an indicator, it would be prudent to account for a drop in property tax revenues in FY 2021-22 which would equate to a revenue loss of approximately $300,000 (based on the FY 2019-20 adopted budget).

Table 1 - General Fund Summary Estimated Decline in Revenues

	FY 2019-20	FY 2020-21*
Sales Tax	(1,420,000)	(2,600,000)
TOT	(1,100,000)	(2,100,000)
TOTAL	**($2,520,000)**	**($4,700,000)**

*Based on the FY 2019-20 Adopted Budget

Consequently, City staff is projecting a cumulative General Fund revenue loss in excess of $7.2 million over the next 15 months. Staff will continue to analyze other revenues, monitor possible state and/or federal legislative relief, and provide that information in future updates.

Measure T – The City of St. Helena receives 5.9% of the annual revenues received each year from sales tax collected in the County of Napa. The initial estimate for Measure T revenues for FY 2019-20 was $1,200,000, which was later revised to $1,000,000 due to pre-COVID-19 trends.

Measure T revenues received through April 6, 2020 total $603,638. Because Measure T funds are based on sales tax collected, the same method used for sales tax projections is applied to Measure T funds. Assuming only 25% of historic collection for the remainder of the fiscal year, it is estimated the City will experience a reduction of $297,272 for the remainder of the fiscal year, resulting in a total of only $703,000 this year. Projections through FY 2021-22 estimate a cumulative loss of $997,272.

Table 2 – Measure T Estimated Losses

Revenue	FY 20 Loss	FY 21 Loss	FY 22 Loss	ESTIMATED TOTAL
Measure T	(297,272)	(550,000)	(150,000)	**(997,272)**

SB1 and other Gas Taxes – On April 3, 2020, Michael Coleman, the Principal Fiscal Policy Advisor to the League of California Cities and California Society of Municipal Finance Officers (CSMFO), presented a summary on early estimated impacts of COVID-19 on SB1 (RMRA) and Gas Tax funds. The analysis notes the magnitude of the COVID-19 event on fuel consumption and therefore tax collections and allocations depends on many as-yet unknown things including: the impact of the disease itself, restrictions by state and federal governments activity, and changes in transportation choices through and during the recovery from the event. Most road transportation in California will be suppressed through April and quite conceivably well into June.

Much like sales tax timing of collection and distribution, the effects of COVID-19 on fuel tax will begin to be seen in the May 2020 allocations. According to Coleman, early

estimates are that cities and counties will experience a reduction in FY 2019-20 SB1 allocations in amount equal to 10 to 20%, and other Gas Tax allocations from 15 to 30%. It is speculated the FY 2020-21 effect should be much milder; however, this depends largely on the extent of any longer-term recession and fuel prices. Much better estimates will be known in the next 6 to 8 weeks.

Additional analysis was completed based on a request from the Napa Valley Transportation Agency (NVTA) which assumed the following: 15% of historic revenues are received through June 30, 2020 and during FY 2020 60% of the historic revenues are received with incremental growth at 5% each year through FY 24. The analysis requested by NVTA is a much deeper scenario then Coleman's preliminary estimates. Based on the NVTA model the following chart shows the estimated losses through FY 2024.

Table 3 – SB1 and Gas Tax Estimated Losses

Revenue	FY 20 Loss	FY 21 Loss	FY 22 Loss	FY 23 Loss	FY 24 Loss	ESTIMATED TOTAL
SB1	(43,215)	(44,000)	(38,500)	(33,000)	(27,500)	**(186,215)**
Gas Tax	(53,663)	(64,400)	(56,350)	(48,300)	(40,250)	**(262,963)**
TOTAL ESTIMATED LOSS FOR SB1 AND GAS TAX						**(449,178)**

Cost Containment Measures and Estimates (General Fund)

Staff has been reviewing various immediate cost containment efforts to offset the dramatic loss in revenues. The first measures taken, based on the County of Napa and State of California shelter-at-home directives (except required essential services), are as follows:

Non-Essential Services

Effective March 20, 2020 all Recreation and Library programing has been suspended until further notice and both departments have been closed. Most staff previously reporting to these departments have been reassigned by the City's Director of Emergency Services to support the City's emergency management activities within the City's activated Emergency Operations Center (EOC).

Immediate Cost Containment Measures

In an effort to control current expenditures, the following measures were put into place on March 23, 2020:

1. Suspension of any travel/training which has not yet been paid.
2. Purchasing
    a. Suspension of all non-essential purchases. Non-essential purchases include, but are not limited to:
        i. Specialty office supplies
        ii. Publications and subscriptions
        iii. Contracts which are not a priority
        iv. Non-standardized supplies

   b. Suspension of all individual department purchases through Office Depot, Amazon, and other similar vendors. These purchases will be done through the Finance Department.
   c. Before purchasing any supplies/equipment – check all City internal sources to see find the supplies needed, before any purchase can be made. Basic essential supplies such as pens, paper, paper clips, and general office supplies will be ordered by the Finance Department and will be available at 1572 Railroad Avenue.
   d. All non-essential purchases **MUST** be pre-approved, in writing, by the Finance Director or City Manager
3. Contracts
   a. Suspension of all non-essential contracts which have not been executed
   b. All new contracts must be vetted through the Finance Director prior to negotiation with a consultant.
4. Hiring freeze for vacant non-essential positions which have not started the recruitment process or in which a job offer has not been made
5. Discontinuance of purchase of meals/snacks for meeting and events
6. No non-essential overtime unless approved by the City Manager, in writing (including comp time earned)
7. Reduction in printing
   a. Only print necessary items
   b. If an item needs to be printed, print in black and white and in color only when necessary

Table 4 – Estimated Cost Savings due to Immediate Cost Containment Measures

Item	Estimated Savings
Suspending Travel and Training	50,000
Purchasing Limitations	26,000
Suspension of all Non-Essential Contracts	
STR Enforcement	12,000
Code Enforcement (non-safety/life)	50,000
Hiring Freeze for Vacant Non-Essential Positions	280,000
Elimination of Non-Essential Overtime	3,000
Reduction in Printing Costs	3,500
ESTIMATED COST SAVINGS	**424,500**

Other Savings – FY 2019-20

Following the immediate cost containment measures identified above, staff reviewed the current budget and has identified several other preliminary cost saving measures for FY 2019-20 listed below in Table 5. Additional options will be presented via future Council budget discussions.

Table 5 – Other FY 2019-20 General Fund Identified Savings

Item	Estimated Savings

Staff Vacancies	135,000
Postpone - Housing Nexus Study	60,000
Cancellation of Programs due to Shelter-at-Home order	44,000
Utility Savings	6,000
Closed Purchase Orders from previous year – contracts no longer needed	37,000
Charity Event Reimbursements – unused portion	3,500
Zoning Code Update (costs offset by SB2 Grant)	40,000
Other Contract Services (Part-time Planning Assistance)	48,000
Remove Transfer to CIP – Library Roof Repair Funds*	250,000
Management Review of Development Process*	30,000
Re-assignment of Non-Essential Staff to EOC**	185,000
TOTAL OTHER GENERAL FUND IDENTIFIED SAVINGS	**838,500**

* Item approved during mid-year budget review
**Assumes EOC active through June 30, 2020 and subject to approval/reimbursement from CalOES/FEMA

Fiscal Impact

While the total fiscal impact is unknown at this time, the scenarios presented above for both cost containment and estimated revenue loss will leave the General Fund in a stressed situation. During the Mid-year budget review for FY 2019-20 the following was estimated for General Fund Reserves:

Table 6 – FY 2019-20 General Fund Estimated Net Position at Mid-Year

			Net Position %
Ending Fund Balance @ 6/30/19		7,921,589	
Estimated Revenues @ 6/30/20	15,623,423		
Estimated Expenses @ 6/30/20	(15,682,576)		
FY 2018-19 Rollover Purchase Orders*	(501,245)		
Estimated Unassigned Net Position		7,361,191	45%

Utilizing the immediate actions taken above as well as the estimated revenue loss for FY 2019-20, the revised net position is projected to revised as follows:

Table 7 – FY 2019-20 Revised General Fund Revised Estimated Net Position

			Net Position %
Ending Fund Balance @ 6/30/19		7,921,589	
Estimated Revenues @ 6/30/20	13,103,423		
Estimated Expenses @ 6/30/20	(14,419,576)		
FY 2018-19 Rollover Purchase Orders*	(464,245)		
Estimated Unassigned Net Position		6,134,681	41%

*Rollover Purchase Orders from FY 2018-19 are expenses that were budgeted and encumbered in FY 2018-19, but not expended by June 30, 2019.

Based on initial estimates, the Unassigned Reserve will drop to 41% for FY 2019-20. While the initial estimates for FY 2019-20 exceed City Council adopted policy of 30%, the City is still facing a much greater reduction in revenues for FY 2020-21.

Liquidity

Staff does not have any current concerns over the liquidity of its funds. The City holds funds at WestAmerica Bank, California Asset Management ("CAMP") program (through PFM), and Local Agency Investment Fund (LAIF). Holdings at WestAmerica Bank and LAIF are 100% liquid and can be expended at any time. Holdings at CAMP are broken down into three categories. Approximately 22% of its investments are available in 12 months or less, 42% available between 13-24 months, and 36% available within 25-60 months.

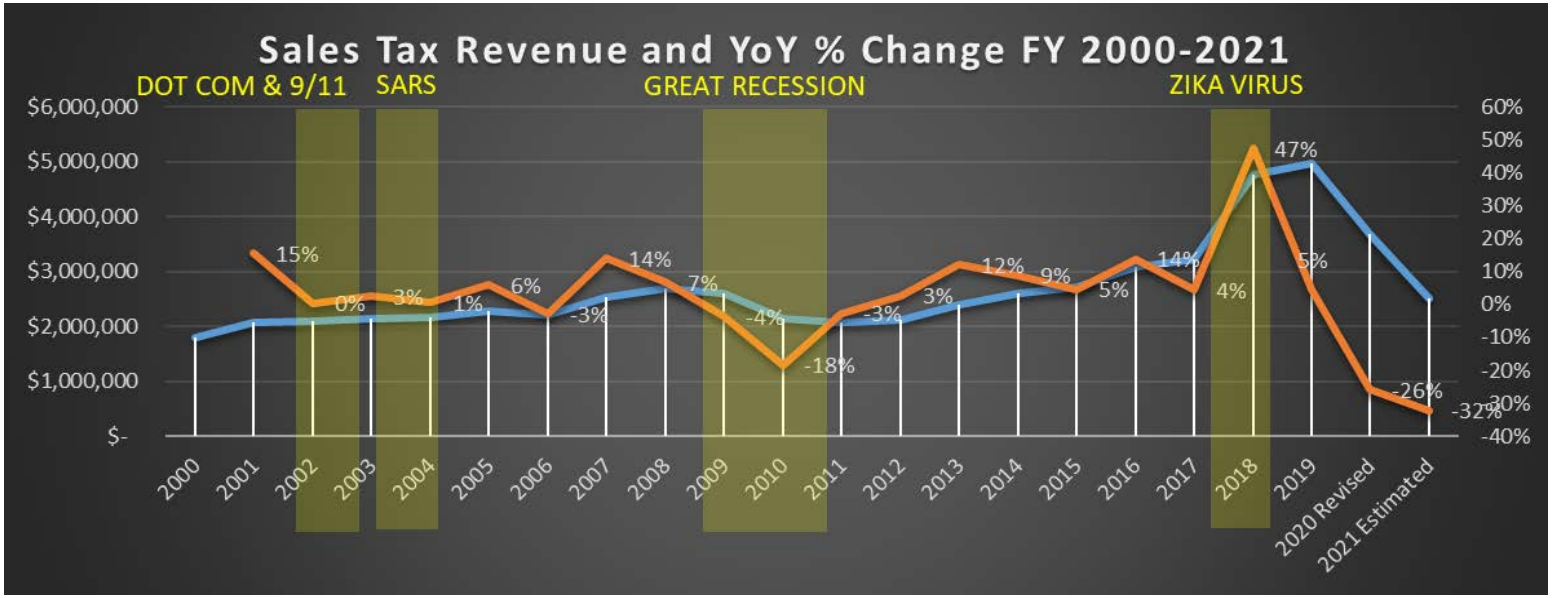
Utilizing the most recent statements available, the City currently has approximately $19 million held with WestAmerica, $9 million held with CAMP, and $7.3 million held with LAIF. Of these amounts approximately $28 million is liquid. It is important to highlight the total amount of holdings is inclusive of all funds held by the City, including restricted funds such as water, wastewater, and impact fees.

Recommended Actions

TOT – Discussion and Feedback from City Council regarding the deferment and waiving of late fees/penalties for TOT payments for February, March, and April, 2020 and making all payments due by June 30, 2020.

CARES – In response to COVID-19, the CUPC has recently suspended the renewal requirements for the CARES program and are allowing current CARE customers to remain on the program without income verification. Staff is recommending City Council temporarily follow the lead of the CUPC and suspend these requirements as well. Additionally, in developing the FY 2020-21 budget, staff has made adjustments and recommends increasing the annual allocation for CARES discounts by $15,000.

Fiscal Year (FY)	Property Tax Revenue	Property YOY Change	Sales Tax Revenue	Sales Tax YOY Change	TOT Revenue	TOT YOY Change	All Other Revenue	Other YOY Change	Total Revenue	YOY Change	Notable Events
FY 1992/93	878,162		985,422		350,277		1,569,284		3,783,145		
FY 1993/94	865,051	-1%	1,019,391	3%	519,270	48%	1,383,947	-12%	3,787,659	0%	ERAF Shift
FY 1994/95	791,767	-8%	1,008,939	-1%	599,113	15%	1,357,221	-2%	3,757,040	-1%	
FY 1995/96	839,908	6%	1,131,805	12%	711,907	19%	1,479,261	9%	4,162,881	11%	
FY 1996/97	903,196	8%	1,305,286	15%	839,424	18%	1,779,086	20%	4,826,992	16%	
FY 1997/98	950,205	5%	1,466,387	12%	909,879	8%	1,718,960	-3%	5,045,431	5%	
FY 1998/99	1,072,287	13%	1,585,356	8%	1,020,676	12%	1,757,794	2%	5,436,113	8%	
FY 1999/00	1,228,041	14.53%	1,799,878	13.53%	1,169,319	14.56%	2,021,936	15.03%	6,219,174	14.40%	
FY 2000/01	1,360,263	10.77%	2,077,976	15.45%	1,192,005	1.94%	2,025,952	0.20%	6,656,196	7.03%	dot.com Recession 3/2001-11/2001
FY 2001/02	1,559,090	14.62%	2,088,169	0.49%	1,059,234	-11.14%	1,998,150	-1.37%	6,704,643	0.73%	September 11, 2001
FY 2002/03	1,695,496	8.75%	2,142,288	2.59%	1,112,471	5.03%	1,827,207	-8.56%	6,777,462	1.09%	SARS - 11/2002-7/2003
FY 2003/04	1,826,439	7.72%	2,156,612	0.67%	1,143,557	2.79%	1,920,669	5.12%	7,047,277	3.98%	
FY 2004/05	1,832,604	0.34%	2,286,560	6.03%	1,163,368	1.73%	2,481,479	29.20%	7,764,011	10.17%	
FY 2005/06	2,079,816	13.49%	2,222,611	-2.80%	1,306,308	12.29%	1,952,800	-21.30%	7,561,535	-2.61%	
FY 2006/07	2,259,306	8.63%	2,532,604	13.95%	1,492,781	14.27%	1,921,807	-1.59%	8,206,498	8.53%	
FY 2007/08	2,529,620	11.96%	2,703,033	6.73%	1,560,398	4.53%	2,536,854	32.00%	9,329,905	13.69%	
FY 2008/09	2,577,207	1.88%	2,607,908	-3.52%	1,309,913	-16.05%	2,484,121	-2.08%	8,979,149	-3.76%	Great Recession: 3/2008-1/2010
FY 2009/10	3,085,222	19.71%	2,131,229	-18.28%	1,193,860	-8.86%	1,765,542	-28.93%	8,175,853	-8.95%	
FY 2010/11	2,906,026	-5.81%	2,073,118	-2.73%	1,465,172	22.73%	1,701,734	-3.61%	8,146,050	-0.36%	
FY 2011/12	3,454,804	18.88%	2,130,561	2.77%	1,535,388	4.79%	1,422,958	-16.38%	8,543,711	4.88%	
FY 2012/13	3,561,933	3.10%	2,386,053	11.99%	1,612,399	5.02%	1,701,209	19.55%	9,261,594	8.40%	
FY 2013/14	3,962,991	11.26%	2,594,935	8.75%	1,732,606	7.46%	1,742,334	2.42%	10,032,866	8.33%	Ebola: 2014-2016
FY 2014/15	3,958,142	-0.12%	2,714,310	4.60%	1,870,180	7.94%	1,836,396	5.40%	10,379,028	3.45%	
FY 2015/16	4,112,115	3.89%	3,090,695	13.87%	2,048,832	9.55%	2,071,452	12.80%	11,323,094	9.10%	Zika: 12/2015-9/2016
FY 2016/17	4,277,441	4.02%	3,225,699	4.37%	2,336,237	14.03%	2,052,076	-0.94%	11,891,453	5.02%	
FY 2017/18	4,718,495	10.31%	4,748,520	47.21%	2,863,580	22.57%	1,835,206	-10.57%	14,165,801	19.13%	
FY 2018/19	5,235,189	10.95%	4,964,784	4.55%	3,360,825	17.36%	2,472,192	34.71%	16,032,990	13.18%	
FY 2019/20 (Adjusted)	5,341,868	2.04%	5,098,455	2.69%	3,380,887	0.60%	1,802,213	-27.10%	15,623,423	-2.55%	
FY 2019-20 (Revised)	**5,341,868**	**2.04%**	**3,678,455**	**-25.91%**	**2,280,887**	**-32.13%**	**1,802,213**	**-27.10%**	**13,103,423**	**-18.27%**	COVID-19 March 2020-?
FY 2020-21 (Estimated)	**4,982,011**	-	**2,498,455**	**-51%**	**1,250,823**	**-63%**	**1,764,751**	**-2.08%**	**10,496,040**	**-30.15%**	


Sales Tax Revenue and YoY % Change FY 2000-2021
DOT COM & 9/11
SARS
GREAT RECESSION
ZIKA VIRUS
$6,000,000
$5,000,000
$4,000,000
$3,000,000
$2,000,000
$1,000,000
$-
60%
50%
40%
30%
20%
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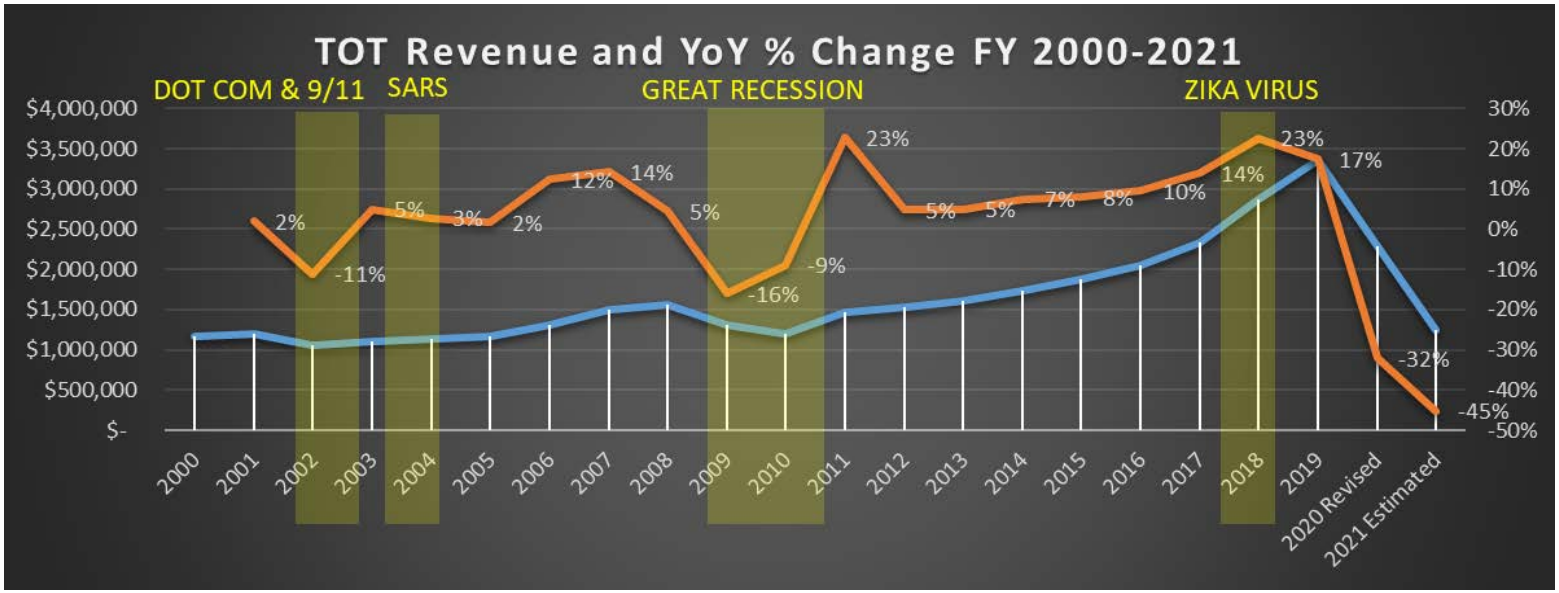
2018
2019
2020 Revised
2021 Estimated


TOT Revenue and YoY % Change FY 2000-2021
DOT COM & 9/11
SARS
GREAT RECESSION
ZIKA VIRUS
$4,000,000
$3,500,000
$3,000,000
$2,500,000
$2,000,000
$1,500,000
$1,000,000
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$-
30%
20%
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-50%
2%
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-16%
-9%
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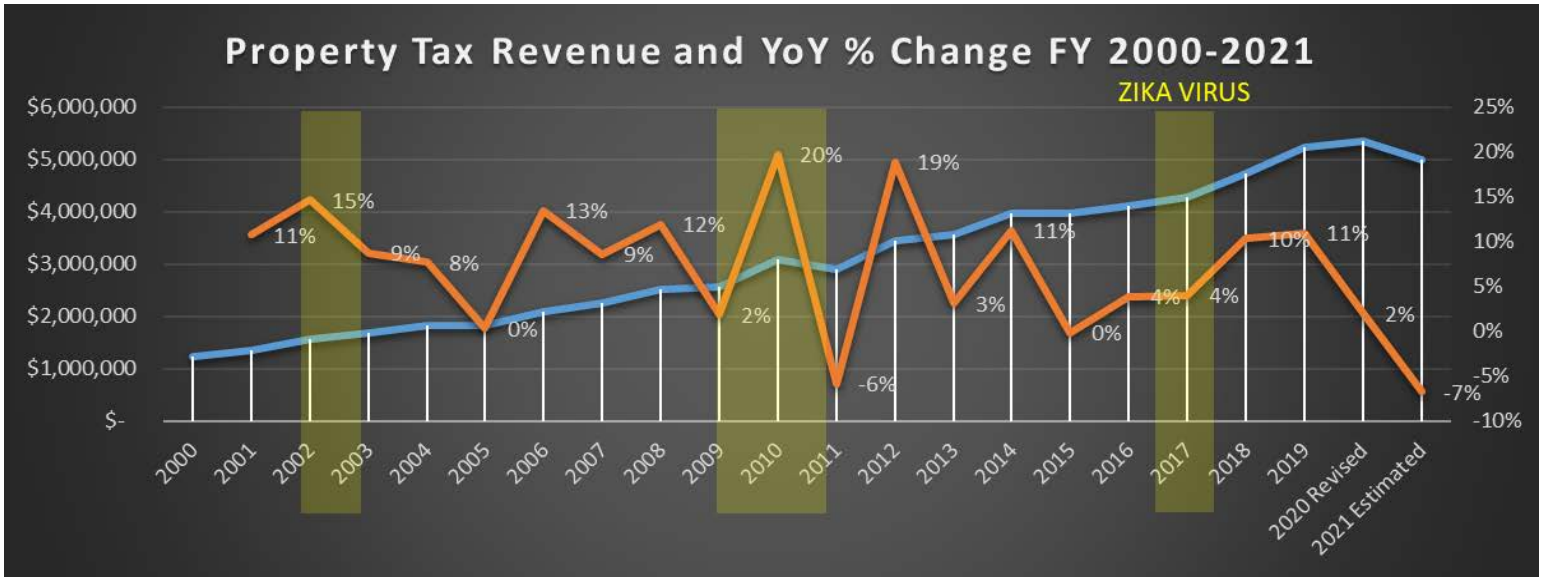
2018
2019
2020 Revised
2021 Estimated


Property Tax Revenue and YoY % Change FY 2000-2021
ZIKA VIRUS
$6,000,000
$5,000,000
$4,000,000
$3,000,000
$2,000,000
$1,000,000
$-
25%
20%
15%
10%
5%
0%
-5%
-10%
11%
15%
9%
8%
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13%
9%
12%
2%
20%
-6%
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3%
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-7%
2000
2001
2002
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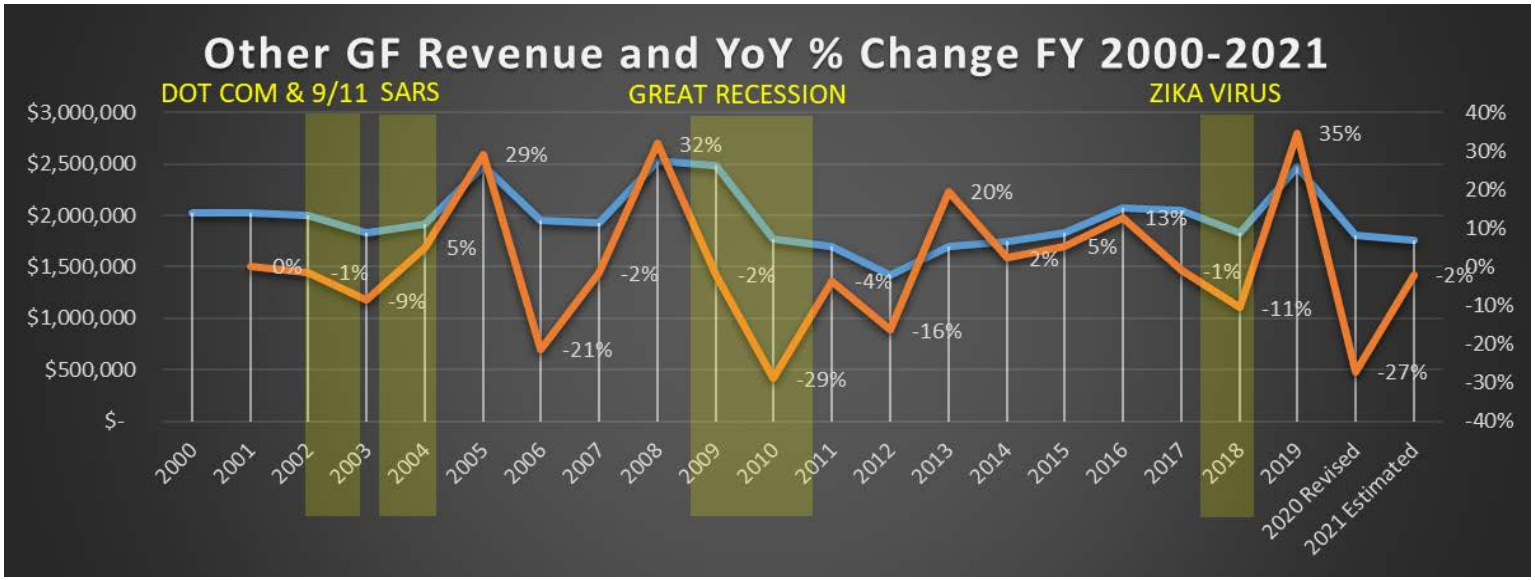
2017
2018
2019
2020 Revised
2021 Estimated


Other GF Revenue and YoY % Change FY 2000-2021
DOT COM & 9/11 SARS
GREAT RECESSION
ZIKA VIRUS
$3,000,000
$2,500,000
$2,000,000
$1,500,000
$1,000,000
$500,000
$-
40%
30%
20%
10%
0%
-10%
-20%
-30%
-40%
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-1%
-9%
5%
29%
-21%
-2%
32%
-2%
-29%
-4%
-16%
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-1%
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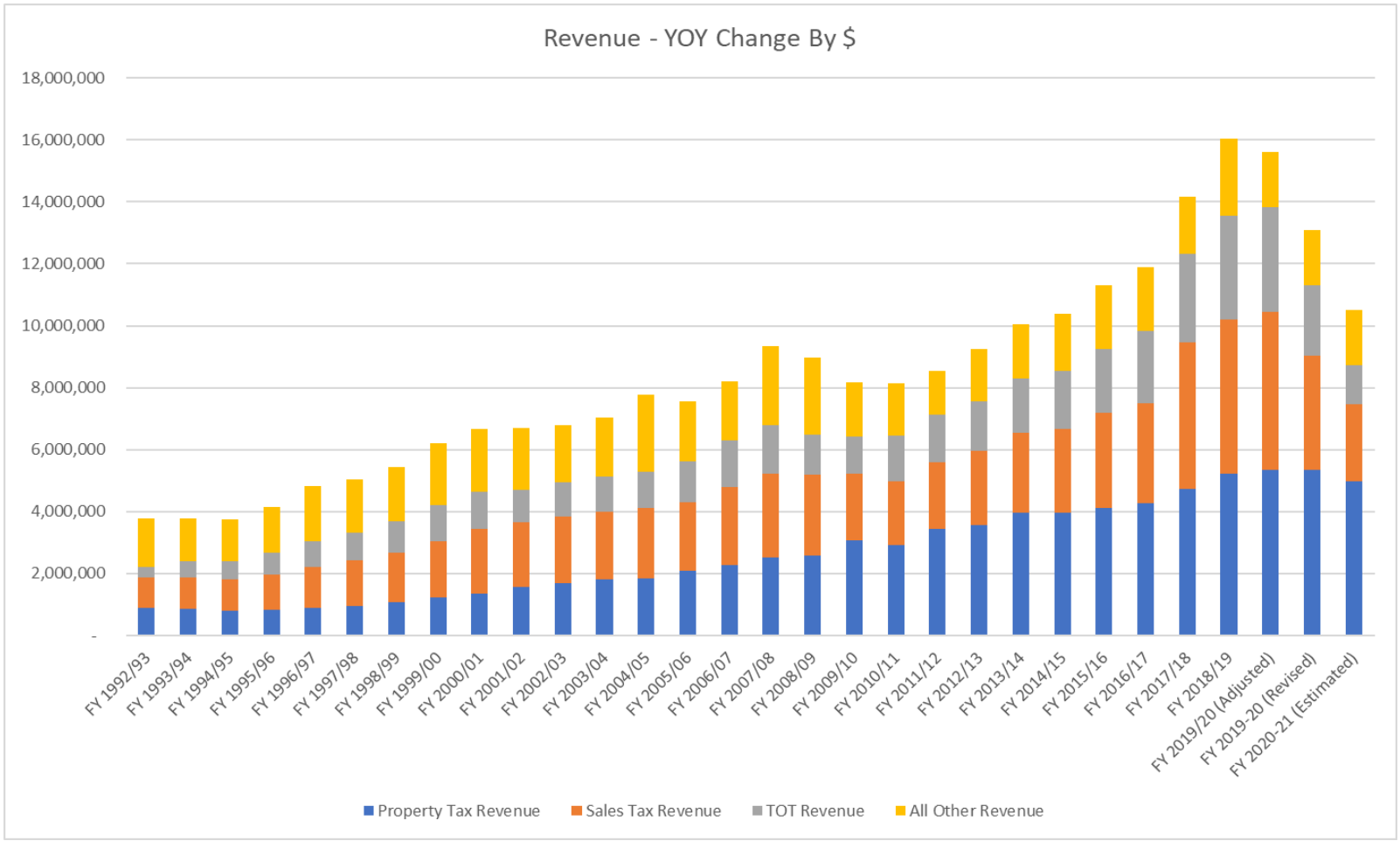
2018
2019
2020 Revised
2021 Estimated


Revenue - YOY Change By $
18,000,000
16,000,000
14,000,000
12,000,000
10,000,000
8,000,000
6,000,000
4,000,000
2,000,000
FY 1992/93
FY 1993/94
FY 1994/95
FY 1995/96
FY 1996/97
FY 1997/98
FY 1998/99
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FY 2000/01
FY 2001/02
FY 2002/03
FY 2003/04
FY 2004/05
FY 2005/06
FY 2006/07
FY 2007/08
FY 2008/09
FY 2009/10
FY 2010/11
FY 2011/12
FY 2012/13
FY 2013/14
FY 2014/15
FY 2015/16
FY 2016/17
FY 2017/18
FY 2018/19
FY 2019/20 (Adjusted)
FY 2019-20 (Revised)
FY 2020-21 (Estimated)
Property Tax Revenue
Sales Tax Revenue
TOT Revenue
All Other Revenue

Cindy Tzafopoulos

From: David Knudsen
Sent: Friday, April 10, 2020 12:38 PM
To: Marcelle Adderley
Cc: Cindy Tzafopoulos; April Mitts; Mark Prestwich
Subject: Re: [External] Deferring TOT and TID payments

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Marcelle:

I hope you've remained well and are managing through these extremely disruptive times.

Unfortunately I don't believe this got into the record for Tuesday's meeting and it also wasn't brought up. I very much want to be broadly supportive of our local businesses and workers during this time as revenue has disappeared. It's extremely difficult, and when we're out of it we'll have to think of creative ways to support and enhance our local businesses and their activities and efforts.

Am I correct in understanding that the TOT due to the city was already collected from guests during those months just as sales tax is collected? I know the county has been willing to potentially eliminate late penalties for possible delays in paying property taxes, but don't know if there has been any similar changes around sales tax collections. In general, it seems like tax already collected on behalf of a government entity should then be provided to that entity. I hope your members that could qualify will avail themselves of Federal SBA PPP and EIDL programs—I believe there are hiccups but they offer a scale of help that no others could provide. The PPP funds for example seems to be forgivable if used personnel costs.

In the meantime, I've also cc'd Cindy, our City Clerk, so that your comment can be added directly into the public record for the next meeting if it wasn't already. I've also cc'd April as she can provide clarification as to the reason for the current delay to April 30th, which was done administratively, and to Mark, our City Manager.

Stay safe and thanks for communicating with us, much appreciated—David

Sent from my St. Helena-issued tablet

On Apr 7, 2020, at 4:56 PM, Marcelle Adderley <madderley@southbridgenapavalley.com> wrote:

Dear Mr. Mayor and City Council Members:

I am writing in the capacity as Chair of the SHTID and as a member of the hospitality industry in St. Helena.

Thank you for your leadership during this unchartered time.

Yesterday, the St. Helena Tourism Improvement District Board approved to defer TID assessment payments. Typically these payments happen at the same time as the TOT payments. We understand that the City has currently deferred the next due TOT payments until April 30th , but needed the SHTID board approval to do the same with TID assessment payments.

We are respectfully asking the City Council to consider deferring the February and March payments of TOT and TID from the current due date of April 30th to at least June 30th.

We are working under the assumption that June might be the first month where lodging could potentially start capturing revenue again.

Kindly add this request to public comment for tonight's meeting and as an agenda item for the April 14th City Council Meeting.

Sincerely,

Marcelle Adderley
General Manager
Southbridge Napa Valley
707.967.9400

Report to the City Council
Regular City Council - 14 Apr 2020

Agenda Section: **NEW BUSINESS**

Subject: **Review and consideration of the 2019 St. Helena Housing Element Progress Report**

CEQA Determination: **Not a CEQA project**

Prepared By: Aaron Hecock, Senior Planner

Reviewed By: Maya DeRosa, Planning & Building 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.

Pursuant to Government Code Section 65400, by April 1st of each year, General Law Cities are required to submit an annual report to the legislative body, the Office of Planning and Research (OPR), and the Department of Housing and Community Development (HCD) outlining the progress made towards implementing the City's General Plan Housing Element (HE). Specifically, the Progress Report is required to detail local efforts to remove governmental constraints to the maintenance, improvement, and development of housing. In addition, the Progress Report must detail the actions taken by the local government towards completion of the programs and status of the local government's compliance with the deadlines in its HE. The Annual Progress Report is to be considered at a public meeting before the legislative body where members of the public shall be allowed to provide oral testimony and written comments.

On May 26, 2015, the City of St. Helena adopted the fifth cycle of the state-mandated Housing Element update, spanning the years 2015-2023. This Housing Element details how the City plans to accommodate the RHNA of 31 units within this time frame. The Planning Department is providing this annual update to inform the Council and public on the progress being made to implement the Housing Element policy priorities prior to submitting the report to HCD as required to maintain grant funding eligibility.

HCD is currently in the process of developing the sixth RHNA cycle (2022-2030) and the City expects to receive their preliminary housing unit allocation numbers from ABAG in the next few months.

DISCUSSION

The current Housing Element (HE) details goals, policies, quantified objectives, and implementing actions for the development, rehabilitation, and preservation of housing, based upon the findings of the Housing Needs Assessment and input received through the public outreach. The HE is divided into two elements, the Housing Needs Assessment and the Housing Element Update, which includes six goals, policies and an eight-year action plan. These six overarching goals (listed below) endeavor to facilitate housing development:

1. A Diversity of Housing to Meet Local Needs
2. Efficient Land Use and High Quality Neighborhoods
3. Conservation of Existing Housing
4. Assistance to Support Affordable Housing
5. Resource Conservation
6. Equal Housing Opportunities

The implementation of these goals is supported by a number of Policies, Implementing Actions and Quantified Objectives. As reported in the 2018 HE Progress Report (attached), the City Council and staff have implemented and met several of the Housing Element goals and programs, including some of the quantified objectives and implementing actions of several goals of the City's adopted Housing Element.

While SB 35, AB 879, and the 2017 Housing Package each added new data requirements to the Housing Element reporting requirements, it is the Housing and Community Development (HCD) mandates that require the report to the City Council at a public meeting. Given this, staff has attached the HCD worksheet to supplement the information provided in this report. For an implementation progress update on the policies being implemented, or anticipated timeline for their implementation (from the staff perspective) the Council and community should refer to Table D to the attached HCD Reporting worksheet. This report was submitted to HCD in keeping with the April 1, 2020, required timeline to maintain grant eligibility.

As identified in Table B of the HCD worksheet, the City has issued building permits for 74 new residential units (including ADUs) during this 2015-2023 RHNA Cycle, while the

RHNA allocation from HCD was 31. However, the City has not yet met the individual affordable housing goals identified in the RHNA allocations.

Additional housing element and supporting information can be found at the following link:

http://www.cityofsthelena.org/planning/page/2015-2023-housing-element

CHALLENGES

While the City's progress on HE implementation is substantial, there are a number of actions remaining, several of which are listed below. These include efforts such as:

1. Potentially modifying the City's Inclusionary Ordinance (Chapter 17.146) to adjust and expand the distribution of income levels;
2. Making modifications to the zoning code including density requirements, incorporate mixed use housing, and targeting sites for increased development potential;
3. Providing assistance with acquiring low interest loans for 10 first-time home buyers; and
4. Expanding the amount of senior housing units through mandated requirements.

While many of these actions naturally fit within efforts currently prioritized by the City Council (Comprehensive Zoning Code Update, Housing Strategy, Fee Schedule Update etc.), others such as establishing a full time (shared) Housing Coordinator (HE4.H), the pursuit of mortgage revenue bonds and/or credit certificates (HE4.E) and planning for road and utility improvements to facilitate development of housing opportunity sites (HE1.E) may prove to be challenging, given the limited resources available to support such initiatives.

FISCAL IMPACT

Given that the adopted Housing Element is an eight-year policy document, the fiscal impacts of implementing and meeting the goals of the 2015-2023 Housing Element are dependent on which of these goals are chosen to be addressed within a given budget year, and how the individual tasks are assigned (City staff vs consulting staff). As specific elements of the policy direction are brought forward, staff will provide individual costs and staff resources needed to accommodate each.

RECOMMENDED ACTION

It is recommended that the City Council review, consider and file this report recognizing that staff submitted the information to HCD in keeping with the April 1, 2020 deadline to maintain grant eligibility.

ATTACHMENTS

Table B
Table D

Jurisdiction	St. Helena	
Reporting Year	2019	(Jan. 1 - Dec. 31)

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

This table is auto-populated once you enter your jurisdiction name and current year data. Past year information comes from previous APRs.

Please contact HCD if your data is different than the material supplied here

Table B
Regional Housing Needs Allocation Progress
Permitted Units Issued by Affordability

Income Level		1	2									3	4
		RHNA Allocation by Income Level	2015	2016	2017	2018	2019	2020	2021	2022	2023	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Very Low	Deed Restricted	8					2					2	6
	Non-Deed Restricted												
Low	Deed Restricted	5			8		6					14	
	Non-Deed Restricted												
Moderate	Deed Restricted	5										4	1
	Non-Deed Restricted		4										
Above Moderate		13	23	6	11	10	4					54	
Total RHNA		31											
Total Units			27	6	19	10	12					74	7

Note: units serving extremely low-income households are included in the very low-income permitted units totals
Cells in grey contain auto-calculation formulas

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction	St. Helena	
Reporting Year	2019	(Jan. 1 - Dec. 31)

Table D

Program Implementation Status pursuant to GC Section 65583

Housing Programs Progress Report

Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

1	2	3	4
Name of Program	**Objective**	**Timeframe in H.E**	**Status of Program Implementation**
HE1.A	Continue to exempt permits for regulated affordable units as well as second units from Growth Management System	Ongoing	The City currently exempts affordable housing units and Accessory Dwelling Units from the Growth Management system. In addition, un-used allotments are "banked" from previous years and are available to be issued within a single calendar year to projects which provide a minimum of 40% of their total unit count as affordable. The draft St Helena 2040 General Plan provides direction to continue to do so.
HE1.F	Fast-track housing developments that meet lower income and special housing needs.	Ongoing	The City is committed to expediting any affordable housing applications that are submitted for review and action. Eight owner-occupied affordable housing units were approved by the City in Dec. 2016 (Self-Help Affordable Housing Project called the Brenkle Ct. Project from Our Town St. Helena (OTSH)). Building permits for each unit were issued in 2019.
HE2.A	Provide incentives for higher density housing. Explore possible incentives for building attached market rate housing units for rent and for sale.	2019	In an effort to implement this Goal, the City has removed the Use Permit requirement for multi-family housing in the High Density Residential land use designation and all of the Housing Opportunity Sites located within other land use designations (Medium Density Residenital). In addition, the City has created an SB 330 Checklist to further streamline the design and approval of by-right multi-family units within the community.

HE3.E	Review housing needs, achievements and challenges as part of the City's regular General Plan review. As required by State law, submit a progress report to the State Department of Housing and Community Development and Governor's Office of Planning and Research by April 1st of each year.	Annually	This report is being done as a part of this Goal and as of 2018 reporting year, the City of St. Helena is up to date on its reporting requirements regarding Housing Element implementation with the Office of HCD.
HE4.C	Reduce, defer, or waive fees for affordable housing developments. The City will establish a set of criteria for project eligibility to have fees reduced, deferred or waived. The City will explore and adopt as appropriate higher incentives for affordable housing developments with units affordable to extremely low and very low income households.	Ongoing	Since 2010, the City has made significant efforts to provide financial incentives, including reducing the application and impact fees for affordable housing projects and will continue to do so into the foreseeable future. Since 2016, the City committed substantial amounts of Affordable Housing Trust Fund monies (approximately $2,000,000) to two different affordable housing projects, anticipated to result in the construction and/or occupancy of 16 new affordable housing units in St. Helena in 2019. Since 2015, the City has fully funded all funding requests made by an affordable housing developers to assist with the design and construction of affordable housing units within St. Helena.
HE4.F	Pursue additional funding for affordable housing. Explore other options for affordable housing funding, including a real property transfer tax and Housing Trust Fund contributions from the wine and hospitality industry in Napa Valley.	2018 and ongoing	Since 2010, the City has made significant efforts to provide financial incentives, including reducing the application and impact fees for affordable housing projects and will continue to do so into the foreseeable future. In 2018, the City joined wioth all municipalities in Napa County, put Measure E on the ballot, requesting voter approval of a special tax to increase Transit Occupancy Taxes on hotels by one-percent, with these additional funds being for the sole purpose of housing. This measure was approved and went into effect January 1, 2019. Estimated annual revenue from this measure is approximately $280,000.
HE4.G	Continue Section 8 rent subsidy certificates. Work with the City of Napa Housing Authority to provide continued rental assistance to low, very low and extremely low income households.	Ongoing	The City continues to contract with the City of Napa for Housing Authority services, including Section 8.
HE4.L	Explore the potential of using Housing Trust Fund money to purchase existing housing for conversion to restricted affordable housing and commit funding as appropriate. Priority use of Housing Trust Fund monies will be given to the creation of housing affordable to extremely low income households.	Ongoing	Since 2010, the City has made significant efforts to utilize Affordable Housing Trust Fund monies to support the development and preservation of affordable housing projects and will continue to do so into the foreseeable future.

HE5.B	Encourage use of alternative energy technologies. Create incentives for the use of solar energy in new and rehabilitated housing. Incentives to adopt as appropriate include, but are not restricted to, ensuring a streamlined review process for applications, deferred fees, and reduced applicable city standards.	Ongoing	The City currently issues building permits for solar panel installation, backup battery installation, and electric vehicle charging infrastructure under the "Rapid Permit" category and will continue to do so into the foreseeable future. The City has extended services for Solar Permits to be submitted via email and paid over the phone to expedite further the process and reduce the number of trips into City Hall to get the permit.
HE5.F	Provide public information on alternative energy technologies for residential developers, contractors, and property owners. The City will provide information on its website and/or City Hall regarding alternative energy technology options, possible sources of financing, and any applicable information regarding necessary local permits.	Ongoing	The City currently provides Green Building Code information upon request and has recently updated the City website, allowing additional information to be provided on an on-going basis. In 2018, the City added information regarding solar panel installation, backup battery installation, and electric vehicle charging infrastructure to the City's website to ease access to the requirements and incentives available.
HE5.D	Require cost-effective energy conservation measures in all new and rehabilitated housing to promote long-term affordability for occupants. The City will adopt the State's new Energy Efficiency Standards as part of any update to the California Building Standards Code and ensure that all new housing units constructed in the City meet or exceed these standards.	Tri-Annually	The City continues to work toward concurrent building code adoption along with standard building code updates. The last update being January 1, 2020 with adoption of the 2019 Code Standards.
HE5.H	Continue to apply Municipal Code provisions pertaining to water resources. City will continue to require water-efficient landscaping for new residential and commercial construction, as well as implementing the Water Use Efficiency and Use Guidelines.	Ongoing	The City has adopted a "Water Neutral" policy for all new development (Municipal Code Chapter 13.12) and continues to implement a Water Efficient Landscape Ordinance (MWELO) in keeping with anticipated State requirements.

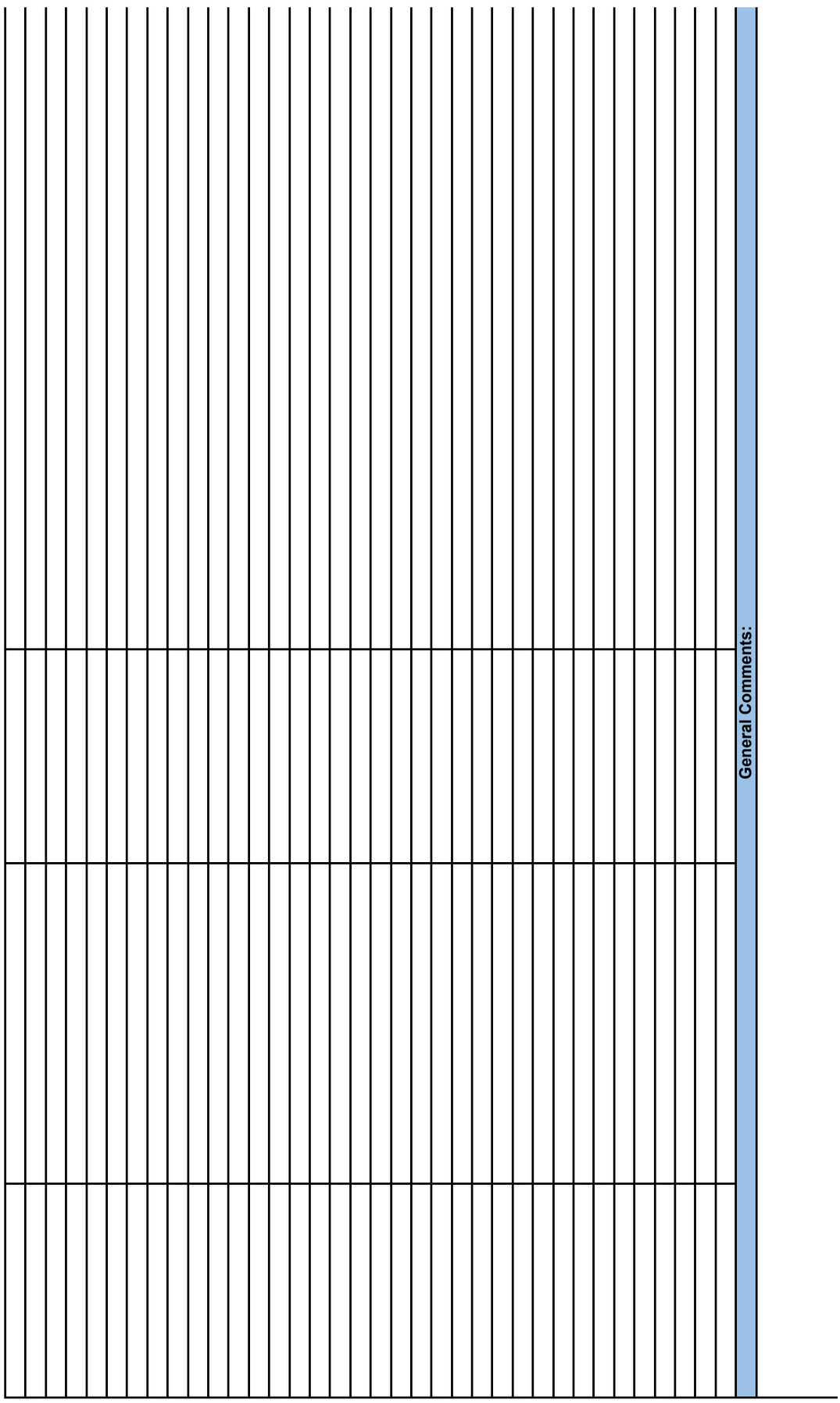
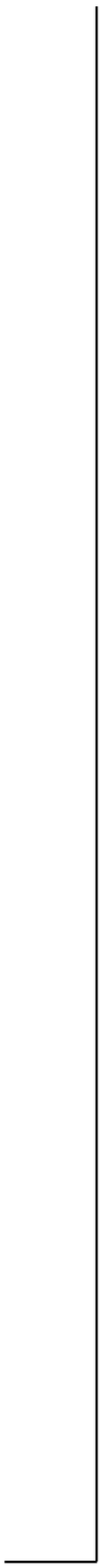
HE1.J	Encourage development of co-housing, ecohousing, 'green' manufactured homes and other 'nontraditional' forms of housing. Ensure these housing types are addressed in the development of design guidelines to streamline to approval process.	Ongoing	The City Council has expressed an interest in reviewing housing needs Citywide now that the 2040 St Helena General Plan has been adopted. In addition, staff and the City Council are committed to creation and adoption of Design Guidelines, consistent with the adoption of the 2015 Housing Element and 2040 General Plan.
HE2.D	Modify section 17.100 of the Zoning Ordinance to rename the Mobilehome Park Overlay District to "Manufactured Housing Overlay District". Develop policies to streamline the review process for this overlay district on residential land for projects that create land-ownership opportunities for residents. Support giving residents the right of first refusal if an existing park is to be sold.	2020	No revisions to the current zoning code have been made as of yet as the comprehensive zoning code update is currently underway. However, all City actions are made in keeping with California State law and any request to implement a Manufactured Housing Overlay District would be reviewed as such.
HE2.I	Review and revise development standards pertaining to second units. Ensure that the development of second units is physically and financially feasible in targeted areas. Give particular attention to parking standards, setbacks, and impact fees.	Ongoing	In 2017, the City adopted updated ADU regulations which streamlined the review process for ADU construction and conversion, in keeping with the requirements of State law and is now in the process of again amending the ADU Ordinance to be consistent with recently passed state legislation. The St Helena 2040 General Plan update was adopted in May 2019. A comprehensive zoning code has begun and will include additional direction regarding the development of Accessory Dwelling Units.
HE2.J	Provide financial assistance for second unit development. Incentives might include low interest loans or fee waivers.	2020	The St Helena 2040 General Plan was adopted in May 2019. A comprehensive zoning code update has begun will include additional direction regarding the development of Accessory Dwelling Units (ADUs). A component of this review will include the ability of the City to provide financial assistance for ADU development. In the mean time, City staff has been working with non-profit organizations and grant providers to find other mechanisms to encourage ADU development.

HE2.K	Target specific areas for second unit incentives. Create incentives to construct second units in the medium density areas near downtown. Incentives to adopt as appropriate include, but are not restricted to, fast tracking development applications, deferred development fees, and reduced parking and/or other city standards.	2017-2020	In 2017, the City incentivised ADU development in all residenital areas of the community. The City is currently in the process of updating its ADU Ordinance to comply with recently passed state legislation. The St Helena 2040 General Plan was adopted in May 2019. A comprehensive zoning code update has begun will include additional direction regarding the development of Accessory Dwelling Units (ADUs).
HE2.M	Link financial incentives and development standard variances to affordability requirements for second units. Require that either the main house or the second unit is used as a rental unit that is affordable to moderate or below moderate households whenever the City assists in development through financial incentives or by granting a variance	Ongoing	The City Council has expressed an interest in reviewing housing needs Citywide which is expected to occur along with the comprehensive zoning code update. Financial incentives and potential variance from development standards will be included as a part of this review.
HE2.N	Respond to complaints regarding illegal units. The City will work with the property owners to help bring illegal units up to code and to abate the use of non-habitable buildings as living units	Ongoing	While the City does not have a dedicated Code Enforcement Department, Planning and Community Improvement Department staff is responsible for responding to Code Enforcement complaints and prioritize life and safety issues, such as substandard housing, in these efforts. Additional Code Enforcement improvements have been identified as an element of the adopted City Council goals.
HE2.O	Identify appropriate 'target' areas for conversion of single family homes to multi-unit dwellings, Identify areas, zoning districts, or specific sites where conversion would be appropriate or desirable.	Ongoing	The City Council has expressed an interest in reviewing housing needs Citywide which is expeted to occur along with the comprehensive zoning code update. Financial incentives and potential variance from development standards will be included as a part of this review. Further, a majority of the City's residential land is designated as Medium Density Residential, allowing conversion of existing SFD to MFD at a density of 5.1-16 units per acre.

HE2.P	Develop a program to encourage affordable housing in clusters of 4-6 units on Infill parcels on west side of town. The City will post an inventory of available sites on the City's website. City will explore and adopt as appropriate incentives to encourage affordable housing clusters, including, but not limited to priority permitting processing, reduced or waived development fees, reduced parking and/or other city standards, and an additional density bonus.	2019-2020	The City Council has expressed an interest in reviewing housing needs Citywide and have prioritized creation of a Citywide Housing Strategy as one of the Council Goals. This is expected to occur along with the comprehensive zoning code update. Incentives for the development of these units including parking ratio reductions, will be included as a part of this review. Further, a majority of the City's residential land is designated as Medium Density Residential, allowing conversion of existing SFD to MFD at a density of 5.1-16 units per acre.
HE3.A	Restrict conversion of rental units to condominiums. Current policy allows conversion to condominiums under certain circumstances when the vacancy rate is high. The presence of second homes results in an inflated vacancy rate. The policy should be further studied to reflect a general guiding principle of preserving the affordable housing stock while eliminating the current linkage to vacancy rates.	2019-2020	The City Council has expressed an interest in reviewing housing needs Citywide and have prioritized creation of a Citywide Housing Strategy as one of the Council Goals. This is expected to occur along with the comprehensive zoning code update. Restrictions on condominium conversions of existing apartment units will be included as a part of this review.
HE3.B	Charge an affordable housing impact fee whenever housing units are converted to other uses. Exempt conversion projects that create affordable for-sale housing from this impact fee.	Ongoing	The City currently charges an Housing Impact Fee. Further, the City Council has expressed an interest in reviewing housing needs Citywide and have prioritized creation of a Citywide Housing Strategy as one of the Council Goals. This is expected to occur concurrently with the comprehensive zoning code update. Restrictions on conversions of existing housing units to non-housing uses will be included as a part of this review.
HE3.D.	Continue to limit the conversion of market rate housing to vacation rentals. Abate the use of illegal vacation rentals, including time shares and fractional interests.	Ongoing	The City strictly limits the use of residential units for short-term rental (STR) use to a maximum of 25 STR units within the City. Funds collected from these units are utilized to assist with active and aggressive enforcement of these limitations. This enforcement continued to be a priority in 2019.

-	Review and possibly amend the inclusionary housing ordinance to: (1) adjust the inclusionary housing ordinance to require further distribution of affordable units with the various income categories. (2) Balance collecting housing impact fees with the requirement to construct affordable housing, either on or off site depending on the size of the site and other site conditions, for larger commercial developments. Evaluate increasing the housing impact fees to reflect the increasing cost of housing in the community. Collect housing impact fees for small commercial development where requiring residential construction would not be feasible. (3) Increase appropriate residential construction in-lieu fees and/or create a sliding scale for larger homes. (4) Add an above moderate-income workforce housing component to the Inclusionary Housing Ordinance requirements	Unstated however City staff anticipates progress to begin in 2020.	The City Council has expressed an interest in reviewing housing needs Citywide and have prioritized creation of a Citywide Housing Strategy as one of the Council Goals. This is expected to occur concurrently with the comprehensive zoning code update. Potential revisions to the inclusionary housing requirements will be included as a part of this review. In preparing for this process, the City commissioned a "White Paper" on housing issues to further highlight the housing needs and opportunities available within the community.
Goal 3 Quantified Objective:	Assist in the acquisition of low-interest loans for rehabilitation, including energy conservation, of 10 lower-income housing units by January 31, 2023 of the end of the Housing Element planning period (2 extremely low income, 2 very low income, 3 low income, and 3 moderate income households).	31-Dec-22	City was awarded $500,000 HOME funds grant in 2017 and initiated implementation of a program to make 0-interest, 0-payment 30-year loans for rehabilitation work to owners of deed restricted homes. To date, the City has expended or committed approximately $400,000 of these funds to assist 12 low income home owners and are making effrot to utilize the complete balance.

Goal 1-Quantified Objective:	Construct 4 units of affordable housing to Extremely-Low income households; 4 units of housing affordable housing to Very Low Income households; 5 units for Low Income households; 5 units for Moderate Income households; and 13 units for above Moderate Income households by October 31, 2022 (31 total RHNA).	31-Dec-22	The City has issued building permits for the Turley Flats affordable housing project, an 8-unit multifamily project with loan funding from the Affordable Housing Trust Fund (all low income). Occupancy of all units occurred in 2019. Further, the City has issued building permits for the Brenkle Court 8-unit affordable housing project (2 very-low and 6 low income). The combined affordability of these units is expected to help the City make significant progress toward meeting these unit counts.
Goal 4 Qualtified Objective:	Reduce, defer or waive fees for 18 housing units affordable to extremely low, low, very low and moderate income households.	31-Dec-22	City has both reduced and deferred fees (through a loan from the Affordable Housing Trust Fund)for the Turley Flats Affordable Housing Project, an 8-unit multi-family development at 1105 Pope St and the Brenkle Court 8-unit affordable housing project access off of McCorkle. Combined, the City has reduced, deferred or waived fees for 16 affordable housing units as of Jan. 1, 2020.


General Comments: